

I_135_2684-3

135th General Assembly
Regular Session
2023-2024

Sub. S. B. No. 168

A BILL

To amend sections 3301.0714, 3301.28, 3302.03, 1
3302.12, 3302.151, 3307.353, 3309.345, 3311.80, 2
3312.02, 3313.26, 3313.413, 3313.46, 3313.48, 3
3313.60, 3313.6011, 3313.92, 3313.984, 3314.012, 4
3314.015, 3314.016, 3314.017, 3314.0211, 5
3314.03, 3314.11, 3314.29, 3314.35, 3319.079, 6
3319.0811, 3319.111, 3319.112, 3319.22, 7
3319.2210, 3319.316, 3319.391, 3326.11, 8
3327.021, 3333.393, 3333.394, and 5502.70; to 9
enact sections 3302.121, 3319.264, 3319.273, and 10
3345.205; and to repeal sections 3301.0717, 11
3301.131, 3301.134, 3301.14, 3301.30, 3302.22, 12
3313.6015, 3314.20, 3317.50, 3317.51, 3319.234, 13
3319.55, 3319.56, and 3319.57 of the Revised 14
Code and to amend Section 265.270 of H.B. 33 of 15
the 135th General Assembly regarding primary, 16
secondary, and higher education reform and 17
notice requirements for certain reemployed 18
retirants, to transfer cash from the General 19
Revenue Fund to the High School Financial 20
Literacy Fund, and to amend the versions of 21
sections 3301.0714 and 3314.03 of the Revised 22



9xfzldsewk7lpq3dg7y2zf

Code that are scheduled to take effect January 23
1, 2025, to continue the changes on and after 24
that effective date. 25

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

Section 1. That sections 3301.0714, 3301.28, 3302.03, 26
3302.12, 3302.151, 3307.353, 3309.345, 3311.80, 3312.02, 27
3313.26, 3313.413, 3313.46, 3313.48, 3313.60, 3313.6011, 28
3313.92, 3313.984, 3314.012, 3314.015, 3314.016, 3314.017, 29
3314.0211, 3314.03, 3314.11, 3314.29, 3314.35, 3319.079, 30
3319.0811, 3319.111, 3319.112, 3319.22, 3319.2210, 3319.316, 31
3319.391, 3326.11, 3327.021, 3333.393, 3333.394, and 5502.70 be 32
amended and sections 3302.121, 3319.264, 3319.273, and 3345.205 33
of the Revised Code be enacted to read as follows: 34

Sec. 3301.0714. (A) The department of education and 35
workforce shall adopt rules for a statewide education management 36
information system. The rules shall require the department to 37
establish guidelines for the establishment and maintenance of 38
the system in accordance with this section and the rules adopted 39
under this section. The guidelines shall include: 40

(1) Standards identifying and defining the types of data 41
in the system in accordance with divisions (B) and (C) of this 42
section; 43

(2) Procedures for annually collecting and reporting the 44
data to the department in accordance with division (D) of this 45
section; 46

(3) Procedures for annually compiling the data in 47

accordance with division (G) of this section; 48

(4) Procedures for annually reporting the data to the 49
public in accordance with division (H) of this section; 50

(5) Standards to provide strict safeguards to protect the 51
confidentiality of personally identifiable student data. 52

(B) The guidelines adopted under this section shall 53
require the data maintained in the education management 54
information system to include at least the following: 55

(1) Student participation and performance data, for each 56
grade in each school district as a whole and for each grade in 57
each school building in each school district, that includes: 58

(a) The numbers of students receiving each category of 59
instructional service offered by the school district, such as 60
regular education instruction, vocational education instruction, 61
specialized instruction programs or enrichment instruction that 62
is part of the educational curriculum, instruction for gifted 63
students, instruction for students with disabilities, and 64
remedial instruction. The guidelines shall require instructional 65
services under this division to be divided into discrete 66
categories if an instructional service is limited to a specific 67
subject, a specific type of student, or both, such as regular 68
instructional services in mathematics, remedial reading 69
instructional services, instructional services specifically for 70
students gifted in mathematics or some other subject area, or 71
instructional services for students with a specific type of 72
disability. The categories of instructional services required by 73
the guidelines under this division shall be the same as the 74
categories of instructional services used in determining cost 75
units pursuant to division (C) (3) of this section. 76

(b) The numbers of students receiving support or	77
extracurricular services for each of the support services or	78
extracurricular programs offered by the school district, such as	79
counseling services, health services, and extracurricular sports	80
and fine arts programs. The categories of services required by	81
the guidelines under this division shall be the same as the	82
categories of services used in determining cost units pursuant	83
to division (C)(4)(a) of this section.	84
(c) Average student grades in each subject in grades nine	85
through twelve;	86
(d) Academic achievement levels as assessed under sections	87
3301.0710, 3301.0711, and 3301.0712 of the Revised Code;	88
(e) The number of students designated as having a	89
disabling condition pursuant to division (C)(1) of section	90
3301.0711 of the Revised Code;	91
(f) The numbers of students reported to the department	92
pursuant to division (C)(2) of section 3301.0711 of the Revised	93
Code;	94
(g) Attendance rates and the average daily attendance for	95
the year. For purposes of this division, a student shall be	96
counted as present for any field trip that is approved by the	97
school administration.	98
(h) Expulsion rates;	99
(i) Suspension rates;	100
(j) Dropout rates;	101
(k) Rates of retention in grade;	102
(l) For pupils in grades nine through twelve, the average	103

number of carnegie units, as calculated in accordance with the 104
director's rules; 105

(m) Graduation rates, to be calculated in a manner 106
specified by the department that reflects the rate at which 107
students who were in the ninth grade three years prior to the 108
current year complete school and that is consistent with 109
nationally accepted reporting requirements; 110

(n) Results of diagnostic assessments administered to 111
kindergarten students as required under section 3301.0715 of the 112
Revised Code to permit a comparison of the academic readiness of 113
kindergarten students. However, no district shall be required to 114
report to the department the results of any diagnostic 115
assessment administered to a kindergarten student, except for 116
the language and reading assessment described in division (A) (2) 117
of section 3301.0715 of the Revised Code, if the parent of that 118
student requests the district not to report those results. 119

~~(o) Beginning on July 1, 2018, for each disciplinary 120
action which is required to be reported under division (B) (5) of 121
this section, districts and schools also shall include an 122
identification of the person or persons, if any, at whom the 123
student's violent behavior that resulted in discipline was 124
directed. The person or persons shall be identified by the 125
respective classification at the district or school, such as 126
student, teacher, or nonteaching employee, but shall not be 127
identified by name. 128~~

~~Division (B) (1) (o) of this section does not apply after 129
the date that is two years following the submission of the 130
report required by Section 733.13 of H.B. 49 of the 132nd 131
general assembly. 132~~

(p) —The number of students earning each state diploma seal	133
included in the system prescribed under division (A) of section	134
3313.6114 of the Revised Code;	135
(q) — <u>(p)</u> The number of students demonstrating competency	136
for graduation using each option described in divisions (B) (1)	137
(a) to (d) of section 3313.618 of the Revised Code;	138
(r) — <u>(q)</u> The number of students completing each	139
foundational and supporting option as part of the demonstration	140
of competency for graduation pursuant to division (B) (1) (b) of	141
section 3313.618 of the Revised Code;	142
(s) — <u>(r)</u> The number of students enrolled in all-day	143
kindergarten, as defined in section 3321.05 of the Revised Code.	144
(2) Personnel and classroom enrollment data for each	145
school district, including:	146
(a) The total numbers of licensed employees and	147
nonlicensed employees and the numbers of full-time equivalent	148
licensed employees and nonlicensed employees providing each	149
category of instructional service, instructional support	150
service, and administrative support service used pursuant to	151
division (C) (3) of this section. The guidelines adopted under	152
this section shall require these categories of data to be	153
maintained for the school district as a whole and, wherever	154
applicable, for each grade in the school district as a whole,	155
for each school building as a whole, and for each grade in each	156
school building.	157
(b) The total number of employees and the number of full-	158
time equivalent employees providing each category of service	159
used pursuant to divisions (C) (4) (a) and (b) of this section,	160
and the total numbers of licensed employees and nonlicensed	161

employees and the numbers of full-time equivalent licensed 162
employees and nonlicensed employees providing each category used 163
pursuant to division (C) (4) (c) of this section. The guidelines 164
adopted under this section shall require these categories of 165
data to be maintained for the school district as a whole and, 166
wherever applicable, for each grade in the school district as a 167
whole, for each school building as a whole, and for each grade 168
in each school building. 169

(c) The total number of regular classroom teachers 170
teaching classes of regular education and the average number of 171
pupils enrolled in each such class, in each of grades 172
kindergarten through five in the district as a whole and in each 173
school building in the school district. 174

(d) The number of lead teachers employed by each school 175
district and each school building. 176

(3) (a) Student demographic data for each school district, 177
including information regarding the gender ratio of the school 178
district's pupils, the racial make-up of the school district's 179
pupils, the number of English learners in the district, and an 180
appropriate measure of the number of the school district's 181
pupils who reside in economically disadvantaged households. The 182
demographic data shall be collected in a manner to allow 183
correlation with data collected under division (B) (1) of this 184
section. Categories for data collected pursuant to division (B) 185
(3) of this section shall conform, where appropriate, to 186
standard practices of agencies of the federal government. 187

(b) With respect to each student entering kindergarten, 188
whether the student previously participated in a public 189
preschool program, a private preschool program, or a head start 190
program, and the number of years the student participated in 191

each of these programs.	192
(4) (a) The core curriculum and instructional materials	193
being used for English language arts in each of grades pre-	194
kindergarten to five;	195
(b) The reading intervention programs being used in each	196
of grades pre-kindergarten to twelve.	197
(5) Any data required to be collected pursuant to federal	198
law.	199
(C) The education management information system shall	200
include cost accounting data for each district as a whole and	201
for each school building in each school district. The guidelines	202
adopted under this section shall require the cost data for each	203
school district to be maintained in a system of mutually	204
exclusive cost units and shall require all of the costs of each	205
school district to be divided among the cost units. The	206
guidelines shall require the system of mutually exclusive cost	207
units to include at least the following:	208
(1) Administrative costs for the school district as a	209
whole. The guidelines shall require the cost units under this	210
division (C) (1) to be designed so that each of them may be	211
compiled and reported in terms of average expenditure per pupil	212
in enrolled ADM in the school district, as determined pursuant	213
to section 3317.03 of the Revised Code.	214
(2) Administrative costs for each school building in the	215
school district. The guidelines shall require the cost units	216
under this division (C) (2) to be designed so that each of them	217
may be compiled and reported in terms of average expenditure per	218
full-time equivalent pupil receiving instructional or support	219
services in each building.	220

(3) Instructional services costs for each category of 221
instructional service provided directly to students and required 222
by guidelines adopted pursuant to division (B) (1) (a) of this 223
section. The guidelines shall require the cost units under 224
division (C) (3) of this section to be designed so that each of 225
them may be compiled and reported in terms of average 226
expenditure per pupil receiving the service in the school 227
district as a whole and average expenditure per pupil receiving 228
the service in each building in the school district and in terms 229
of a total cost for each category of service and, as a breakdown 230
of the total cost, a cost for each of the following components: 231

(a) The cost of each instructional services category 232
required by guidelines adopted under division (B) (1) (a) of this 233
section that is provided directly to students by a classroom 234
teacher; 235

(b) The cost of the instructional support services, such 236
as services provided by a speech-language pathologist, classroom 237
aide, multimedia aide, or librarian, provided directly to 238
students in conjunction with each instructional services 239
category; 240

(c) The cost of the administrative support services 241
related to each instructional services category, such as the 242
cost of personnel that develop the curriculum for the 243
instructional services category and the cost of personnel 244
supervising or coordinating the delivery of the instructional 245
services category. 246

(4) Support or extracurricular services costs for each 247
category of service directly provided to students and required 248
by guidelines adopted pursuant to division (B) (1) (b) of this 249
section. The guidelines shall require the cost units under 250

division (C) (4) of this section to be designed so that each of 251
them may be compiled and reported in terms of average 252
expenditure per pupil receiving the service in the school 253
district as a whole and average expenditure per pupil receiving 254
the service in each building in the school district and in terms 255
of a total cost for each category of service and, as a breakdown 256
of the total cost, a cost for each of the following components: 257

(a) The cost of each support or extracurricular services 258
category required by guidelines adopted under division (B) (1) (b) 259
of this section that is provided directly to students by a 260
licensed employee, such as services provided by a guidance 261
counselor or any services provided by a licensed employee under 262
a supplemental contract; 263

(b) The cost of each such services category provided 264
directly to students by a nonlicensed employee, such as 265
janitorial services, cafeteria services, or services of a sports 266
trainer; 267

(c) The cost of the administrative services related to 268
each services category in division (C) (4) (a) or (b) of this 269
section, such as the cost of any licensed or nonlicensed 270
employees that develop, supervise, coordinate, or otherwise are 271
involved in administering or aiding the delivery of each 272
services category. 273

(D) (1) The guidelines adopted under this section shall 274
require school districts to collect information about individual 275
students, staff members, or both in connection with any data 276
required by division (B) or (C) of this section or other 277
reporting requirements established in the Revised Code. The 278
guidelines may also require school districts to report 279
information about individual staff members in connection with 280

any data required by division (B) or (C) of this section or 281
other reporting requirements established in the Revised Code. 282
The guidelines shall not authorize school districts to request 283
social security numbers of individual students. The guidelines 284
shall prohibit the reporting under this section of a student's 285
name, address, and social security number to the department. The 286
guidelines shall also prohibit the reporting under this section 287
of any personally identifiable information about any student, 288
except for the purpose of assigning the data verification code 289
required by division (D) (2) of this section, to any other person 290
unless such person is employed by the school district or the 291
information technology center operated under section 3301.075 of 292
the Revised Code and is authorized by the district or technology 293
center to have access to such information or is employed by an 294
entity with which the department contracts for the scoring or 295
the development of state assessments. The guidelines may require 296
school districts to provide the social security numbers of 297
individual staff members and the county of residence for a 298
student. Nothing in this section prohibits the department from 299
providing a student's county of residence to the department of 300
taxation to facilitate the distribution of tax revenue. 301

(2) (a) The guidelines shall provide for each school 302
district or community school to assign a data verification code 303
that is unique on a statewide basis over time to each student 304
whose initial Ohio enrollment is in that district or school and 305
to report all required individual student data for that student 306
utilizing such code. The guidelines shall also provide for 307
assigning data verification codes to all students enrolled in 308
districts or community schools on the effective date of the 309
guidelines established under this section. The assignment of 310
data verification codes for other entities, as described in 311

division (D) (2) (d) of this section, the use of those codes, and 312
the reporting and use of associated individual student data 313
shall be coordinated by the department of education and 314
workforce in accordance with state and federal law. 315

School districts shall report individual student data to 316
the department through the information technology centers 317
utilizing the code. The entities described in division (D) (2) (d) 318
of this section shall report individual student data to the 319
department in the manner prescribed by the department. 320

(b) (i) Except as provided in sections 3301.941, 3310.11, 321
3310.42, 3310.63, 3313.978, 3317.20, and 5747.057 of the Revised 322
Code, and in division (D) (2) (b) (ii) of this section, at no time 323
shall the department have access to information that would 324
enable any data verification code to be matched to personally 325
identifiable student data. 326

(ii) For the purpose of making per-pupil payments to 327
community schools under section 3317.022 of the Revised Code, 328
the department shall have access to information that would 329
enable any data verification code to be matched to personally 330
identifiable student data. 331

(c) Each school district and community school shall ensure 332
that the data verification code is included in the student's 333
records reported to any subsequent school district, community 334
school, or state institution of higher education, as defined in 335
section 3345.011 of the Revised Code, in which the student 336
enrolls. Any such subsequent district or school shall utilize 337
the same identifier in its reporting of data under this section. 338

(d) (i) The director of any state agency that administers a 339
publicly funded program providing services to children who are 340

younger than compulsory school age, as defined in section 341
3321.01 of the Revised Code, including the directors of health, 342
job and family services, mental health and addiction services, 343
and developmental disabilities, shall request and receive, 344
pursuant to sections 3301.0723 and 5123.0423 of the Revised 345
Code, a data verification code for a child who is receiving 346
those services. 347

(ii) The director of developmental disabilities, director 348
of health, director of job and family services, director of 349
mental health and addiction services, medicaid director, 350
executive director of the commission on minority health, 351
executive director of the opportunities for Ohioans with 352
disabilities agency, or director of education and workforce, on 353
behalf of a program that receives public funds and provides 354
services to children who are younger than compulsory school age, 355
may request and receive, pursuant to section 3301.0723 of the 356
Revised Code, a data verification code for a child who is 357
receiving services from the program. 358

(E) The guidelines adopted under this section may require 359
school districts to collect and report data, information, or 360
reports other than that described in divisions (A), (B), and (C) 361
of this section for the purpose of complying with other 362
reporting requirements established in the Revised Code. The 363
other data, information, or reports may be maintained in the 364
education management information system but are not required to 365
be compiled as part of the profile formats required under 366
division (G) of this section or the annual statewide report 367
required under division (H) of this section. 368

(F) The board of education of each school district shall 369
annually collect and report to the department, in accordance 370

with the guidelines established by the department, the data 371
required pursuant to this section. A school district may collect 372
and report these data notwithstanding section 2151.357 or 373
3319.321 of the Revised Code. 374

(G) The department shall, in accordance with the 375
procedures it adopts, annually compile the data reported by each 376
school district pursuant to division (D) of this section. The 377
department shall design formats for profiling each school 378
district as a whole and each school building within each 379
district and shall compile the data in accordance with these 380
formats. These profile formats shall: 381

(1) Include all of the data gathered under this section in 382
a manner that facilitates comparison among school districts and 383
among school buildings within each school district; 384

(2) Present the data on academic achievement levels as 385
assessed by the testing of student achievement maintained 386
pursuant to division (B) (1) (d) of this section. 387

(H) (1) The department shall, in accordance with the 388
procedures it adopts, annually prepare a statewide report for 389
all school districts and the general public that includes the 390
profile of each of the school districts developed pursuant to 391
division (G) of this section. Copies of the report shall be sent 392
to each school district. 393

(2) The department shall, in accordance with the 394
procedures it adopts, annually prepare an individual report for 395
each school district and the general public that includes the 396
profiles of each of the school buildings in that school district 397
developed pursuant to division (G) of this section. ~~Copies of~~ 398
~~the report shall be sent to the superintendent of the district~~ 399

~~and to each member of the district board of education.~~ 400

~~(3) Copies of the reports prescribed in divisions (H) (1) 401
and (2) of this section shall be made available to the general 402
public at each school district's offices. Each district board of 403
education shall make copies of each report available to any 404
person upon request and payment of a reasonable fee for the cost 405
of reproducing the report. The board shall annually publish in a 406
newspaper of general circulation in the school district, at 407
least twice during the two weeks prior to the week in which the 408
reports will first be available, a notice containing the address 409
where the reports are available and the date on which the 410
reports will be available.~~ 411

(I) Any data that is collected or maintained pursuant to 412
this section and that identifies an individual pupil is not a 413
public record for the purposes of section 149.43 of the Revised 414
Code. 415

(J) As used in this section: 416

(1) "School district" means any city, local, exempted 417
village, or joint vocational school district and, in accordance 418
with section 3314.17 of the Revised Code, any community school. 419
As used in division (L) of this section, "school district" also 420
includes any educational service center or other educational 421
entity required to submit data using the system established 422
under this section. 423

(2) "Cost" means any expenditure for operating expenses 424
made by a school district excluding any expenditures for debt 425
retirement except for payments made to any commercial lending 426
institution for any loan approved pursuant to section 3313.483 427
of the Revised Code. 428

(K) Any person who removes data from the information 429
system established under this section for the purpose of 430
releasing it to any person not entitled under law to have access 431
to such information is subject to section 2913.42 of the Revised 432
Code prohibiting tampering with data. 433

(L) (1) In accordance with division (L) (2) of this section 434
and the rules adopted under division (L) (10) of this section, 435
the department may sanction any school district that reports 436
incomplete or inaccurate data, reports data that does not 437
conform to data requirements and descriptions published by the 438
department, fails to report data in a timely manner, or 439
otherwise does not make a good faith effort to report data as 440
required by this section. 441

(2) If the department decides to sanction a school 442
district under this division, the department shall take the 443
following sequential actions: 444

(a) Notify the district in writing that the department has 445
determined that data has not been reported as required under 446
this section and require the district to review its data 447
submission and submit corrected data by a deadline established 448
by the department. The department also may require the district 449
to develop a corrective action plan, which shall include 450
provisions for the district to provide mandatory staff training 451
on data reporting procedures. 452

(b) Withhold up to ten per cent of the total amount of 453
state funds due to the district for the current fiscal year and, 454
if not previously required under division (L) (2) (a) of this 455
section, require the district to develop a corrective action 456
plan in accordance with that division; 457

- (c) Withhold an additional amount of up to twenty per cent 458
of the total amount of state funds due to the district for the 459
current fiscal year; 460
- (d) Direct department staff or an outside entity to 461
investigate the district's data reporting practices and make 462
recommendations for subsequent actions. The recommendations may 463
include one or more of the following actions: 464
- (i) Arrange for an audit of the district's data reporting 465
practices by department staff or an outside entity; 466
- (ii) Conduct a site visit and evaluation of the district; 467
- (iii) Withhold an additional amount of up to thirty per 468
cent of the total amount of state funds due to the district for 469
the current fiscal year; 470
- (iv) Continue monitoring the district's data reporting; 471
- (v) Assign department staff to supervise the district's 472
data management system; 473
- (vi) Conduct an investigation to determine whether to 474
suspend or revoke the license of any district employee in 475
accordance with division (N) of this section; 476
- (vii) If the district is issued a report card under 477
section 3302.03 of the Revised Code, indicate on the report card 478
that the district has been sanctioned for failing to report data 479
as required by this section; 480
- (viii) If the district is issued a report card under 481
section 3302.03 of the Revised Code and incomplete or inaccurate 482
data submitted by the district likely caused the district to 483
receive a higher performance rating than it deserved under that 484
section, issue a revised report card for the district; 485

(ix) Any other action designed to correct the district's data reporting problems. 486
487

(3) Any time the department takes an action against a school district under division (L) (2) of this section, the department shall make a report of the circumstances that prompted the action. The department shall send a copy of the report to the district superintendent or chief administrator and maintain a copy of the report in its files. 488
489
490
491
492
493

(4) If any action taken under division (L) (2) of this section resolves a school district's data reporting problems to the department's satisfaction, the department shall not take any further actions described by that division. If the department withheld funds from the district under that division, the department may release those funds to the district, except that if the department withheld funding under division (L) (2) (c) of this section, the department shall not release the funds withheld under division (L) (2) (b) of this section and, if the department withheld funding under division (L) (2) (d) of this section, the department shall not release the funds withheld under division (L) (2) (b) or (c) of this section. 494
495
496
497
498
499
500
501
502
503
504
505

(5) Notwithstanding anything in this section to the contrary, the department may use its own staff or an outside entity to conduct an audit of a school district's data reporting practices any time the department has reason to believe the district has not made a good faith effort to report data as required by this section. If any audit conducted by an outside entity under division (L) (2) (d) (i) or (5) of this section confirms that a district has not made a good faith effort to report data as required by this section, the district shall reimburse the department for the full cost of the audit. The 506
507
508
509
510
511
512
513
514
515

department may withhold state funds due to the district for this 516
purpose. 517

(6) Prior to issuing a revised report card for a school 518
district under division (L)(2)(d)(viii) of this section, the 519
department may hold a hearing to provide the district with an 520
opportunity to demonstrate that it made a good faith effort to 521
report data as required by this section. The hearing shall be 522
conducted by a referee appointed by the department. Based on the 523
information provided in the hearing, the referee shall recommend 524
whether the department should issue a revised report card for 525
the district. If the referee affirms the department's contention 526
that the district did not make a good faith effort to report 527
data as required by this section, the district shall bear the 528
full cost of conducting the hearing and of issuing any revised 529
report card. 530

(7) If the department determines that any inaccurate data 531
reported under this section caused a school district to receive 532
excess state funds in any fiscal year, the district shall 533
reimburse the department an amount equal to the excess funds, in 534
accordance with a payment schedule determined by the department. 535
The department may withhold state funds due to the district for 536
this purpose. 537

(8) Any school district that has funds withheld under 538
division (L)(2) of this section may appeal the withholding in 539
accordance with Chapter 119. of the Revised Code. 540

(9) In all cases of a disagreement between the department 541
and a school district regarding the appropriateness of an action 542
taken under division (L)(2) of this section, the burden of proof 543
shall be on the district to demonstrate that it made a good 544
faith effort to report data as required by this section. 545

(10) The director of education and workforce shall adopt 546
rules under Chapter 119. of the Revised Code to implement 547
division (L) of this section. 548

(M) No information technology center or school district 549
shall acquire, change, or update its student administration 550
software package to manage and report data required to be 551
reported to the department unless it converts to a student 552
software package that is certified by the department. 553

(N) The state board of education, in accordance with 554
sections 3319.31 and 3319.311 of the Revised Code, may suspend 555
or revoke a license as defined under division (A) of section 556
3319.31 of the Revised Code that has been issued to any school 557
district employee found to have willfully reported erroneous, 558
inaccurate, or incomplete data to the education management 559
information system. 560

(O) No person shall release or maintain any information 561
about any student in violation of this section. Whoever violates 562
this division is guilty of a misdemeanor of the fourth degree. 563

(P) The department shall disaggregate the data collected 564
under division (B) (1) (n) of this section according to the race 565
and socioeconomic status of the students assessed. 566

(Q) If the department cannot compile any of the 567
information required by division (I) of section 3302.03 of the 568
Revised Code based upon the data collected under this section, 569
the department shall develop a plan and a reasonable timeline 570
for the collection of any data necessary to comply with that 571
division. 572

Sec. 3301.28. (A) As used in this section: 573

(1) "Coordinating service center" means the educational 574

service center of central Ohio or its successor organization. 575

(2) "Public school" means a school building operated by a 576
school district or other public school, as defined in section 577
3301.0711 of the Revised Code, or a building operated by an 578
educational service center. 579

(B) The department of education and workforce shall 580
establish a program to provide tutoring and remedial education 581
services in reading and English language arts, mathematics, 582
science, and social studies to students at public and chartered 583
nonpublic schools that elect to participate in the program. 584
Tutors shall not be considered employees of the public or 585
chartered nonpublic school in which they provide tutoring 586
services. Rather, the tutors shall be either employed or engaged 587
as a volunteer by the coordinating service center. The 588
coordinating service center shall be responsible for 589
compensating each individual it employs as a tutor using funds 590
transferred from the school at which the individual works as a 591
tutor. The coordinating service center may coordinate placement 592
of tutors with the sixteen regional educational service centers, 593
selected under division (C)(4) of this section, and other 594
service centers as determined necessary by the coordinating 595
service center. 596

Individuals who wish to participate in the program as 597
tutors shall submit an application to the coordinating service 598
center. The coordinating service center shall establish 599
application procedures for individuals who wish to participate 600
in the program as tutors. 601

To be eligible to participate as a tutor under the 602
program, an individual shall be either of the following: 603

(1) A retired teacher or substitute teacher, regardless of 604
whether the teacher holds a valid educator license, certificate, 605
or permit issued under Chapter 3319. or section 3301.071 of the 606
Revised Code, provided that the teacher has not had an educator 607
license, certificate, or permit denied, suspended, or revoked by 608
the state board of education under section 3319.31 of the 609
Revised Code or entered into a consent agreement pursuant to 610
division (E) of section 3319.311 of the Revised Code; 611

(2) An individual, not described in division (A) (1) of 612
this section, who is determined to be eligible by the 613
coordinating service center in accordance with standards 614
established by the department. 615

(C) The department, with assistance from participating 616
educational service centers, and in consultation with public and 617
chartered nonpublic schools, shall administer and implement the 618
program as follows: 619

(1) The department shall establish standards for 620
determining the eligibility of tutors under division (B) (2) of 621
this section. 622

(2) The coordinating service center, in consultation with 623
the department, shall create a training course for tutors 624
described in division (B) of this section who do not hold valid 625
educator licenses, certificates, or permits issued under Chapter 626
3319. or section 3301.071 of the Revised Code. The coordinating 627
service center and department may establish additional training 628
requirements for tutors who provide tutoring services to 629
students with special needs or students with an individualized 630
education program, as that term is defined in section 3323.01 of 631
the Revised Code. In addition, the coordinating service center 632
and department may continue to provide training to tutors after 633

their placement in schools. 634

(3) The department shall serve as the fiscal agent for the 635
program. The department shall provide for administrative and 636
implementation costs, costs of developing the training course 637
described in division (C) (2) of this section, and provide 638
technical assistance at the request of the coordinating service 639
center. 640

The department shall not compensate tutors under the 641
program. 642

The state board shall not charge any registration fee to 643
individuals who wish to participate in the program as tutors. 644

(4) Educational service centers from each educational 645
regional service system described in section 3312.02 of the 646
Revised Code may select one educational service center to 647
administer the training program for their region in conjunction 648
with the coordinating service center. The educational service 649
center selected for each region may cooperate with individual 650
educational service centers to implement the training program. 651

(5) Each educational service center may coordinate the 652
placement of tutors at the participating public and chartered 653
nonpublic schools within its service territory. 654

(6) The coordinating service center shall require an 655
individual employed or engaged as a volunteer as a tutor under 656
this section to apply for and receive a registration from the 657
~~department~~state board. 658

As a condition of registration under this section, an 659
individual shall be subject to a criminal records check as 660
prescribed by section 3319.39 or 3319.391 of the Revised Code, 661
as appropriate. The individual shall request the criminal 662

records check through the coordinating service center and shall 663
submit the criminal records check to the state board in a manner 664
determined by the state board. The state board shall use the 665
information submitted to enroll the individual in the retained 666
applicant fingerprint database, established under section 667
109.5721 of the Revised Code, in the same manner as any teacher 668
licensed under sections 3319.22 to 3319.31 of the Revised Code. 669

If the state board receives notification of the arrest or 670
conviction of an individual registered under division (C) (6) of 671
this section, the state board shall promptly notify the 672
coordinating service center and may take any action authorized 673
under sections 3319.31 and 3319.311 of the Revised Code that ~~the~~ 674
~~department~~ it considers appropriate. The state board shall not 675
accept the application of any individual under this section if 676
the state board learns that the individual has pleaded guilty 677
to, has been found guilty by a jury or court of, or has been 678
convicted of any of the offenses listed in division (C) of 679
section 3319.31 of the Revised Code. 680

The department shall reimburse the coordinating service 681
center for both of the following: 682

(a) Any costs incurred by the coordinating service center 683
when assisting with the registration of tutors with the 684
~~department~~ state board; 685

(b) The cost of the criminal records check required under 686
this section. 687

(7) Participation by public and chartered nonpublic 688
schools is voluntary. Public and chartered nonpublic schools 689
that wish to participate in the tutoring and remedial education 690
program shall notify the coordinating service center of their 691

intention to do so. 692

Each participating school shall have the ultimate 693
authority over how best to incorporate tutors into the school 694
setting, but such determinations shall be made in cooperation 695
with the educational service center. Program activities may take 696
place before, during, or after school as well as during breaks 697
from school such as weekends, holidays, or summer vacation. 698
Program activities may take place on an online platform or in 699
person, including on school premises, at community-based youth 700
development organizations, or in another public location the 701
school's governing body and educational service center determine 702
to be appropriate. 703

A participating school shall provide necessary materials, 704
space, and equipment for tutors placed in the school. A 705
participating school shall transfer funds or instruct its 706
educational service center or school district to authorize 707
payment to the coordinating service center to assist the service 708
center in making payments to tutors placed in the school and 709
paying the cost of other benefits for the tutors. The 710
department, in consultation with the chancellor of higher 711
education, shall create a list of benefits which a participant 712
may receive. 713

Participating schools shall use their own funds, federal 714
or state grants, and any other federal or state dollars 715
applicable for tutoring or other services associated with 716
learning loss to pay costs incurred from participating in the 717
program. 718

(D) Upon the completion of each of the 2022-2023, 2023- 719
2024, and 2024-2025 school years, the department shall conduct a 720
review of the program's effectiveness in providing tutoring and 721

remedial education to students. Based on each of those reviews, 722
the department shall issue a report of its findings. The report 723
also shall include the number of participating public and 724
chartered nonpublic schools, tutors, and students, as well as 725
whether tutoring in a particular school was provided on an 726
online platform or in-person. The department may request and 727
collect data from public or chartered nonpublic schools and from 728
educational service centers for the report. The department 729
shall, in accordance with section 101.68 of the Revised Code, 730
submit those reports to the general assembly, as follows: 731

(1) The report for the 2022-2023 school year shall be 732
submitted not later than September 30, 2023. 733

(2) The report for the 2023-2024 school year shall be 734
submitted not later than September 30, 2024. 735

(3) The report for the 2024-2025 school year shall be 736
submitted not later than September 30, 2025. 737

(E) Nothing in this section shall be construed as 738
prohibiting a public or chartered nonpublic school from 739
contracting or partnering with another entity to provide 740
tutoring services to the school's students. 741

Sec. 3302.03. Not later than the thirty-first day of July 742
of each year, the department of education and workforce shall 743
submit preliminary report card data for overall academic 744
performance and for each separate performance measure for each 745
school district, and each school building, in accordance with 746
this section. 747

Annually, not later than the fifteenth day of September or 748
the preceding Friday when that day falls on a Saturday or 749
Sunday, the department shall assign a letter grade or 750

performance rating for overall academic performance and for each 751
separate performance measure for each school district, and each 752
school building in a district, in accordance with this section. 753
The department shall adopt rules pursuant to Chapter 119. of the 754
Revised Code to implement this section. The department's rules 755
shall establish performance criteria for each letter grade or 756
performance rating and prescribe a method by which the 757
department assigns each letter grade or performance rating. For 758
a school building to which any of the performance measures do 759
not apply, due to grade levels served by the building, the 760
department shall designate the performance measures that are 761
applicable to the building and that must be calculated 762
separately and used to calculate the building's overall grade or 763
performance rating. The department shall issue annual report 764
cards reflecting the performance of each school district, each 765
building within each district, and for the state as a whole 766
using the performance measures and letter grade or performance 767
rating system described in this section. The department shall 768
include on the report card for each district and each building 769
within each district the most recent two-year trend data in 770
student achievement for each subject and each grade. 771

(A) (1) For the 2012-2013 school year, the department shall 772
issue grades as described in division (F) of this section for 773
each of the following performance measures: 774

(a) Annual measurable objectives; 775

(b) Performance index score for a school district or 776
building. Grades shall be awarded as a percentage of the total 777
possible points on the performance index system as adopted by 778
the department. In adopting benchmarks for assigning letter 779
grades under division (A) (1) (b) of this section, the department 780

shall designate ninety per cent or higher for an "A," at least 781
seventy per cent but not more than eighty per cent for a "C," 782
and less than fifty per cent for an "F." 783

(c) The extent to which the school district or building 784
meets each of the applicable performance indicators established 785
by the department under section 3302.02 of the Revised Code and 786
the percentage of applicable performance indicators that have 787
been achieved. In adopting benchmarks for assigning letter 788
grades under division (A) (1) (c) of this section, the department 789
shall designate ninety per cent or higher for an "A." 790

(d) The four- and five-year adjusted cohort graduation 791
rates. 792

In adopting benchmarks for assigning letter grades under 793
division (A) (1) (d), (B) (1) (d), or (C) (1) (d) of this section, the 794
department shall designate a four-year adjusted cohort 795
graduation rate of ninety-three per cent or higher for an "A" 796
and a five-year cohort graduation rate of ninety-five per cent 797
or higher for an "A." 798

(e) The overall score under the value-added progress 799
dimension of a school district or building, for which the 800
department shall use up to three years of value-added data as 801
available. The letter grade assigned for this growth measure 802
shall be as follows: 803

(i) A score that is at least one standard error of measure 804
above the mean score shall be designated as an "A." 805

(ii) A score that is less than one standard error of 806
measure above but greater than one standard error of measure 807
below the mean score shall be designated as a "B." 808

(iii) A score that is less than or equal to one standard 809

error of measure below the mean score but greater than two 810
standard errors of measure below the mean score shall be 811
designated as a "C." 812

(iv) A score that is less than or equal to two standard 813
errors of measure below the mean score but is greater than three 814
standard errors of measure below the mean score shall be 815
designated as a "D." 816

(v) A score that is less than or equal to three standard 817
errors of measure below the mean score shall be designated as an 818
"F." 819

Whenever the value-added progress dimension is used as a 820
graded performance measure in this division and divisions (B) 821
and (C) of this section, whether as an overall measure or as a 822
measure of separate subgroups, the grades for the measure shall 823
be calculated in the same manner as prescribed in division (A) 824
(1) (e) of this section. 825

(f) The value-added progress dimension score for a school 826
district or building disaggregated for each of the following 827
subgroups: students identified as gifted, students with 828
disabilities, and students whose performance places them in the 829
lowest quintile for achievement on a statewide basis. Each 830
subgroup shall be a separate graded measure. 831

(2) The department shall adopt a resolution describing the 832
performance measures, benchmarks, and grading system for the 833
2012-2013 school year and shall adopt rules in accordance with 834
Chapter 119. of the Revised Code that prescribe the methods by 835
which the performance measures under division (A) (1) of this 836
section shall be assessed and assigned a letter grade, including 837
performance benchmarks for each letter grade. 838

At least forty-five days prior to the department's 839
adoption of rules to prescribe the methods by which the 840
performance measures under division (A) (1) of this section shall 841
be assessed and assigned a letter grade, the department shall 842
conduct a public presentation before the standing committees of 843
the house of representatives and the senate that consider 844
education legislation describing such methods, including 845
performance benchmarks. 846

(3) There shall not be an overall letter grade for a 847
school district or building for the 2012-2013 school year. 848

(B) (1) For the 2013-2014 school year, the department shall 849
issue grades as described in division (F) of this section for 850
each of the following performance measures: 851

(a) Annual measurable objectives; 852

(b) Performance index score for a school district or 853
building. Grades shall be awarded as a percentage of the total 854
possible points on the performance index system as created by 855
the department. In adopting benchmarks for assigning letter 856
grades under division (B) (1) (b) of this section, the department 857
shall designate ninety per cent or higher for an "A," at least 858
seventy per cent but not more than eighty per cent for a "C," 859
and less than fifty per cent for an "F." 860

(c) The extent to which the school district or building 861
meets each of the applicable performance indicators established 862
by the department under section 3302.03 of the Revised Code and 863
the percentage of applicable performance indicators that have 864
been achieved. In adopting benchmarks for assigning letter 865
grades under division (B) (1) (c) of this section, the department 866
shall designate ninety per cent or higher for an "A." 867

(d) The four- and five-year adjusted cohort graduation rates; 868
869

(e) The overall score under the value-added progress dimension of a school district or building, for which the department shall use up to three years of value-added data as available. 870
871
872
873

(f) The value-added progress dimension score for a school district or building disaggregated for each of the following subgroups: students identified as gifted in superior cognitive ability and specific academic ability fields under Chapter 3324. of the Revised Code, students with disabilities, and students whose performance places them in the lowest quintile for achievement on a statewide basis. Each subgroup shall be a separate graded measure. 874
875
876
877
878
879
880
881

(g) Whether a school district or building is making progress in improving literacy in grades kindergarten through three, as determined using a method prescribed by the department. The department shall adopt rules to prescribe benchmarks and standards for assigning grades to districts and buildings for purposes of division (B) (1) (g) of this section. In adopting benchmarks for assigning letter grades under divisions (B) (1) (g) and (C) (1) (g) of this section, the department shall determine progress made based on the reduction in the total percentage of students scoring below grade level, or below proficient, compared from year to year on the reading and writing diagnostic assessments administered under section 3301.0715 of the Revised Code and the third grade English language arts assessment under section 3301.0710 of the Revised Code, as applicable. The department shall designate for a "C" grade a value that is not lower than the statewide average value 882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897

for this measure. No grade shall be issued under divisions (B) 898
(1)(g) and (C)(1)(g) of this section for a district or building 899
in which less than five per cent of students have scored below 900
grade level on the diagnostic assessment administered to 901
students in kindergarten under division (B)(1) of section 902
3313.608 of the Revised Code. 903

(h) For a high mobility school district or building, an 904
additional value-added progress dimension score. For this 905
measure, the department shall use value-added data from the most 906
recent school year available and shall use assessment scores for 907
only those students to whom the district or building has 908
administered the assessments prescribed by section 3301.0710 of 909
the Revised Code for each of the two most recent consecutive 910
school years. 911

As used in this division, "high mobility school district 912
or building" means a school district or building where at least 913
twenty-five per cent of its total enrollment is made up of 914
students who have attended that school district or building for 915
less than one year. 916

(2) In addition to the graded measures in division (B)(1) 917
of this section, the department shall include on a school 918
district's or building's report card all of the following 919
without an assigned letter grade: 920

(a) The percentage of students enrolled in a district or 921
building participating in advanced placement classes and the 922
percentage of those students who received a score of three or 923
better on advanced placement examinations; 924

(b) The number of a district's or building's students who 925
have earned at least three college credits through dual 926

enrollment or advanced standing programs, such as the post- 927
secondary enrollment options program under Chapter 3365. of the 928
Revised Code and state-approved career-technical courses offered 929
through dual enrollment or statewide articulation, that appear 930
on a student's transcript or other official document, either of 931
which is issued by the institution of higher education from 932
which the student earned the college credit. The credits earned 933
that are reported under divisions (B) (2) (b) and (C) (2) (c) of 934
this section shall not include any that are remedial or 935
developmental and shall include those that count toward the 936
curriculum requirements established for completion of a degree. 937

(c) The percentage of students enrolled in a district or 938
building who have taken a national standardized test used for 939
college admission determinations and the percentage of those 940
students who are determined to be remediation-free in accordance 941
with standards adopted under division (F) of section 3345.061 of 942
the Revised Code; 943

(d) The percentage of the district's or the building's 944
students who receive industry-recognized credentials as approved 945
under section 3313.6113 of the Revised Code. 946

(e) The percentage of students enrolled in a district or 947
building who are participating in an international baccalaureate 948
program and the percentage of those students who receive a score 949
of four or better on the international baccalaureate 950
examinations. 951

(f) The percentage of the district's or building's 952
students who receive an honors diploma under division (B) of 953
section 3313.61 of the Revised Code. 954

(3) The department shall adopt rules in accordance with 955

Chapter 119. of the Revised Code that prescribe the methods by 956
which the performance measures under divisions (B) (1) (f) and (B) 957
(1) (g) of this section will be assessed and assigned a letter 958
grade, including performance benchmarks for each grade. 959

At least forty-five days prior to the department's 960
adoption of rules to prescribe the methods by which the 961
performance measures under division (B) (1) of this section shall 962
be assessed and assigned a letter grade, the department shall 963
conduct a public presentation before the standing committees of 964
the house of representatives and the senate that consider 965
education legislation describing such methods, including 966
performance benchmarks. 967

(4) There shall not be an overall letter grade for a 968
school district or building for the 2013-2014, 2014-2015, 2015- 969
2016, and 2016-2017 school years. 970

(C) (1) For the 2014-2015, 2015-2016, 2016-2017, 2017-2018, 971
2018-2019, 2019-2020, and 2020-2021 school years, the department 972
shall issue grades as described in division (F) of this section 973
for each of the performance measures prescribed in division (C) 974
(1) of this section. The graded measures are as follows: 975

(a) Annual measurable objectives. For the 2017-2018 school 976
year, the department shall not include any subgroup data in the 977
annual measurable objectives that includes data from fewer than 978
twenty-five students. For the 2018-2019 school year, the 979
department shall not include any subgroup data in the annual 980
measurable objectives that includes data from fewer than twenty 981
students. Beginning with the 2019-2020 school year, the 982
department shall not include any subgroup data in the annual 983
measurable objectives that includes data from fewer than fifteen 984
students. 985

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

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

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

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

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

For the metric prescribed by division (C) (1) (e) of this 1015
section, the department may adopt a student academic progress 1016
measure to be used instead of the value-added progress 1017
dimension. If the department adopts such a measure, it also 1018
shall prescribe a method for assigning letter grades for the new 1019
measure that is comparable to the method prescribed in division 1020
(A) (1) (e) of this section. 1021

(f) The value-added progress dimension score of a school 1022
district or building disaggregated for each of the following 1023
subgroups: students identified as gifted in superior cognitive 1024
ability and specific academic ability fields under Chapter 3324. 1025
of the Revised Code, students with disabilities, and students 1026
whose performance places them in the lowest quintile for 1027
achievement on a statewide basis, as determined by a method 1028
prescribed by the department. Each subgroup shall be a separate 1029
graded measure. 1030

The department may adopt student academic progress 1031
measures to be used instead of the value-added progress 1032
dimension. If the department adopts such measures, it also shall 1033
prescribe a method for assigning letter grades for the new 1034
measures that is comparable to the method prescribed in division 1035
(A) (1) (e) of this section. 1036

(g) Whether a school district or building is making 1037
progress in improving literacy in grades kindergarten through 1038
three, as determined using a method prescribed by the 1039
department. The department shall adopt rules to prescribe 1040
benchmarks and standards for assigning grades to a district or 1041
building for purposes of division (C) (1) (g) of this section. The 1042
department shall designate for a "C" grade a value that is not 1043
lower than the statewide average value for this measure. No 1044

grade shall be issued under division (C) (1) (g) of this section 1045
for a district or building in which less than five per cent of 1046
students have scored below grade level on the kindergarten 1047
diagnostic assessment under division (B) (1) of section 3313.608 1048
of the Revised Code. 1049

(h) For a high mobility school district or building, an 1050
additional value-added progress dimension score. For this 1051
measure, the department shall use value-added data from the most 1052
recent school year available and shall use assessment scores for 1053
only those students to whom the district or building has 1054
administered the assessments prescribed by section 3301.0710 of 1055
the Revised Code for each of the two most recent consecutive 1056
school years. 1057

As used in this division, "high mobility school district 1058
or building" means a school district or building where at least 1059
twenty-five per cent of its total enrollment is made up of 1060
students who have attended that school district or building for 1061
less than one year. 1062

(2) In addition to the graded measures in division (C) (1) 1063
of this section, the department shall include on a school 1064
district's or building's report card all of the following 1065
without an assigned letter grade: 1066

(a) The percentage of students enrolled in a district or 1067
building who have taken a national standardized test used for 1068
college admission determinations and the percentage of those 1069
students who are determined to be remediation-free in accordance 1070
with the standards adopted under division (F) of section 1071
3345.061 of the Revised Code; 1072

(b) The percentage of students enrolled in a district or 1073

building participating in advanced placement classes and the 1074
percentage of those students who received a score of three or 1075
better on advanced placement examinations; 1076

(c) The percentage of a district's or building's students 1077
who have earned at least three college credits through advanced 1078
standing programs, such as the college credit plus program under 1079
Chapter 3365. of the Revised Code and state-approved career- 1080
technical courses offered through dual enrollment or statewide 1081
articulation, that appear on a student's college transcript 1082
issued by the institution of higher education from which the 1083
student earned the college credit. The credits earned that are 1084
reported under divisions (B) (2) (b) and (C) (2) (c) of this section 1085
shall not include any that are remedial or developmental and 1086
shall include those that count toward the curriculum 1087
requirements established for completion of a degree. 1088

(d) The percentage of the district's or building's 1089
students who receive an honor's diploma under division (B) of 1090
section 3313.61 of the Revised Code; 1091

(e) The percentage of the district's or building's 1092
students who receive industry-recognized credentials as approved 1093
under section 3313.6113 of the Revised Code; 1094

(f) The percentage of students enrolled in a district or 1095
building who are participating in an international baccalaureate 1096
program and the percentage of those students who receive a score 1097
of four or better on the international baccalaureate 1098
examinations; 1099

(g) The results of the college and career-ready 1100
assessments administered under division (B) (1) of section 1101
3301.0712 of the Revised Code; 1102

(h) Whether the school district or building has 1103
implemented a positive behavior intervention and supports 1104
framework in compliance with the requirements of section 3319.46 1105
of the Revised Code, notated as a "yes" or "no" answer. 1106

(3) The department shall adopt rules pursuant to Chapter 1107
119. of the Revised Code that establish a method to assign an 1108
overall grade for a school district or school building for the 1109
2017-2018 school year and each school year thereafter. The rules 1110
shall group the performance measures in divisions (C) (1) and (2) 1111
of this section into the following components: 1112

(a) Gap closing, which shall include the performance 1113
measure in division (C) (1) (a) of this section; 1114

(b) Achievement, which shall include the performance 1115
measures in divisions (C) (1) (b) and (c) of this section; 1116

(c) Progress, which shall include the performance measures 1117
in divisions (C) (1) (e) and (f) of this section; 1118

(d) Graduation, which shall include the performance 1119
measure in division (C) (1) (d) of this section; 1120

(e) Kindergarten through third-grade literacy, which shall 1121
include the performance measure in division (C) (1) (g) of this 1122
section; 1123

(f) Prepared for success, which shall include the 1124
performance measures in divisions (C) (2) (a), (b), (c), (d), (e), 1125
and (f) of this section. The department shall develop a method 1126
to determine a grade for the component in division (C) (3) (f) of 1127
this section using the performance measures in divisions (C) (2) 1128
(a), (b), (c), (d), (e), and (f) of this section. When 1129
available, the department may incorporate the performance 1130
measure under division (C) (2) (g) of this section into the 1131

component under division (C) (3) (f) of this section. When 1132
determining the overall grade for the prepared for success 1133
component prescribed by division (C) (3) (f) of this section, no 1134
individual student shall be counted in more than one performance 1135
measure. However, if a student qualifies for more than one 1136
performance measure in the component, the department may, in its 1137
method to determine a grade for the component, specify an 1138
additional weight for such a student that is not greater than or 1139
equal to 1.0. In determining the overall score under division 1140
(C) (3) (f) of this section, the department shall ensure that the 1141
pool of students included in the performance measures aggregated 1142
under that division are all of the students included in the 1143
four- and five-year adjusted graduation cohort. 1144

In the rules adopted under division (C) (3) of this 1145
section, the department shall adopt a method for determining a 1146
grade for each component in divisions (C) (3) (a) to (f) of this 1147
section. The department also shall establish a method to assign 1148
an overall grade of "A," "B," "C," "D," or "F" using the grades 1149
assigned for each component. The method the department adopts 1150
for assigning an overall grade shall give equal weight to the 1151
components in divisions (C) (3) (b) and (c) of this section. 1152

At least forty-five days prior to the department's 1153
adoption of rules to prescribe the methods for calculating the 1154
overall grade for the report card, as required by this division, 1155
the department shall conduct a public presentation before the 1156
standing committees of the house of representatives and the 1157
senate that consider education legislation describing the format 1158
for the report card, weights that will be assigned to the 1159
components of the overall grade, and the method for calculating 1160
the overall grade. 1161

(D) For the 2021-2022 school year and each school year 1162
thereafter, all of the following apply: 1163

(1) The department shall include on a school district's or 1164
building's report card all of the following performance measures 1165
without an assigned performance rating: 1166

(a) Whether the district or building meets the gifted 1167
performance indicator under division (A) (2) of section 3302.02 1168
of the Revised Code and the extent to which the district or 1169
building meets gifted indicator performance benchmarks; 1170

(b) The extent to which the district or building meets the 1171
chronic absenteeism indicator under division (A) (3) of section 1172
3302.02 of the Revised Code; 1173

(c) Performance index score percentage for a district or 1174
building, which shall be calculated by dividing the district's 1175
or building's performance index score according to the 1176
performance index system created by the department by the 1177
maximum performance index score for a district or building. The 1178
maximum performance index score shall be as follows: 1179

(i) For a building, the average of the highest two per 1180
cent of performance index scores achieved by a building for the 1181
school year for which a report card is issued; 1182

(ii) For a district, the average of the highest two per 1183
cent of performance index scores achieved by a district for the 1184
school year for which a report card is issued. 1185

(d) The overall score under the value-added progress 1186
dimension of a district or building, for which the department 1187
shall use three consecutive years of value-added data. In using 1188
three years of value-added data to calculate the measure 1189
prescribed under division (D) (1) (d) of this section, the 1190

department shall assign a weight of fifty per cent to the most recent year's data and a weight of twenty-five per cent to the data of each of the other years. However, if three consecutive years of value-added data is not available, the department shall use prior years of value-added data to calculate the measure, as follows:

(i) If two consecutive years of value-added data is not available, the department shall use one year of value-added data to calculate the measure.

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

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

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

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

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

(h) Whether a district or building is making progress in improving literacy in grades kindergarten through three, as

determined using a method prescribed by the department. The 1220
method shall determine progress made based on the reduction in 1221
the total percentage of students scoring below grade level, or 1222
below proficient, compared from year to year on the reading 1223
segments of the diagnostic assessments administered under 1224
section 3301.0715 of the Revised Code, including the 1225
kindergarten readiness assessment, and the third grade English 1226
language arts assessment under section 3301.0710 of the Revised 1227
Code, as applicable. The method shall not include a deduction 1228
for students who did not pass the third grade English language 1229
arts assessment under section 3301.0710 of the Revised Code and 1230
were not on a reading improvement and monitoring plan. 1231

The performance measure prescribed under division (D) (1) 1232
(h) of this section shall not be included on the report card of 1233
a district or building in which less than ten per cent of 1234
students have scored below grade level on the diagnostic 1235
assessment administered to students in kindergarten under 1236
division (B) (1) of section 3313.608 of the Revised Code. 1237

(i) The percentage of students in a district or building 1238
who are promoted to the fourth grade and not subject to 1239
retention under division (A) (2) of section 3313.608 of the 1240
Revised Code; 1241

(j) A post-secondary readiness measure. This measure shall 1242
be calculated by dividing the number of students included in the 1243
four-year adjusted graduation rate cohort who demonstrate post- 1244
secondary readiness by the total number of students included in 1245
the denominator of the four-year adjusted graduation rate 1246
cohort. Demonstration of post-secondary readiness shall include 1247
a student doing any of the following: 1248

(i) Attaining a remediation-free score, in accordance with 1249

standards adopted under division (F) of section 3345.061 of the Revised Code, on a nationally standardized assessment prescribed under division (B) (1) of section 3301.0712 of the Revised Code;

(ii) Attaining required scores on three or more advanced placement or international baccalaureate examinations. The required score for an advanced placement examination shall be a three or better. The required score for an international baccalaureate examination shall be a four or better. A student may satisfy this condition with any combination of advanced placement or international baccalaureate examinations.

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

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

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

(vi) Satisfying any of the following conditions:	1279
(I) Completing a pre-apprenticeship aligned with options established under section 3313.904 of the Revised Code in the student's chosen career field;	1280 1281 1282
(II) Completing an apprenticeship registered with the apprenticeship council established under section 4139.02 of the Revised Code in the student's chosen career field;	1283 1284 1285
(III) Providing evidence of acceptance into an apprenticeship program after high school that is restricted to participants eighteen years of age or older.	1286 1287 1288
(vii) Earning a cumulative score of proficient or higher on three or more state technical assessments aligned with section 3313.903 of the Revised Code in a single career pathway;	1289 1290 1291
(viii) Earning an OhioMeansJobs-readiness seal established under section 3313.6112 of the Revised Code and completing two hundred fifty hours of an internship or other work-based learning experience that is either:	1292 1293 1294 1295
(I) Approved by the business advisory council established under section 3313.82 of the Revised Code that represents the student's district; or	1296 1297 1298
(II) Aligned to the career-technical education pathway approved by the department in which the student is enrolled.	1299 1300
(ix) Providing evidence that the student has enlisted in a branch of the armed services of the United States as defined in section 5910.01 of the Revised Code.	1301 1302 1303
A student who satisfies more than one of the conditions prescribed under this division shall be counted as one student for the purposes of calculating the measure prescribed under	1304 1305 1306

division (D) (1) (j) of this section. 1307

(2) In addition to the performance measures under division 1308
(D) (1) of this section, the department shall report on a 1309
district's or building's report card all of the following data 1310
without an assigned performance rating: 1311

(a) The applicable performance indicators established by 1312
the department under division (A) (1) of section 3302.02 of the 1313
Revised Code; 1314

(b) The overall score under the value-added progress 1315
dimension of a district or building for the most recent school 1316
year; 1317

(c) A composite of the overall scores under the value- 1318
added progress dimension of a district or building for the 1319
previous three school years or, if only two years of value-added 1320
data are available, for the previous two years; 1321

(d) The percentage of students included in the four- and 1322
five-year adjusted cohort graduation rates of a district or 1323
building who did not receive a high school diploma under section 1324
3313.61 or 3325.08 of the Revised Code. To the extent possible, 1325
the department shall disaggregate that data according to the 1326
following categories: 1327

(i) Students who are still enrolled in the district or 1328
building and receiving general education services; 1329

(ii) Students with an individualized education program, as 1330
defined in section 3323.01 of the Revised Code, who satisfied 1331
the conditions for a high school diploma under section 3313.61 1332
or 3325.08 of the Revised Code, but opted not to receive a 1333
diploma and are still receiving education services; 1334

(iii) Students with an individualized education program 1335
who have not yet satisfied conditions for a high school diploma 1336
under section 3313.61 or 3325.08 of the Revised Code and who are 1337
still receiving education services; 1338

(iv) Students who are no longer enrolled in any district 1339
or building; 1340

(v) Students who, upon enrollment in the district or 1341
building for the first time, had completed fewer units of high 1342
school instruction required under section 3313.603 of the 1343
Revised Code than other students in the four- or five-year 1344
adjusted cohort graduation rate. 1345

The department may disaggregate the data prescribed under 1346
division (D) (2) (d) of this section according to other categories 1347
that the department determines are appropriate. 1348

(e) The results of the kindergarten diagnostic assessment 1349
prescribed under division (D) of section 3301.079 of the Revised 1350
Code; 1351

(f) Post-graduate outcomes for students who were enrolled 1352
in a district or building and received a high school diploma 1353
under section 3313.61 or 3325.08 of the Revised Code in the 1354
school year prior to the school year for which the report card 1355
is issued, including the percentage of students who: 1356

(i) Enrolled in a post-secondary educational institution. 1357
To the extent possible, the department shall disaggregate that 1358
data according to whether the student enrolled in a four-year 1359
institution of higher education, a two-year institution of 1360
higher education, an Ohio technical center that provides adult 1361
technical education services and is recognized by the chancellor 1362
of higher education, or another type of post-secondary 1363

educational institution. 1364

(ii) Entered an apprenticeship program registered with the 1365
apprenticeship council established under Chapter 4139. of the 1366
Revised Code. The department may include other job training 1367
programs with similar rigor and outcomes. 1368

(iii) Attained gainful employment, as determined by the 1369
department; 1370

(iv) Enlisted in a branch of the armed forces of the 1371
United States, as defined in section 5910.01 of the Revised 1372
Code. 1373

(g) Whether the school district or building has 1374
implemented a positive behavior intervention and supports 1375
framework in compliance with the requirements of section 3319.46 1376
of the Revised Code, notated with a "yes" or "no"; 1377

(h) The number and percentage of high school seniors in 1378
each school year who completed the free application for federal 1379
student aid; 1380

(i) Beginning with the report card issued under this 1381
section for the 2022-2023 school year, a student opportunity 1382
profile measure that reports data regarding the opportunities 1383
provided to students by a district or building. To the extent 1384
possible, and when appropriate, the data shall be disaggregated 1385
by grade level and subgroup. The measure also shall include data 1386
regarding the statewide average, the average for similar school 1387
districts, and, for a building, the average for the district in 1388
which the building is located. The measure shall include all of 1389
the following data for the district or building: 1390

(i) The average ratio of teachers of record to students in 1391
each grade level in a district or building; 1392

(ii) The average ratio of school counselors to students in a district or building;	1393 1394
(iii) The average ratio of nurses to students in a district or building;	1395 1396
(iv) The average ratio of licensed librarians and library media specialists to students in a district or building;	1397 1398
(v) The average ratio of social workers to students in a district or building;	1399 1400
(vi) The average ratio of mental health professionals to students in a district or building;	1401 1402
(vii) The average ratio of paraprofessionals to students in a district or building;	1403 1404
(viii) The percentage of teachers with fewer than three years of experience teaching in any school;	1405 1406
(ix) The percentage of principals with fewer than three years of experience as a principal in any school;	1407 1408
(x) The percentage of teachers who are not teaching in the subject or field for which they are certified or licensed;	1409 1410
(xi) The percentage of kindergarten students who are enrolled in all-day kindergarten, as defined in section 3321.05 of the Revised Code;	1411 1412 1413
(xii) The percentage of students enrolled in a performing or visual arts course;	1414 1415
(xiii) The percentage of students enrolled in a physical education or wellness course;	1416 1417
(xiv) The percentage of students enrolled in a world language course;	1418 1419

(xv) The percentage of students in grades seven through	1420
twelve who are enrolled in a career-technical education course;	1421
(xvi) The percentage of students participating in one or	1422
more cocurricular activities;	1423
(xvii) The percentage of students participating in advance	1424
placement courses, international baccalaureate courses, honors	1425
courses, or courses offered through the college credit plus	1426
program established under Chapter 3365. of the Revised Code;	1427
(xviii) The percentage of students identified as gifted in	1428
superior cognitive ability and specific academic ability fields	1429
under Chapter 3324. of the Revised Code and receiving gifted	1430
services pursuant to that chapter;	1431
(xix) The percentage of students participating in	1432
enrichment or support programs offered by the district or	1433
building outside of the normal school day;	1434
(xx) The percentage of eligible students participating	1435
each school day in school breakfast programs offered by the	1436
district or building in accordance with section 3313.813 or	1437
3313.818 of the Revised Code;	1438
(xxi) The percentage of students who are transported by a	1439
school bus each school day;	1440
(xxii) The ratio of portable technology devices that	1441
students may take home to the number of students.	1442
The department shall include only opportunity measures at	1443
the building level for which data for buildings is available, as	1444
determined by a school district.	1445
(j) (i) The percentage of students included in the four-	1446
and five-year adjusted cohort graduation rates of the district	1447

or building who completed all of grades nine through twelve 1448
while enrolled in the district or building; 1449

(ii) The four-year adjusted cohort graduation rate for 1450
only those students who were continuously enrolled in the same 1451
district or building for grades nine through twelve. 1452

(k) The percentage of students in the district or building 1453
to whom both of the following apply: 1454

(i) The students are promoted to fourth grade and not 1455
subject to retention under division (A) (2) of section 3313.608 1456
of the Revised Code. 1457

(ii) The students completed all of the grade levels 1458
offered prior to the fourth grade in the district or building. 1459

(3) Except as provided in division (D) (3) (f) of this 1460
section, the department shall use the method prescribed under 1461
rules adopted under division (D) (4) of this section to assign 1462
performance ratings of "one star," "two stars," "three stars," 1463
"four stars," or "five stars," as described in division (F) of 1464
this section, for a district or building for the individual 1465
components prescribed under division (D) (3) of this section. The 1466
department also shall assign an overall performance rating for a 1467
district or building in accordance with division (D) (3) (g) of 1468
this section. The method shall use the performance measures 1469
prescribed under division (D) (1) of this section to calculate 1470
performance ratings for components. The method may report data 1471
under division (D) (2) of this section with corresponding 1472
components, but shall not use the data to calculate performance 1473
ratings for that component. The performance measures and 1474
reported data shall be grouped together into components as 1475
follows: 1476

(a) Gap closing. In addition to other criteria determined 1477
appropriate by the department, performance ratings for the gap 1478
closing component shall reflect whether each of the following 1479
performance measures are met or not met: 1480

(i) The gifted performance indicator as described in 1481
division (D) (1) (a) of this section; 1482

(ii) The chronic absenteeism indicator as described in 1483
division (D) (1) (b) of this section; 1484

(iii) For English learners, an English language 1485
proficiency improvement indicator established by the department; 1486

(iv) The subgroup graduation targets; 1487

(v) The subgroup achievement targets in both mathematics 1488
and English language arts; 1489

(vi) The subgroup progress targets in both mathematics and 1490
English language arts. 1491

Achievement and progress targets under division (D) (3) (a) 1492
of this section shall be calculated individually, and districts 1493
and buildings shall receive a status of met or not met on each 1494
measure. The department shall not require a subgroup of a 1495
district or building to meet both the achievement and progress 1496
targets at the same time to receive a status of met. 1497

The department shall not include any subgroup data in this 1498
measure that includes data from fewer than fifteen students. Any 1499
penalty for failing to meet the required assessment 1500
participation rate must be partially in proportion to how close 1501
the district or building was to meeting the rate requirement. 1502

(b) Achievement, which shall include the performance 1503
measure in division (D) (1) (c) of this section and the reported 1504

data in division (D) (2) (a) of this section. Performance ratings 1505
for the achievement component shall be awarded as a percentage 1506
of the maximum performance index score described in division (D) 1507
(1) (c) of this section. 1508

(c) Progress, which shall include the performance measure 1509
in division (D) (1) (d) of this section and the reported data in 1510
divisions (D) (2) (b) and (c) of this section; 1511

(d) Graduation, which shall include the performance 1512
measures in divisions (D) (1) (e) and (f) of this section and the 1513
reported data in divisions (D) (2) (d) and (j) of this section. 1514
The four-year adjusted cohort graduation rate shall be assigned 1515
a weight of sixty per cent and the five-year adjusted cohort 1516
graduation rate shall be assigned a weight of forty per cent; 1517

(e) Early literacy, which shall include the performance 1518
measures in divisions (D) (1) (g), (h), and (i) of this section 1519
and the reported data in divisions (D) (2) (e) and (k) of this 1520
section. 1521

If the measure prescribed under division (D) (1) (h) of this 1522
section is included in a report card, performance ratings for 1523
the early literacy component shall give a weight of forty per 1524
cent to the measure prescribed under division (D) (1) (g) of this 1525
section, a weight of thirty-five per cent to the measure 1526
prescribed under division (D) (1) (i) of this section, and a 1527
weight of twenty-five per cent to the measure prescribed under 1528
division (D) (1) (h) of this section. 1529

If the measure prescribed under division (D) (1) (h) of this 1530
section is not included in a report card of a district or 1531
building, performance ratings for the early literacy component 1532
shall give a weight of sixty per cent to the measure prescribed 1533

under division (D) (1) (g) of this section and a weight of forty 1534
per cent to the measure prescribed under division (D) (1) (i) of 1535
this section. 1536

(f) College, career, workforce, and military readiness, 1537
which shall include the performance measure in division (D) (1) 1538
(j) of this section and the reported data in division (D) (2) (f) 1539
of this section. 1540

For the 2021-2022, 2022-2023, and 2023-2024 school years, 1541
the department only shall report the data for, and not assign a 1542
performance rating to, the college, career, workforce, and 1543
military readiness component. The reported data shall include 1544
the percentage of students who demonstrate post-secondary 1545
readiness using any of the options described in division (D) (1) 1546
(j) of this section. 1547

The department shall analyze the data included in the 1548
performance measure prescribed in division (D) (1) (j) of this 1549
section for the 2021-2022, 2022-2023, and 2023-2024 school 1550
years. Using that data, the department shall develop and propose 1551
rules for a method to assign a performance rating to the 1552
college, career, workforce, and military readiness component 1553
based on that measure. The method to assign a performance rating 1554
shall not include a tiered structure or per student bonuses. The 1555
rules shall specify that a district or building shall not 1556
receive lower than a performance rating of three stars for the 1557
component if the district's or building's performance on the 1558
component meets or exceeds a level of improvement set by the 1559
department. Notwithstanding division (D) (4) (b) of this section, 1560
more than half of the total districts and buildings may earn a 1561
performance rating of three stars on this component to account 1562
for the districts and buildings that earned a performance rating 1563

of three stars because they met or exceeded the level of 1564
improvement set by the department. 1565

The department shall submit the rules to the joint 1566
committee on agency rule review. The committee shall conduct at 1567
least one public hearing on the proposed rules and approve or 1568
disapprove the rules. If the committee approves the rules, the 1569
department shall adopt the rules in accordance with Chapter 119. 1570
of the Revised Code. If the rules are adopted, the department 1571
shall assign a performance rating to the college, career, 1572
workforce, and military readiness component under the rules 1573
beginning with the 2024-2025 school year, and for each school 1574
year thereafter. If the committee disapproves the rules, the 1575
component shall be included in the report card only as reported 1576
data for the 2024-2025 school year, and each school year 1577
thereafter. 1578

(g) (i) Except as provided for in division (D) (3) (g) (ii) of 1579
this section, beginning with the 2022-2023 school year, under 1580
the method prescribed under rules adopted in division (D) (4) of 1581
this section, the department shall use the performance ratings 1582
assigned for the components prescribed in divisions (D) (3) (a) to 1583
(e) of this section to determine and assign an overall 1584
performance rating of "one star," "one and one-half stars," "two 1585
stars," "two and one-half stars," "three stars," "three and one- 1586
half stars," "four stars," "four and one-half stars," or "five 1587
stars" for a district or building. The method shall give equal 1588
weight to the components in divisions (D) (3) (b) and (c) of this 1589
section. The method shall give equal weight to the components in 1590
divisions (D) (3) (a), (d), and (e) of this section. The 1591
individual weights of each of the components prescribed in 1592
divisions (D) (3) (a), (d), and (e) of this section shall be equal 1593
to one-half of the weight given to the component prescribed in 1594

division (D) (3) (b) of this section. 1595

(ii) If the joint committee on agency rule review approves 1596
the department's rules regarding the college, career, workforce, 1597
and military readiness component as described in division (D) (3) 1598
(f) of this section, for the 2024-2025 school year, and each 1599
school year thereafter, the department's method shall use the 1600
components in divisions (D) (3) (a), (b), (c), (d), (e), and (f) 1601
of this section to calculate the overall performance rating. The 1602
method shall give equal weight to the components in divisions 1603
(D) (3) (b) and (c) of this section. The method shall give equal 1604
weight to the components prescribed in divisions (D) (3) (a), (d), 1605
(e), and (f) of this section. The individual weights of each of 1606
the components prescribed in divisions (D) (3) (a), (d), (e), and 1607
(f) of this section shall be equal to one-half the weight given 1608
to the component prescribed in division (D) (3) (b) of this 1609
section. 1610

If the joint committee on agency rule review disapproves 1611
the department's rules regarding the college, career, workforce, 1612
and military readiness component as described in division (D) (3) 1613
(f) of this section, division (D) (3) (g) (ii) of this section does 1614
not apply. 1615

(4) (a) The department shall adopt rules in accordance with 1616
Chapter 119. of the Revised Code to establish the performance 1617
criteria, benchmarks, and rating system necessary to implement 1618
divisions (D) and (F) of this section, including the method for 1619
the department to assign performance ratings under division (D) 1620
(3) of this section. 1621

(b) In establishing the performance criteria, benchmarks, 1622
and rating system, the department shall consult with stakeholder 1623
groups and advocates that represent parents, community members, 1624

students, business leaders, and educators from different school 1625
typology regions. The department shall use data from prior 1626
school years and simulations to ensure that there is meaningful 1627
differentiation among districts and buildings across all 1628
performance ratings and that, except as permitted in division 1629
(D) (3) (f) of this section, more than half of all districts or 1630
buildings do not earn the same performance rating in any 1631
component or overall performance rating. 1632

(c) The department shall adopt the rules prescribed by 1633
division (D) (4) of this section not later than March 31, 2022. 1634
However, the department shall notify districts and buildings of 1635
the changes to the report card prescribed in law not later than 1636
one week after September 30, 2021. 1637

(d) Prior to adopting or updating rules under division (D) 1638
(4) of this section, the director of education and workforce and 1639
the department shall conduct a public presentation before the 1640
standing committees of the house of representatives and the 1641
senate that consider primary and secondary education legislation 1642
describing the format for the report card and the performance 1643
criteria, benchmarks, and rating system, including the method to 1644
assign performance ratings under division (D) (3) of this 1645
section. 1646

(E) The department may develop a measure of student 1647
academic progress for high school students using only data from 1648
assessments in English language arts and mathematics. If the 1649
department develops this measure, each school district and 1650
applicable school building shall be assigned a separate letter 1651
grade for it not sooner than the 2017-2018 school year. The 1652
district's or building's grade for that measure shall not be 1653
included in determining the district's or building's overall 1654

letter grade. 1655

(F) (1) The letter grades assigned to a school district or 1656
building under this section shall be as follows: 1657

(a) "A" for a district or school making excellent 1658
progress; 1659

(b) "B" for a district or school making above average 1660
progress; 1661

(c) "C" for a district or school making average progress; 1662

(d) "D" for a district or school making below average 1663
progress; 1664

(e) "F" for a district or school failing to meet minimum 1665
progress. 1666

(2) For the overall performance rating under division (D) 1667
(3) of this section, the department shall include a descriptor 1668
for each performance rating as follows: 1669

(a) "Significantly exceeds state standards" for a 1670
performance rating of five stars; 1671

(b) "Exceeds state standards" for a performance rating of 1672
four stars or four and one-half stars; 1673

(c) "Meets state standards" for a performance rating of 1674
three stars or three and one-half stars; 1675

(d) "Needs support to meet state standards" for a 1676
performance rating of two stars or two and one-half stars; 1677

(e) "Needs significant support to meet state standards" 1678
for a performance rating of one star or one and one-half stars. 1679

(3) For performance ratings for each component under 1680

divisions (D) (3) (a) to (f) of this section, the department shall 1681
include a description of each component and performance rating. 1682
The description shall include component-specific context to each 1683
performance rating earned, estimated comparisons to other school 1684
districts and buildings if appropriate, and any other 1685
information determined by the department. The descriptions shall 1686
be not longer than twenty-five words in length when possible. In 1687
addition to such descriptions, the department shall include the 1688
descriptors in division (F) (2) of this section for component 1689
performance ratings. 1690

(4) Each report card issued under this section shall 1691
include all of the following: 1692

(a) A graphic that depicts the performance ratings of a 1693
district or school on a color scale. The color associated with a 1694
performance rating of three stars shall be green and the color 1695
associated with a performance rating of one star shall be red. 1696

(b) An arrow graphic that shows data trends for 1697
performance ratings for school districts or buildings. The 1698
department shall determine the data to be used for this graphic, 1699
which shall include at least the three most recent years of 1700
data. 1701

(c) A description regarding the weights that are assigned 1702
to each component and used to determine an overall performance 1703
rating, as prescribed under division (D) (3) (g) of this section, 1704
which shall be included in the presentation of the overall 1705
performance rating on each report card. 1706

(G) When reporting data on student achievement and 1707
progress, the department shall disaggregate that data according 1708
to the following categories: 1709

(1) Performance of students by grade-level;	1710
(2) Performance of students by race and ethnic group;	1711
(3) Performance of students by gender;	1712
(4) Performance of students grouped by those who have been enrolled in a district or school for three or more years;	1713 1714
(5) Performance of students grouped by those who have been enrolled in a district or school for more than one year and less than three years;	1715 1716 1717
(6) Performance of students grouped by those who have been enrolled in a district or school for one year or less;	1718 1719
(7) Performance of students grouped by those who are economically disadvantaged;	1720 1721
(8) Performance of students grouped by those who are enrolled in a conversion community school established under Chapter 3314. of the Revised Code;	1722 1723 1724
(9) Performance of students grouped by those who are classified as English learners;	1725 1726
(10) Performance of students grouped by those who have disabilities;	1727 1728
(11) Performance of students grouped by those who are classified as migrants;	1729 1730
(12) Performance of students grouped by those who are identified as gifted in superior cognitive ability and the specific academic ability fields of reading and math pursuant to Chapter 3324. of the Revised Code. In disaggregating specific academic ability fields for gifted students, the department shall use data for those students with specific academic ability	1731 1732 1733 1734 1735 1736

in math and reading. If any other academic field is assessed, 1737
the department shall also include data for students with 1738
specific academic ability in that field as well. 1739

(13) Performance of students grouped by those who perform 1740
in the lowest quintile for achievement on a statewide basis, as 1741
determined by a method prescribed by the department. 1742

The department may disaggregate data on student 1743
performance according to other categories that the department 1744
determines are appropriate. To the extent possible, the 1745
department shall disaggregate data on student performance 1746
according to any combinations of two or more of the categories 1747
listed in divisions (G) (1) to (13) of this section that it deems 1748
relevant. 1749

In reporting data pursuant to division (G) of this 1750
section, the department shall not include in the report cards 1751
any data statistical in nature that is statistically unreliable 1752
or that could result in the identification of individual 1753
students. For this purpose, the department shall not report 1754
student performance data for any group identified in division 1755
(G) of this section that contains less than ten students. If the 1756
department does not report student performance data for a group 1757
because it contains less than ten students, the department shall 1758
indicate on the report card that is why data was not reported. 1759

(H) The department may include with the report cards any 1760
additional education and fiscal performance data it deems 1761
valuable. 1762

(I) The department shall include on each report card a 1763
list of additional information collected by the department that 1764
is available regarding the district or building for which the 1765

report card is issued. When available, such additional 1766
information shall include student mobility data disaggregated by 1767
race and socioeconomic status, college enrollment data, and the 1768
reports prepared under section 3302.031 of the Revised Code. 1769

The department shall maintain a site on the world wide 1770
web. The report card shall include the address of the site and 1771
shall specify that such additional information is available to 1772
the public at that site. The department shall also provide a 1773
copy of each item on the list to the superintendent of each 1774
school district. The district superintendent shall provide a 1775
copy of any item on the list to anyone who requests it. 1776

(J) (1) (a) Except as provided in division (J) (1) (b) of this 1777
section, for any district that sponsors a conversion community 1778
school under Chapter 3314. of the Revised Code, the department 1779
shall combine data regarding the academic performance of 1780
students enrolled in the community school with comparable data 1781
from the schools of the district for the purpose of determining 1782
the performance of the district as a whole on the report card 1783
issued for the district under this section or section 3302.033 1784
of the Revised Code. 1785

(b) The department shall not combine data from any 1786
conversion community school that a district sponsors if a 1787
majority of the students enrolled in the conversion community 1788
school are enrolled in a dropout prevention and recovery program 1789
that is operated by the school, as described in division ~~(A) (4)~~ 1790
~~(a)~~ (B) (1) of section 3314.35 of the Revised Code. The 1791
department shall include as an addendum to the district's report 1792
card the ratings and performance measures that are required 1793
under section 3314.017 of the Revised Code for any community 1794
school to which division (J) (1) (b) of this section applies. This 1795

addendum shall include, at a minimum, the data specified in 1796
divisions (C) (1) (a), (C) (2), and (C) (3) of section 3314.017 of 1797
the Revised Code. 1798

(2) Any district that leases a building to a community 1799
school located in the district or that enters into an agreement 1800
with a community school located in the district whereby the 1801
district and the school endorse each other's programs may elect 1802
to have data regarding the academic performance of students 1803
enrolled in the community school combined with comparable data 1804
from the schools of the district for the purpose of determining 1805
the performance of the district as a whole on the district 1806
report card. Any district that so elects shall annually file a 1807
copy of the lease or agreement with the department. 1808

(3) Any municipal school district, as defined in section 1809
3311.71 of the Revised Code, that sponsors a community school 1810
located within the district's territory, or that enters into an 1811
agreement with a community school located within the district's 1812
territory whereby the district and the community school endorse 1813
each other's programs, may exercise either or both of the 1814
following elections: 1815

(a) To have data regarding the academic performance of 1816
students enrolled in that community school combined with 1817
comparable data from the schools of the district for the purpose 1818
of determining the performance of the district as a whole on the 1819
district's report card; 1820

(b) To have the number of students attending that 1821
community school noted separately on the district's report card. 1822

The election authorized under division (J) (3) (a) of this 1823
section is subject to approval by the governing authority of the 1824

community school. 1825

Any municipal school district that exercises an election 1826
to combine or include data under division (J) (3) of this 1827
section, by the first day of October of each year, shall file 1828
with the department documentation indicating eligibility for 1829
that election, as required by the department. 1830

(K) The department shall include on each report card the 1831
percentage of teachers in the district or building who are 1832
properly certified or licensed teachers, as defined in section 1833
3319.074 of the Revised Code, and a comparison of that 1834
percentage with the percentages of such teachers in similar 1835
districts and buildings. 1836

(L) (1) In calculating English language arts, mathematics, 1837
science, American history, or American government assessment 1838
passage rates used to determine school district or building 1839
performance under this section, the department shall include all 1840
students taking an assessment with accommodation or to whom an 1841
alternate assessment is administered pursuant to division (C) (1) 1842
or (3) of section 3301.0711 of the Revised Code and all students 1843
who take substitute examinations approved under division (B) (4) 1844
of section 3301.0712 of the Revised Code in the subject areas of 1845
science, American history and American government. 1846

(2) In calculating performance index scores, rates of 1847
achievement on the performance indicators established by the 1848
department under section 3302.02 of the Revised Code, and annual 1849
measurable objectives for determining adequate yearly progress 1850
for school districts and buildings under this section, the 1851
department shall do all of the following: 1852

(a) Include for each district or building only those 1853

students who are included in the ADM certified for the first 1854
full school week of October and are continuously enrolled in the 1855
district or building through the time of the spring 1856
administration of any assessment prescribed by division (A) (1) 1857
or (B) (1) of section 3301.0710 or division (B) of section 1858
3301.0712 of the Revised Code that is administered to the 1859
student's grade level; 1860

(b) Include cumulative totals from both the fall and 1861
spring administrations of the third grade English language arts 1862
achievement assessment and, to the extent possible, the summer 1863
administration of that assessment; 1864

(c) Include for each district or building any English 1865
learner in accordance with the department's plan, as approved by 1866
the United States secretary of education, to comply with the 1867
"Elementary and Secondary Education Act of 1965," 20 U.S.C. 6311 1868
to 6339. 1869

As used in this section, "English learner" has the same 1870
meaning as in section 3301.0731 of the Revised Code. 1871

(M) Beginning with the 2015-2016 school year and at least 1872
once every three years thereafter, the department shall review 1873
and may adjust the benchmarks for assigning letter grades or 1874
performance ratings to the performance measures and components 1875
prescribed under divisions (C) (3), (D), and (E) of this section. 1876

Sec. 3302.12. (A) (1) Except as provided in divisions (C) 1877
and (D) of this section, this section applies to a school 1878
building that is ranked according to performance index score 1879
under section 3302.21 of the Revised Code in the lowest five per 1880
cent of public school buildings statewide for three consecutive 1881
years and that meets any combination of the following for three 1882

consecutive years: 1883

~~(a) The school building is declared to be under an academic watch or in a state of academic emergency under section 3302.03 of the Revised Code;~~ 1884
1885
1886

~~(b)~~The school building has received a grade of "F" for the value-added progress dimension under division (A) (1) (e), (B) (1) (e), or (C) (1) (e) of section 3302.03 of the Revised Code; 1887
1888
1889

~~(e)~~(b) The school building has received an overall grade of "F" under section 3302.03 of the Revised Code; 1890
1891

~~(d)~~(c) The school building has received a performance rating of one star for progress under division (D) (3) (c) of section 3302.03 of the Revised Code; 1892
1893
1894

~~(e)~~(d) The school building has received an overall performance rating of less than two stars under section 3302.03 of the Revised Code. 1895
1896
1897

(2) In the case of a building to which this section applies, the district board of education in control of that building shall do one of the following at the conclusion of the school year in which the building first becomes subject to this section: 1898
1899
1900
1901
1902

(a) Close the school and direct the district superintendent to reassign the students enrolled in the school to other school buildings that demonstrate higher academic achievement; 1903
1904
1905
1906

(b) Contract with another school district or a nonprofit or for-profit entity with a demonstrated record of effectiveness to operate the school; 1907
1908
1909

(c) Replace the principal and all teaching staff of the 1910

school and, upon request from the new principal, exempt the 1911
school from all requested policies and regulations of the board 1912
regarding curriculum and instruction. The board also shall 1913
distribute funding to the school in an amount that is at least 1914
equal to the product of the per pupil amount of state and local 1915
revenues received by the district multiplied by the student 1916
population of the school. 1917

(d) Reopen the school as a conversion community school 1918
under Chapter 3314. of the Revised Code. 1919

(B) If an action taken by the board under division (A) (2) 1920
of this section causes the district to no longer maintain all 1921
grades kindergarten through twelve, as required by section 1922
3311.29 of the Revised Code, the board shall enter into a 1923
contract with another school district pursuant to section 1924
3327.04 of the Revised Code for enrollment of students in the 1925
schools of that other district to the extent necessary to comply 1926
with the requirement of section 3311.29 of the Revised Code. 1927
Notwithstanding any provision of the Revised Code to the 1928
contrary, if the board enters into and maintains a contract 1929
under section 3327.04 of the Revised Code, the district shall 1930
not be considered to have failed to comply with the requirement 1931
of section 3311.29 of the Revised Code. If, however, the 1932
district board fails to or is unable to enter into or maintain 1933
such a contract, the state board of education shall take all 1934
necessary actions to dissolve the district as provided in 1935
division (A) of section 3311.29 of the Revised Code. 1936

(C) If a particular school is required to restructure 1937
under this section and a petition with respect to that same 1938
school has been filed and verified under divisions (B) and (C) 1939
of section 3302.042 of the Revised Code, the provisions of that 1940

section and the petition filed and verified under it shall 1941
prevail over the provisions of this section and the school shall 1942
be restructured under that section. However, if division (D)(1), 1943
(2), or (3) of section 3302.042 of the Revised Code also applies 1944
to the school, the school shall be subject to restructuring 1945
under this section and not section 3302.042 of the Revised Code. 1946

If the provisions of this section conflict in any way with 1947
the requirements of federal law, federal law shall prevail over 1948
the provisions of this section. 1949

(D) If a school is restructured under this section, 1950
section 3302.042 or 3302.10 of the Revised Code, or federal law, 1951
the school shall not be required to restructure again under 1952
state law for three consecutive years after the implementation 1953
of that prior restructuring. 1954

Sec. 3302.121. (A) As used in this section, a "needs 1955
assessment" means a systematic process of identifying and 1956
evaluating the specific requirements, challenges, and 1957
opportunities within an educational institution. 1958

(B) The department of education and workforce shall 1959
establish the school turnaround pilot program. The department 1960
shall administer and operate the pilot program for five years 1961
beginning with the 2024-2025 school year to address chronic low 1962
performance in Ohio's school districts and community schools 1963
established under Chapter 3314. of the Revised Code. The 1964
duration of a program for any particular school building may be 1965
for three to five years. 1966

(C) The department may select up to fifteen per cent of 1967
the school buildings on its comprehensive support and 1968
improvement schools designation list for the most recent school 1969

year available at the time selections are made, or other school 1970
buildings operated by the lowest performing school districts as 1971
determined by the department, to participate in the program. The 1972
department shall select school buildings from at least five 1973
state support team regions to ensure geographic diversity and 1974
shall include community schools. In selecting school buildings 1975
for the program, the department may consider the typology of the 1976
school district that operates the school building or in which 1977
the school building is located, the grade levels offered in the 1978
school building, and the length of time the school building has 1979
been on the comprehensive support and improvement designation 1980
list. 1981

(D) The department shall approve one or more eligible 1982
external service providers with expertise in school improvement 1983
to work in partnership with districts, schools, community school 1984
sponsors, and school support teams in the area. 1985

(E) Each school district or community school that elects 1986
to participate in the program shall choose a single service 1987
provider approved by the department to conduct a needs 1988
assessment, develop a multi-year improvement plan, and ensure 1989
the implementation of evidence-based interventions to improve 1990
academic achievement, chronic absenteeism rates, and family and 1991
community engagement. 1992

(F) Districts and community schools may receive funding 1993
for the pilot program from existing federal funds. 1994

(G) Districts, community schools, and service providers 1995
shall regularly report data to the department in a manner 1996
prescribed by the department. The department shall conduct an 1997
annual evaluation of the program and may contract with a third 1998
party for this purpose. 1999

(H) Service providers shall collaborate with school districts and community schools to ensure that services and interventions are aligned to identified needs and to recommend system-wide improvements to the department and to the general assembly.

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

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

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

~~(3)~~ (2) Any provision of the Revised Code or rule or standard of the department of education and workforce prescribing a minimum or maximum class size;

~~(4)~~ (3) Any provision of the Revised Code or rule or standard of the department requiring teachers to be licensed specifically in the grade level in which they are teaching, except unless otherwise prescribed by federal law. This exemption does not apply to special education teachers. Nor does this exemption relieve a teacher from holding a valid Ohio license in the subject area in which that teacher is teaching

and at least some grade level determined appropriate by the 2029
district board. 2030

(B) (1) Notwithstanding anything to the contrary in the 2031
Revised Code, including sections 3319.30 and 3319.36 of the 2032
Revised Code, the superintendent of a school district that 2033
qualifies under division (D) of this section may employ an 2034
individual who is not licensed as required by sections 3319.22 2035
to 3319.30 of the Revised Code, but who is otherwise qualified 2036
based on experience, to teach classes in the district, so long 2037
as the board of education of the school district approves the 2038
individual's employment and provides mentoring and professional 2039
development opportunities to that individual, as determined 2040
necessary by the board. 2041

(2) As a condition of employment under this section, an 2042
individual shall be subject to a criminal records check as 2043
prescribed by section 3319.391 of the Revised Code. In the 2044
manner prescribed by the state board of education, the 2045
individual shall submit the criminal records check to the state 2046
board and shall register with the state board during the period 2047
in which the individual is employed by the district. The state 2048
board shall use the information submitted to enroll the 2049
individual in the retained applicant fingerprint database, 2050
established under section 109.5721 of the Revised Code, in the 2051
same manner as any teacher licensed under sections 3319.22 to 2052
3319.31 of the Revised Code. 2053

(3) An individual employed pursuant to this division is 2054
subject to Chapter 3307. of the Revised Code. 2055

If the state board receives notification of the arrest or 2056
conviction of an individual employed under division (B) of this 2057
section, the state board shall promptly notify the employing 2058

district and may take any action authorized under sections 2059
3319.31 and 3319.311 of the Revised Code that it considers 2060
appropriate. No district shall employ any individual under 2061
division (B) of this section if the district learns that the 2062
individual has plead guilty to, has been found guilty by a jury 2063
or court of, or has been convicted of any of the offenses listed 2064
in division (C) of section 3319.31 of the Revised Code. 2065

(C) Notwithstanding anything to the contrary in the 2066
Revised Code, noncompliance with any of the requirements listed 2067
in divisions (A) or (B) of this section shall not disqualify a 2068
school district that qualifies under division (D) of this 2069
section from receiving funds under Chapter 3317. of the Revised 2070
Code. 2071

(D) In order for a city, local, or exempted village school 2072
district to qualify for the exemptions described in this 2073
section, the school district shall meet ~~all~~ either of the 2074
following benchmarks on the most recent report card issued for 2075
that district under section 3302.03 of the Revised Code: 2076

(1) The district received ~~at~~ either of the following: 2077

(a) At least eighty-five per cent of the total possible 2078
points for the performance index score calculated under division 2079
(C) (1) (b) or (D) (1) (c) of that section; 2080

(b) A performance rating of five stars for progress under 2081
division (D) (3) (c) of that section. 2082

~~(2) The district received a grade of an "A" for~~ 2083
~~performance indicators met under division (C) (1) (c) of that~~ 2084
~~section. However, division (D) (2) of this section shall not~~ 2085
~~apply for the 2021-2022 school year or any school year~~ 2086
~~thereafter.~~ 2087

~~(3)~~—The district has a four-year adjusted cohort graduation rate of at least ninety-three per cent and a five-year adjusted cohort graduation rate of at least ninety-five per cent, as calculated under division (C) (1) (d) or divisions (D) (1) (e) and (D) (1) (f) of that section.

~~(E)~~—(E) (1) A school district that meets the requirements prescribed by division (D) of this section shall be qualified for the exemptions prescribed by this section for three school years, beginning with the school year in which the qualifying report card is issued.

(2) The exemption prescribed under this division may be renewed every three school years if the school district continues to meet the requirements prescribed in division (D) of this section.

(3) The department of education and workforce, by the thirtieth day of September in each school year, shall notify each district that becomes eligible for the exemptions under this section that the district is eligible and that such exemptions exist.

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

Sec. 3307.353. (A) This section applies in the case of a person who is or most recently has been employed by an employer in a position that is customarily filled by a vote of members of a board or commission.

(B) ~~A~~—Except as otherwise provided in this section, a board or commission that proposes to continue the employment as a reemployed superannuate or rehire as a reemployed superannuate to the same position an individual described in division (A) of

this section shall do both of the following in accordance with 2117
rules adopted under division ~~(C)~~(E) of this section: 2118

(1) Not less than sixty days before the employment as a 2119
reemployed superannuate is to begin, give public notice that the 2120
person is or will be retired and is seeking employment with the 2121
employer; 2122

(2) Between fifteen and thirty days before the employment 2123
as a reemployed superannuate is to begin ~~and after complying~~ 2124
~~with division (B) (1) of this section~~, hold a public meeting on 2125
the issue of the person being employed by the employer. 2126

The notice regarding division (B) (1) of this section shall 2127
include the time, date, and location at which the public meeting 2128
is to take place. 2129

(C) A board or commission that proposes to continue a 2130
person's employment or rehire the person as a reemployed 2131
superannuate to a position that the board or commission has 2132
urgent reasons to fill in an expedited manner shall give thirty 2133
days' notice under division (B) (1) of this section. The board or 2134
commission shall include an explanation in the notice of the 2135
urgent reasons requiring the position to be filled in an 2136
expedited manner. 2137

(D) A board or commission is not required to give notice 2138
under division (B) (1) or (C) of this section if the person has 2139
been retired for at least one year before the person's 2140
employment as a reemployed superannuate is to begin. 2141

(E) The state teachers retirement board shall adopt rules 2142
as necessary to implement this section. 2143

Sec. 3309.345. (A) This section applies in the case of a 2144
person who is or most recently has been employed by an employer 2145

in a position that is customarily filled by a vote of members of 2146
a board or commission. 2147

(B) ~~A~~ Except as otherwise provided in this section, a 2148
board or commission that proposes to continue the employment as 2149
a reemployed retirant or rehire as a reemployed retirant to the 2150
same position an individual described in division (A) of this 2151
section shall do both of the following in accordance with rules 2152
adopted under division ~~(C)~~ (E) of this section: 2153

(1) Not less than sixty days before the employment as a 2154
reemployed retirant is to begin, give public notice that the 2155
person is or will be retired and is seeking employment with the 2156
employer; 2157

(2) Between fifteen and thirty days before the employment 2158
as a reemployed retirant is to begin ~~and after complying with~~ 2159
~~division (B) (1) of this section~~, hold a public meeting on the 2160
issue of the person being employed by the employer. 2161

The notice regarding division (B) (1) of this section shall 2162
include the time, date, and location at which the public meeting 2163
is to take place. 2164

(C) A board or commission that proposes to continue a 2165
person's employment or rehire the person as a reemployed 2166
retirant to a position that the board or commission has urgent 2167
reasons to fill in an expedited manner shall give thirty days 2168
notice under division (B) (1) of this section. The board or 2169
commission shall include an explanation in the notice of the 2170
urgent reasons requiring the position to be filled in an 2171
expedited manner. 2172

(D) A board or commission is not required to give notice 2173
under division (B) (1) of this section if the person has been 2174

retired for at least one year before the person's employment as 2175
a reemployed retirant is to begin. 2176

(E) The school employees retirement board shall adopt 2177
rules as necessary to implement this section. 2178

Sec. 3311.80. Notwithstanding any provision of the Revised 2179
Code to the contrary, a municipal school district shall be 2180
subject to this section instead of section 3319.111 of the 2181
Revised Code. 2182

(A) ~~Not later than July 1, 2013, the~~ The board of 2183
education of each municipal school district and the teachers' 2184
labor organization shall develop and adopt standards-based 2185
teacher evaluation procedures that shall either conform with the 2186
framework for evaluation of teachers developed under section 2187
3319.112 of the Revised Code or a framework developed or adopted 2188
by the district. The evaluation procedures shall include at 2189
least one formal ~~observations~~ observation and classroom ~~walk-~~ 2190
~~throughs~~ walk-through, which may be announced or unannounced; 2191
examinations of samples of work, such as lesson plans or 2192
assessments designed by a teacher; and multiple measures of 2193
student academic growth. The board of education and teachers' 2194
labor organization shall endeavor to include in the evaluation 2195
procedures the development of a professional growth plan or 2196
improvement plan and a final summative conference to discuss the 2197
results of the evaluation. 2198

(B) When using measures of student academic growth as a 2199
component of a teacher's evaluation, those measures shall 2200
include the value-added progress dimension prescribed by section 2201
3302.021 of the Revised Code or the alternative student academic 2202
progress measure if adopted under division (C)(1)(e) of section 2203
3302.03 of the Revised Code. For teachers of grade levels and 2204

subjects for which the value-added progress dimension or 2205
alternative student academic achievement measure is not 2206
applicable, the board shall administer assessments on the list 2207
developed under division (B)(2) of section 3319.112 of the 2208
Revised Code. 2209

(C)(1) Each teacher employed by the board shall be 2210
evaluated at least once each school year, except as provided in 2211
division (C)(2) of this section. The composite evaluation shall 2212
be completed not later than the first day of June and the 2213
teacher shall receive a written report of the results of the 2214
composite evaluation not later than ten days after its 2215
completion or the last teacher work day of the school year, 2216
whichever is earlier. 2217

(2) Each teacher who received a rating of accomplished on 2218
the teacher's most recent evaluation conducted under this 2219
section may be evaluated once every two school years, except 2220
that the teacher shall be evaluated in any school year in which 2221
the teacher's contract is due to expire. The biennial composite 2222
evaluation shall be completed not later than the first day of 2223
June of the applicable school year, and the teacher shall 2224
receive a written report of the results of the composite 2225
evaluation not later than ten days after its completion or the 2226
last teacher work day of the school year, whichever is earlier. 2227

(D) Each evaluation conducted pursuant to this section 2228
shall be conducted by one or more of the following persons who 2229
have been trained to conduct evaluations in accordance with 2230
criteria that shall be developed jointly by the chief executive 2231
officer of the district, or the chief executive officer's 2232
designee, and the teachers' labor organization: 2233

(1) The chief executive officer or a subordinate officer 2234

of the district with responsibility for instruction or academic 2235
affairs; 2236

(2) A person who is under contract with the board pursuant 2237
to section 3319.02 of the Revised Code and holds a license 2238
designated for being a principal issued under section 3319.22 of 2239
the Revised Code; 2240

(3) A person who is under contract with the board pursuant 2241
to section 3319.02 of the Revised Code and holds a license 2242
designated for being a vocational director or a supervisor in 2243
any educational area issued under section 3319.22 of the Revised 2244
Code; 2245

(4) A person designated to conduct evaluations under an 2246
agreement providing for peer assistance and review entered into 2247
by the board and the teachers' labor organization. 2248

(E) The evaluation procedures shall describe how the 2249
evaluation results will be used for decisions regarding 2250
compensation, retention, promotion, and reductions in force and 2251
for removal of poorly performing teachers. 2252

(F) A teacher may challenge any violations of the 2253
evaluation procedures in accordance with the grievance procedure 2254
specified in any applicable collective bargaining agreement. A 2255
challenge under this division is limited to the determination of 2256
procedural errors that have resulted in substantive harm to the 2257
teacher and to ordering the correction of procedural errors. The 2258
failure of the board or a person conducting an evaluation to 2259
strictly comply with any deadline or evaluation forms 2260
established as part of the evaluation process shall not be cause 2261
for an arbitrator to determine that a procedural error occurred, 2262
unless the arbitrator finds that the failure resulted in 2263

substantive harm to the teacher. The arbitrator shall have no 2264
jurisdiction to modify the evaluation results, but the 2265
arbitrator may stay any decision taken pursuant to division (E) 2266
of this section pending the board's correction of any procedural 2267
error. The board shall correct any procedural error within 2268
fifteen business days after the arbitrator's determination that 2269
a procedural error occurred. 2270

(G) Notwithstanding any provision to the contrary in 2271
Chapter 4117. of the Revised Code, the requirements of this 2272
section prevail over any conflicting provisions of a collective 2273
bargaining agreement entered into on or after October 1, 2012. 2274
However, the board and the teachers' labor organization may 2275
negotiate additional evaluation procedures, including an 2276
evaluation process incorporating peer assistance and review, 2277
provided the procedures are consistent with this section. 2278

(H) This section does not apply to administrators 2279
appointed by the chief executive officer of a municipal school 2280
district under section 3311.72 of the Revised Code, 2281
administrators subject to evaluation procedures under section 2282
3311.84 or 3319.02 of the Revised Code, or to any teacher 2283
employed as a substitute for less than one hundred twenty days 2284
during a school year pursuant to section 3319.10 of the Revised 2285
Code. 2286

Sec. 3312.02. ~~(A)~~—There shall be the following sixteen 2287
regions in the educational regional service system: 2288

~~(1)~~—(A) Region one shall consist of the territory 2289
contained in Defiance, Fulton, Hancock, Henry, Lucas, Ottawa, 2290
Paulding, Putnam, Sandusky, Seneca, Van Wert, Williams, and Wood 2291
counties. 2292

(2) <u>(B)</u> Region two shall consist of the territory contained in Erie, Huron, and Lorain counties.	2293 2294
(3) <u>(C)</u> Region three shall consist of the territory contained in Cuyahoga county.	2295 2296
(4) <u>(D)</u> Region four shall consist of the territory contained in Geauga and Lake counties.	2297 2298
(5) <u>(E)</u> Region five shall consist of the territory contained in Ashtabula, Mahoning, and Trumbull counties.	2299 2300
(6) <u>(F)</u> Region six shall consist of the territory contained in Allen, Auglaize, Champaign, Hardin, Logan, Mercer, and Shelby counties.	2301 2302 2303
(7) <u>(G)</u> Region seven shall consist of the territory contained in Ashland, Crawford, Knox, Marion, Morrow, Richland, and Wyandot counties.	2304 2305 2306
(8) <u>(H)</u> Region eight shall consist of the territory contained in Medina, Portage, and Summit counties.	2307 2308
(9) <u>(I)</u> Region nine shall consist of the territory contained in Columbiana, Stark, and Wayne counties.	2309 2310
(10) <u>(J)</u> Region ten shall consist of the territory contained in Clark, Darke, Greene, Miami, Montgomery, and Preble counties.	2311 2312 2313
(11) <u>(K)</u> Region eleven shall consist of the territory contained in Delaware, Fairfield, Franklin, Licking, Madison, Pickaway, and Union counties.	2314 2315 2316
(12) <u>(L)</u> Region twelve shall consist of the territory contained in Belmont, Carroll, Coshocton, Guernsey, Harrison, Holmes, Jefferson, Muskingum, Noble, and Tuscarawas counties.	2317 2318 2319

~~(13)~~ (M) Region thirteen shall consist of the territory 2320
contained in Butler, Clermont, Hamilton, and Warren counties. 2321

~~(14)~~ (N) Region fourteen shall consist of the territory 2322
contained in Adams, Brown, Clinton, Fayette, and Highland 2323
counties. 2324

~~(15)~~ (O) Region fifteen shall consist of the territory 2325
contained in Lawrence, Pike, Ross, and Scioto counties. 2326

~~(16)~~ (P) Region sixteen shall consist of the territory 2327
contained in Athens, Gallia, Hocking, Jackson, Meigs, Monroe, 2328
Morgan, Perry, Vinton, and Washington counties. 2329

~~(B) The department of education and workforce shall adopt 2330
rules establishing a process whereby a school district may elect 2331
to transfer to a region other than the region to which the 2332
district is assigned by this section. The department shall 2333
consult with school districts and regional service providers in 2334
developing the process. No school district shall be permitted to 2335
transfer to a different region under this division after June 2336
30, 2009. 2337~~

Sec. 3313.26. The treasurer of the board of education, in 2338
the performance of the treasurer's duties, shall record the 2339
proceedings of each meeting in a book to be provided by the 2340
board for that purpose, which shall be a public record. The 2341
record of proceedings at each meeting of the board shall be read 2342
at its next ~~succeeding~~ regular meeting, corrected and approved, 2343
which approval shall be noted in the proceedings. After such 2344
approval, the president shall sign the record and the treasurer 2345
shall attest to the accuracy of the information contained in the 2346
record. The treasurer's attestation shall not be construed to 2347
serve as authorization or execution of any action taken or not 2348

taken during any meeting. 2349

By resolution, a board of education may waive the reading 2350
of the record of any of its proceedings, provided that such 2351
record has been distributed to the members of the board of 2352
education at least two days prior to the date of the next 2353
~~succeeding~~ regular meeting and that copies of such record are 2354
made available to the public and news media. Such resolution 2355
shall be in full force and effect until such time as amended or 2356
rescinded by the board of education. 2357

Sec. 3313.413. (A) As used in this section, "high- 2358
performing community school" means either of the following: 2359

(1) A community school established under Chapter 3314. of 2360
the Revised Code that meets the following conditions: 2361

(a) Except as provided in division (A) (1) (b) or (c) of 2362
this section, the school both: 2363

(i) Has received either a grade of "A," "B," or "C" for 2364
the performance index score under division (C) (1) (b) of section 2365
3302.03 of the Revised Code or a performance rating of three 2366
stars or higher for achievement under division (D) (3) (b) of that 2367
section; or has increased its performance index score under 2368
division (C) (1) (b) or (D) (1) (d) of section 3302.03 of the 2369
Revised Code in each of the previous three years of operation; 2370
and 2371

(ii) Has received either a grade of "A" or "B" for the 2372
value-added progress dimension under division (C) (1) (e) of 2373
section 3302.03 of the Revised Code or a performance rating of 2374
four stars or higher for progress under division (D) (3) (c) of 2375
that section on its most recent report card rating issued under 2376
that section. 2377

(b) If the school serves only grades kindergarten through 2378
three, the school received either a grade of "A" or "B" for 2379
making progress in improving literacy in grades kindergarten 2380
through three under division (C) (1) (g) of section 3302.03 of the 2381
Revised Code or a performance rating of four stars or higher for 2382
early literacy under division (D) (3) (e) of that section on its 2383
most recent report card issued under that section. 2384

(c) If the school primarily serves students enrolled in a 2385
dropout prevention and recovery program as described in division 2386
~~(A) (4) (a)~~ (B) (1) of section 3314.35 of the Revised Code, the 2387
school received a rating of "exceeds standards" on its most 2388
recent report card issued under section 3314.017 of the Revised 2389
Code. 2390

(2) A newly established community school that is 2391
implementing a community school model that has a track record of 2392
high-quality academic performance, as determined by the 2393
department of education and workforce. 2394

(B) When a school district board of education decides to 2395
dispose of real property it owns in its corporate capacity under 2396
section 3313.41 of the Revised Code, the board shall first offer 2397
that property to the governing authorities of all start-up 2398
community schools, the boards of trustees of any college- 2399
preparatory boarding schools, and the governing bodies of any 2400
STEM schools that are located within the territory of the 2401
district. Not later than sixty days after the district board 2402
makes the offer, interested governing authorities, boards of 2403
trustees, and governing bodies shall notify the district 2404
treasurer in writing of the intention to purchase the property. 2405

The district board shall give priority to the governing 2406
authorities of high-performing community schools that are 2407

located within the territory of the district. 2408

(1) If more than one governing authority of a high- 2409
performing community school notifies the district treasurer of 2410
its intention to purchase the property pursuant to division (B) 2411
of this section, the board shall conduct a public auction in the 2412
manner required for auctions of district property under division 2413
(A) of section 3313.41 of the Revised Code. Only the governing 2414
authorities of high-performing community schools that notified 2415
the district treasurer pursuant to division (B) of this section 2416
are eligible to bid at the auction. 2417

(2) If no governing authority of a high-performing 2418
community school notifies the district treasurer of its 2419
intention to purchase the property pursuant to division (B) of 2420
this section, the board shall then proceed with the offers from 2421
all other start-up community schools, college-preparatory 2422
boarding schools, and STEM schools made pursuant to that 2423
division. If more than one such entity notifies the district 2424
treasurer of its intention to purchase the property pursuant to 2425
division (B) of this section, the board shall conduct a public 2426
auction in the manner required for auctions of district property 2427
under division (A) of section 3313.41 of the Revised Code. Only 2428
the entities that notified the district treasurer pursuant to 2429
division (B) of this section are eligible to bid at the auction. 2430

(3) If no governing authority, board of trustees, or 2431
governing body notifies the district treasurer of its intention 2432
to purchase the property pursuant to division (B) of this 2433
section, the district may then offer the property for sale in 2434
the manner prescribed under divisions (A) to (F) of section 2435
3313.41 of the Revised Code. 2436

(C) Notwithstanding anything to the contrary in sections 2437

3313.41 and 3313.411 of the Revised Code, the purchase price of 2438
any real property sold to any of the entities in accordance with 2439
division (B) of this section shall not be more than the 2440
appraised fair market value of that property as determined in an 2441
appraisal of the property that is not more than one year old. 2442

(D) Not later than the first day of October of each year, 2443
the department of education and workforce shall post in a 2444
prominent location on its web site a list of schools that 2445
qualify as high-performing community schools for purposes of 2446
this section and section 3313.411 of the Revised Code. 2447

Sec. 3313.46. (A) In addition to any other law governing 2448
the bidding for contracts by the board of education of any 2449
school district, when any such board determines to build, 2450
repair, enlarge, improve, or demolish any school building, the 2451
cost of which will exceed ~~fifty thousand dollars~~the amount 2452
specified in section 9.17 of the Revised Code, except in cases 2453
of urgent necessity, or for the security and protection of 2454
school property, and except as otherwise provided in division 2455
(D) of section 713.23 and in section 125.04 of the Revised Code, 2456
all of the following shall apply: 2457

(1) The board shall cause to be prepared the plans, 2458
specifications, and related information as required in divisions 2459
(A) (1), (2), and (3) of section 153.01 of the Revised Code 2460
unless the board determines that other information is sufficient 2461
to inform any bidders of the board's requirements. However, if 2462
the board determines that such other information is sufficient 2463
for bidding a project, the board shall not engage in the 2464
construction of any such project involving the practice of 2465
professional engineering, professional surveying, or 2466
architecture, for which plans, specifications, and estimates 2467

have not been made by, and the construction thereof inspected 2468
by, a licensed professional engineer, licensed professional 2469
surveyor, or registered architect. 2470

(2) The board shall advertise for bids once each week for 2471
a period of not less than two consecutive weeks, or as provided 2472
in section 7.16 of the Revised Code, in a newspaper of general 2473
circulation in the district before the date specified by the 2474
board for receiving bids. The board may also cause notice to be 2475
inserted in trade papers or other publications designated by it 2476
or to be distributed by electronic means, including posting the 2477
notice on the board's internet web site. If the board posts the 2478
notice on its web site, it may eliminate the second notice 2479
otherwise required to be published in a newspaper of general 2480
circulation within the school district, provided that the first 2481
notice published in such newspaper meets all of the following 2482
requirements: 2483

(a) It is published at least two weeks before the opening 2484
of bids. 2485

(b) It includes a statement that the notice is posted on 2486
the board of education's internet web site. 2487

(c) It includes the internet address of the board's 2488
internet web site. 2489

(d) It includes instructions describing how the notice may 2490
be accessed on the board's internet web site. 2491

(3) Unless the board extends the time for the opening of 2492
bids they shall be opened at the time and place specified by the 2493
board in the advertisement for the bids. 2494

(4) Each bid shall contain the name of every person 2495
interested therein. Each bid shall meet the requirements of 2496

section 153.54 of the Revised Code. 2497

(5) When both labor and materials are embraced in the work 2498
bid for, the board may require that each be separately stated in 2499
the bid, with the price thereof, or may require that bids be 2500
submitted without such separation. 2501

(6) None but the lowest responsible bid shall be accepted. 2502
The board may reject all the bids, or accept any bid for both 2503
labor and material for such improvement or repair, which is the 2504
lowest in the aggregate. In all other respects, the award of 2505
contracts for improvement or repair, but not for purchases made 2506
under section 3327.08 of the Revised Code, shall be pursuant to 2507
section 153.12 of the Revised Code. 2508

(7) The contract shall be between the board and the 2509
bidders. The board shall pay the contract price for the work 2510
pursuant to sections 153.13 and 153.14 of the Revised Code. The 2511
board shall approve and retain the estimates referred to in 2512
section 153.13 of the Revised Code and make them available to 2513
the auditor of state upon request. 2514

(8) When two or more bids are equal, in the whole, or in 2515
any part thereof, and are lower than any others, either may be 2516
accepted, but in no case shall the work be divided between such 2517
bidders. 2518

(9) When there is reason to believe there is collusion or 2519
combination among the bidders, or any number of them, the bids 2520
of those concerned therein shall be rejected. 2521

(B) Division (A) of this section does not apply to the 2522
board of education of any school district in any of the 2523
following situations: 2524

(1) The acquisition of educational materials used in 2525

teaching.	2526
(2) If the board determines and declares by resolution	2527
adopted by two-thirds of all its members that any item is	2528
available and can be acquired only from a single source.	2529
(3) If the board declares by resolution adopted by two-	2530
thirds of all its members that division (A) of this section does	2531
not apply to any installation, modification, or remodeling	2532
involved in any energy conservation measure undertaken through	2533
an installment payment contract under section 3313.372 of the	2534
Revised Code or undertaken pursuant to division (G) (1) of	2535
section 133.06 of the Revised Code.	2536
(4) The acquisition of computer software for instructional	2537
purposes and computer hardware for instructional purposes	2538
pursuant to division (B) (4) of section 3313.37 of the Revised	2539
Code.	2540
(C) No resolution adopted pursuant to division (B) (2) or	2541
(3) of this section shall have any effect on whether sections	2542
153.12 to 153.14 and 153.54 of the Revised Code apply to the	2543
board of education of any school district with regard to any	2544
item.	2545
Sec. 3313.48. (A) The board of education of each city,	2546
exempted village, local, and joint vocational school district	2547
shall provide for the free education of the youth of school age	2548
within the district under its jurisdiction, at such places as	2549
will be most convenient for the attendance of the largest number	2550
thereof. Each school so provided and each chartered nonpublic	2551
school shall be open for instruction with pupils in attendance,	2552
including scheduled classes, supervised activities, and approved	2553
education options but excluding lunch and breakfast periods and	2554

extracurricular activities, for not less than four hundred 2555
fifty-five hours in the case of pupils in kindergarten unless 2556
such pupils are provided all-day kindergarten, as defined in 2557
section 3321.05 of the Revised Code, in which case the pupils 2558
shall be in attendance for nine hundred ten hours; nine hundred 2559
ten hours in the case of pupils in grades one through six; and 2560
one thousand one hours in the case of pupils in grades seven 2561
through twelve in each school year, which may include all of the 2562
following: 2563

(1) Up to the equivalent of two school days per year 2564
during which pupils would otherwise be in attendance but are not 2565
required to attend for the purpose of individualized parent- 2566
teacher conferences and reporting periods; 2567

(2) Up to the equivalent of two school days per year 2568
during which pupils would otherwise be in attendance but are not 2569
required to attend for professional meetings of teachers; 2570

(3) Morning and afternoon recess periods of not more than 2571
fifteen minutes duration per period for pupils in grades 2572
kindergarten through six. 2573

(B) Not later than thirty days prior to adopting a school 2574
calendar, the board of education of each city, exempted village, 2575
and local school district shall hold a public hearing on the 2576
school calendar, addressing topics that include, but are not 2577
limited to, the total number of hours in a school year, length 2578
of school day, and beginning and end dates of instruction. The 2579
public hearing required under this division need not be a 2580
separate, individual hearing and may be part of another public 2581
hearing or board meeting. 2582

(C) No school operated by a city, exempted village, local, 2583

or joint vocational school district shall reduce the number of 2584
hours in each school year that the school is scheduled to be 2585
open for instruction from the number of hours per year the 2586
school was open for instruction during the previous school year 2587
unless the reduction is approved by a resolution adopted by the 2588
district board of education. Any reduction so approved shall not 2589
result in fewer hours of instruction per school year than the 2590
applicable number of hours required under division (A) of this 2591
section. 2592

(D) Prior to making any change in the hours or days in 2593
which a high school under its jurisdiction is open for 2594
instruction, the board of education of each city, exempted 2595
village, and local school district shall consider the 2596
compatibility of the proposed change with the scheduling needs 2597
of any joint vocational school district in which any of the high 2598
school's students are also enrolled. The board shall consider 2599
the impact of the proposed change on student access to the 2600
instructional programs offered by the joint vocational school 2601
district, incentives for students to participate in career- 2602
technical education, transportation, and the timing of 2603
graduation. The board shall provide the joint vocational school 2604
district board with advance notice of the proposed change and 2605
the two boards shall enter into a written agreement prescribing 2606
reasonable accommodations to meet the scheduling needs of the 2607
joint vocational school district prior to implementation of the 2608
change. 2609

(E) Subject to section 3327.016 of the Revised Code, prior 2610
to making any change in the hours or days in which a school 2611
under its jurisdiction is open for instruction, the board of 2612
education of each city, exempted village, and local school 2613
district shall consider the compatibility of the proposed change 2614

with the scheduling needs of any community school established 2615
under Chapter 3314. of the Revised Code to which the district is 2616
required to transport students under sections 3314.09 and 2617
3327.01 of the Revised Code. The board shall consider the impact 2618
of the proposed change on student access to the instructional 2619
programs offered by the community school, transportation, and 2620
the timing of graduation. The board shall provide the sponsor, 2621
governing authority, and operator of the community school with 2622
advance notice of the proposed change, and the board and the 2623
governing authority, or operator if such authority is delegated 2624
to the operator, shall enter into a written agreement 2625
prescribing reasonable accommodations to meet the scheduling 2626
needs of the community school prior to implementation of the 2627
change. 2628

(F) Subject to section 3327.016 of the Revised Code, prior 2629
to making any change in the hours or days in which the schools 2630
under its jurisdiction are open for instruction, the board of 2631
education of each city, exempted village, and local school 2632
district shall consult with the chartered nonpublic schools to 2633
which the district is required to transport students under 2634
section 3327.01 of the Revised Code and shall consider the 2635
effect of the proposed change on the schedule for transportation 2636
of those students to their nonpublic schools. The governing 2637
authority of a chartered nonpublic school shall consult with 2638
each school district board of education that transports students 2639
to the chartered nonpublic school under section 3327.01 of the 2640
Revised Code prior to making any change in the hours or days in 2641
which the nonpublic school is open for instruction. 2642

(G) The department of education and workforce shall not 2643
adopt or enforce any rule or standard that imposes on chartered 2644
nonpublic schools the procedural requirements imposed on school 2645

districts by divisions (B), (C), (D), and (E) of this section. 2646

Sec. 3313.60. Notwithstanding division (D) of section 2647
3311.52 of the Revised Code, divisions (A) to (E) of this 2648
section do not apply to any cooperative education school 2649
district established pursuant to divisions (A) to (C) of section 2650
3311.52 of the Revised Code. 2651

(A) The board of education of each city, exempted village, 2652
and local school district and the board of each cooperative 2653
education school district established, pursuant to section 2654
3311.521 of the Revised Code, shall prescribe a curriculum for 2655
all schools under its control. Except as provided in division 2656
(E) of this section, in any such curriculum there shall be 2657
included the study of the following subjects: 2658

(1) The language arts, including reading, writing, 2659
spelling, oral and written English, and literature; 2660

(2) Geography, the history of the United States and of 2661
Ohio, and national, state, and local government in the United 2662
States, including a balanced presentation of the relevant 2663
contributions to society of men and women of African, Mexican, 2664
Puerto Rican, and American Indian descent as well as other 2665
ethnic and racial groups in Ohio and the United States; 2666

(3) Mathematics; 2667

(4) Natural science, including instruction in the 2668
conservation of natural resources; 2669

(5) Health education, which shall include instruction in: 2670

(a) The nutritive value of foods, including natural and 2671
organically produced foods, the relation of nutrition to health, 2672
and the use and effects of food additives; 2673

(b) The harmful effects of and legal restrictions against 2674
the use of drugs of abuse, alcoholic beverages, and tobacco, 2675
including electronic smoking devices; 2676

(c) ~~Venereal disease~~ Sexually transmitted infection 2677
education, except that upon written request of the student's 2678
parent or guardian, a student shall be excused from taking 2679
instruction in ~~venereal disease~~ sexually transmitted infection 2680
education; 2681

(d) In grades kindergarten through six, annual 2682
developmentally appropriate instruction in child sexual abuse 2683
prevention, including information on available counseling and 2684
resources for children who are sexually abused. Such instruction 2685
and information provided shall not be connected in any way to 2686
any individual, entity, or organization that provides, promotes, 2687
counsels, or makes referrals for abortion or abortion-related 2688
services. Upon written request of the student's parent or 2689
guardian, a student shall be excused from taking instruction in 2690
child sexual abuse prevention. 2691

(e) In grades kindergarten through six, instruction in 2692
personal safety and assault prevention, except that upon written 2693
request of the student's parent or guardian, a student shall be 2694
excused from taking instruction in personal safety and assault 2695
prevention; 2696

(f) In grades seven through twelve, developmentally 2697
appropriate instruction in dating violence prevention education 2698
and sexual violence prevention education, which shall include 2699
instruction in recognizing dating violence warning signs and 2700
characteristics of healthy relationships, except that upon 2701
written request of the student's parent or guardian a student 2702
shall be excused from taking instruction in sexual violence 2703

prevention. 2704

In order to assist school districts in developing a dating 2705
violence prevention education and sexual violence prevention 2706
education curriculum, the department of education and workforce 2707
shall provide on its web site links to free curricula addressing 2708
dating violence prevention and sexual violence prevention 2709
education. Such instruction and information shall not be 2710
connected in any way to any individual, entity, or organization 2711
that provides, promotes, counsels, or makes referrals for 2712
abortion or abortion-related services. 2713

Each school district shall notify the parents and legal 2714
guardians of students who receive instruction related to child 2715
sexual abuse prevention and sexual violence prevention, as 2716
described under divisions (A) (5) (d) and (f) of this section, of 2717
all of the following: 2718

(i) That instruction in child sexual abuse prevention and 2719
sexual violence prevention is a required part of the district's 2720
curriculum; 2721

(ii) That upon request, parents and legal guardians may 2722
examine such instructional materials in accordance with this 2723
section; 2724

(iii) That upon written request of the student's parent or 2725
guardian, a student shall be excused from taking instruction in 2726
child sexual abuse prevention and sexual violence prevention. 2727

If the parent or legal guardian of a student less than 2728
eighteen years of age submits to the principal of the student's 2729
school a written request to examine the dating violence 2730
prevention and sexual violence prevention instruction materials 2731
used at that school, the principal, within forty-eight hours 2732

after the request is made, shall allow the parent or guardian to 2733
examine those materials at that school. 2734

(g) Prescription opioid abuse prevention, with an emphasis 2735
on the prescription drug epidemic and the connection between 2736
prescription opioid abuse and addiction to other drugs, such as 2737
heroin; 2738

(h) The process of making an anatomical gift under Chapter 2739
2108. of the Revised Code, with an emphasis on the life-saving 2740
and life-enhancing effects of organ and tissue donation; 2741

(i) Beginning with the first day of the next school year 2742
that begins at least two years after March 24, 2021, in grades 2743
six through twelve, at least one hour or one standard class 2744
period per school year of evidence-based suicide awareness and 2745
prevention and at least one hour or one standard class period 2746
per school year of safety training and violence prevention, 2747
except that upon written request of the student's parent or 2748
guardian, a student shall be excused from taking instruction in 2749
suicide awareness and prevention or safety training and violence 2750
prevention; 2751

(j) Beginning with the first day of the next school year 2752
that begins at least two years after March 24, 2021, in grades 2753
six through twelve, at least one hour or one standard class 2754
period per school year of evidence-based social inclusion 2755
instruction, except that upon written request of the student's 2756
parent or guardian, a student shall be excused from taking 2757
instruction in social inclusion. 2758

For the instruction required under divisions (A) (5) (i) and 2759
(j) of this section, the board shall use a training program 2760
approved by the department of education and workforce under 2761

section 3301.221 of the Revised Code.	2762
Schools may use student assemblies, digital learning, and	2763
homework to satisfy the instruction requirements under divisions	2764
(A) (5) (i) and (j) of this section.	2765
(6) Physical education;	2766
(7) The fine arts, including music;	2767
(8) First aid, including a training program in	2768
cardiopulmonary resuscitation, which shall comply with section	2769
3313.6021 of the Revised Code when offered in any of grades nine	2770
through twelve, safety, and fire prevention. However, upon	2771
written request of the student's parent or guardian, a student	2772
shall be excused from taking instruction in cardiopulmonary	2773
resuscitation.	2774
(B) Except as provided in division (E) of this section,	2775
every school or school district shall include in the	2776
requirements for promotion from the eighth grade to the ninth	2777
grade one year's course of study of American history. A board	2778
may waive this requirement for academically accelerated students	2779
who, in accordance with procedures adopted by the board, are	2780
able to demonstrate mastery of essential concepts and skills of	2781
the eighth grade American history course of study.	2782
(C) As specified in divisions (B) (6) and (C) (6) of section	2783
3313.603 of the Revised Code, except as provided in division (E)	2784
of this section, every high school shall include in the	2785
requirements for graduation from any curriculum one-half unit	2786
each of American history and government.	2787
(D) Except as provided in division (E) of this section,	2788
basic instruction or demonstrated mastery in geography, United	2789
States history, the government of the United States, the	2790

government of the state of Ohio, local government in Ohio, the 2791
Declaration of Independence, the United States Constitution, and 2792
the Constitution of the state of Ohio shall be required before 2793
pupils may participate in courses involving the study of social 2794
problems, economics, foreign affairs, United Nations, world 2795
government, socialism, and communism. 2796

(E) For each cooperative education school district 2797
established pursuant to section 3311.521 of the Revised Code and 2798
each city, exempted village, and local school district that has 2799
territory within such a cooperative district, the curriculum 2800
adopted pursuant to divisions (A) to (D) of this section shall 2801
only include the study of the subjects that apply to the grades 2802
operated by each such school district. The curricula for such 2803
schools, when combined, shall provide to each student of these 2804
districts all of the subjects required under divisions (A) to 2805
(D) of this section. 2806

(F) The board of education of any cooperative education 2807
school district established pursuant to divisions (A) to (C) of 2808
section 3311.52 of the Revised Code shall prescribe a curriculum 2809
for the subject areas and grade levels offered in any school 2810
under its control. 2811

(G) Upon the request of any parent or legal guardian of a 2812
student, the board of education of any school district shall 2813
permit the parent or guardian to promptly examine, with respect 2814
to the parent's or guardian's own child: 2815

(1) Any survey or questionnaire, prior to its 2816
administration to the child; 2817

(2) Any textbook, workbook, software, video, or other 2818
instructional materials being used by the district in connection 2819

with the instruction of the child;	2820
(3) Any completed and graded test taken or survey or questionnaire filled out by the child;	2821 2822
(4) Copies of the statewide academic standards and each model curriculum developed pursuant to section 3301.079 of the Revised Code, which copies shall be available at all times during school hours in each district school building.	2823 2824 2825 2826
Sec. 3313.6011. (A) As used in this section, "sexual activity" has the same meaning as in section 2907.01 of the Revised Code.	2827 2828 2829
(B) Instruction in veneral disease <u>sexually transmitted infection</u> education pursuant to division (A) (5) (c) of section 3313.60 of the Revised Code shall emphasize that abstinence from sexual activity is the only protection that is one hundred per cent effective against unwanted pregnancy, sexually transmitted disease, and the sexual transmission of a virus that causes acquired immunodeficiency syndrome.	2830 2831 2832 2833 2834 2835 2836
(C) (1) The department of education and workforce shall require course material and instruction in veneral disease <u>sexually transmitted infection</u> education courses taught pursuant to division (A) (5) (c) of section 3313.60 of the Revised Code to do all of the following:	2837 2838 2839 2840 2841
(a) Stress that students should abstain from sexual activity until after marriage;	2842 2843
(b) Teach the potential physical, psychological, emotional, and social side effects of participating in sexual activity outside of marriage;	2844 2845 2846
(c) Teach that conceiving children out of wedlock is	2847

~~likely to have harmful consequences for at an early age or~~ 2848
~~outside of marriage increases the child, the child's parents,~~ 2849
~~and society~~likelihood of hardship in life; 2850

(d) Stress that sexually transmitted diseases are serious 2851
possible hazards of sexual activity; 2852

(e) Advise students of the laws pertaining to financial 2853
responsibility of parents to children born ~~in~~inside and ~~out~~
outside of wedlockmarriage; 2854
2855

(f) Advise students of the circumstances under which it is 2856
criminal to have sexual contact with a person under the age of 2857
sixteen pursuant to section 2907.04 of the Revised Code; 2858

(g) Emphasize adoption as an option for unintended 2859
pregnancies. 2860

(2) If a school district or school chooses to offer 2861
additional instruction in ~~venerical disease~~sexually transmitted
infection or sexual education not specified in division (C) (1) 2862
of this section, the district or school shall notify all parents 2863
or guardians of that instruction, including the name of any 2864
instructor, vendor name, if applicable, and the name of the 2865
curriculum being used. No district or school shall offer that 2866
instruction to a student unless that student's parent or 2867
guardian has submitted written permission for that student to 2868
receive that instruction. Division (E) of this section does not 2869
apply to division (C) (2) of this section. 2870
2871

(3) Upon request, a school district or school shall 2872
provide any materials associated with the instruction offered 2873
under divisions (C) (1) and (2) of this section to a parent or 2874
guardian. 2875

(D) The department shall not adopt a separate model 2876

education program for health education. 2877

(E) The department shall conduct an annual audit of each 2878
city, local, and exempted village school district, at the start 2879
of each school year, relative to its compliance with the 2880
instruction requirements of this section and division (A) (5) (c) 2881
of section 3313.60 of the Revised Code. The department shall 2882
publish the findings of each audit not later than one hundred 2883
twenty days after the start of the school year. The department 2884
shall include in the findings of each audit the name of any 2885
organization or program that provided materials to a school 2886
district regarding ~~veneral disease instruction~~sexually 2887
transmitted infection education. The department's findings shall 2888
be prominently posted on its web site. 2889

(F) The director of education and workforce shall not 2890
approve, pursuant to section 3302.07 of the Revised Code, any 2891
waiver of any requirement of this section. 2892

Sec. 3313.92. (A) The boards of education of any two or 2893
more school districts may, subject to the approval of the 2894
department of education and workforce, enter into agreements for 2895
the joint or cooperative construction, acquisition, or 2896
improvement of any building, structure, or facility benefiting 2897
the parties thereto, including, without limitation, schools and 2898
classrooms for the purpose of Chapter 3323. of the Revised Code, 2899
and for the management, operation, occupancy, use, maintenance, 2900
or repair thereof, or for the joint or cooperative participation 2901
in programs, projects, activities, or services in connection 2902
with such buildings, structures, or facilities, including 2903
participation in the Ohio education computer network established 2904
by section 3301.075 of the Revised Code. 2905

(B) Any agreement entered into under authority of this 2906

section shall, where appropriate, provide for: 2907

(1) The method by which the building, structure, or 2908
facility shall be constructed, acquired, or improved and by 2909
which it shall be managed, occupied, maintained, and repaired, 2910
and specifically a designation of one of the boards of education 2911
to take and have exclusive charge of any and all details of 2912
construction, acquisition, or improvement, including any 2913
advertising for bids and the award of any construction or 2914
improvement contract pursuant to the law applicable to such 2915
board of education; 2916

(2) The manner in which the title to the buildings, 2917
structures, or facilities, including the sites and interests in 2918
real estate necessary therefor, is to be held by one or more of 2919
such boards of education; 2920

(3) The management or administration of any such programs, 2921
projects, activities, services, or joint exercise of powers, 2922
which may include management or administration by one of said 2923
boards of education; 2924

(4) The manner of apportionment or sharing of all of the 2925
costs, or specified classes of costs, including without 2926
limitation costs of planning, construction, acquisition, 2927
improvement, management, operation, maintenance, or repair of 2928
such buildings, structures, or facilities, or of planning and 2929
conducting such programs or projects, or obtaining such 2930
services, which apportionment or sharing may be based on fixed 2931
amounts, or on ratios or formulas, or affected through tuitions 2932
to be contributed by the parties or in such manner therein 2933
provided. 2934

(C) Any agreement entered into under authority of this 2935

section may provide for:	2936
(1) An orderly process for making determinations as to planning, execution, implementation, and operation, which may include provisions for a committee, board, or commission, and for representation thereon;	2937 2938 2939 2940
(2) Securing necessary personnel, including participation of teachers and other personnel from the respective school districts;	2941 2942 2943
(3) Standards or conditions for the admission or participation of students and others, including students from other school districts;	2944 2945 2946
(4) Conditions for admittance of other school districts to participation under the agreement;	2947 2948
(5) Fixing or establishing the method of determining special charges to be made for particular services or materials;	2949 2950
(6) The manner of amending, supplementing, terminating, or withdrawal or removal of any party from, the agreement, and the term of the agreement or an indefinite term;	2951 2952 2953
(7) Designation of the applicants for or recipients of any state, federal, or other aid, assistance, or loans available by reason of any activities conducted under the agreement;	2954 2955 2956
(8) Designation of one or more of the participating boards of education to maintain, prepare, and submit, on behalf of all parties to the agreement, any or all records and reports with regard to the activities conducted under the agreement, including without limitation those required under sections 3301.14, 3313.50, 3319.32 to 3319.37, 3321.12, 3323.08, and 3323.13 of the Revised Code;	2957 2958 2959 2960 2961 2962 2963

(9) Such other matters as the parties thereto may agree upon for the purposes of division (A) of this section.	2964 2965
(D) For the purpose of paying or contributing its share under an agreement made under this section, a board of education may:	2966 2967 2968
(1) Appropriate any moneys from its general fund, and from any other funds not otherwise restricted by law, including funds for permanent improvements of such board of education where the contribution is to be made toward the cost of permanent improvements under the agreement;	2969 2970 2971 2972 2973
(2) Issue bonds, and notes in anticipation thereof, under Chapter 133. and section 3311.20 of the Revised Code for any permanent improvement, as defined in section 133.01 of the Revised Code, to be provided under such agreement;	2974 2975 2976 2977
(3) Levy taxes, and issue notes in anticipation thereof, under Chapters 3311. and 5705. of the Revised Code pertaining to such board of education, provided that the purpose of such levy may include the provision of funds for either or both permanent improvements and current operating expenses required as the share of such board of education under such agreement;	2978 2979 2980 2981 2982 2983
(4) Contribute real and personal property for use under such agreement without necessity for competitive bidding on disposition of such property.	2984 2985 2986
(E) Funds provided by the parties to an agreement entered into under this section, whether by appropriation, the levy of taxes, the issuance of bonds or notes, or otherwise, shall be transferred to and placed in a separate fund or funds of such participating board of education as is designated the fiscal agent for such purpose under the agreement, shall be	2987 2988 2989 2990 2991 2992

appropriated to and shall be applied for the purposes provided 2993
in such agreement, and shall be subject to audit and, pursuant 2994
to any determinations to be made as provided under such 2995
agreement, shall be deposited, invested, and disbursed under the 2996
provisions of law applicable to the board of education in whose 2997
custody those funds are held; and the records and reports of 2998
such board of education under Chapter 117. of the Revised Code 2999
with respect to those funds shall be sufficient without 3000
necessity for reports thereon by the other boards of education 3001
participating under such agreement. 3002

(F) As used in this section, "construction, acquisition, 3003
or improvement of any building, structure, or facility" also 3004
includes acquisition of real estate and interests in real estate 3005
therefor, site improvements, and furniture, furnishings, and 3006
equipment therefor. Buildings, structures, or facilities 3007
constructed, acquired, or improved under this section may, 3008
subject to the agreement, be used for any lawful purpose by each 3009
party so long as the use thereof is an authorized proper use for 3010
that party. 3011

(G) Any agreement entered into under this section shall be 3012
subject to any laws hereafter enacted making express reference 3013
therein to this section and requiring the transfer of any 3014
functions exercised or properties held under such agreement to 3015
any public officer, board, or body heretofore or hereafter 3016
established, or requiring the termination of such agreement, or 3017
otherwise affecting the agreement. 3018

(H) The powers granted in this section are supplementary 3019
to, and not in derogation of or restriction upon, all other 3020
powers of boards of education of school districts, and are to be 3021
liberally construed to permit the achievement of the objectives 3022

of this section and to permit the boards of education to take 3023
advantage of federal grant and loan programs, provided that the 3024
exercise of such powers shall be subject to such audit and 3025
regulation as would be applicable if exercised under any other 3026
provision of the Revised Code. 3027

Sec. 3313.984. (A) Each school district shall report to 3028
the department of education and workforce, in the manner 3029
prescribed by the department, the number of students who attend 3030
a school building other than the one assigned by the board or 3031
district superintendent. 3032

(B) A school district that conducts an enrollment lottery 3033
for students through an intradistrict open enrollment policy 3034
under this section shall ~~conduct~~ do all of the following: 3035

(1) Conduct that lottery on by the second Monday of June 3036
prior to the school year for which the student is seeking 3037
enrollment; 3038

(2) Notify parents of students who reside in the district 3039
of the date of the lottery prior to that date; 3040

(3) Post on the district's web site information about the 3041
lottery, including how and when the lottery will be conducted. 3042

Sec. 3314.012. (A) ~~The director of education and workforce~~ 3043
~~shall appoint representatives of the department of education and~~ 3044
~~workforce, including employees who work with the education~~ 3045
~~management information system, to a committee to develop report~~ 3046
~~card models for community schools. The committee shall design~~ 3047
~~model report cards appropriate for the various types of~~ 3048
~~community schools approved to operate in the state. Sufficient~~ 3049
~~models shall be developed to reflect the variety of grade levels~~ 3050
~~served and the missions of the state's community schools. All~~ 3051

~~models shall include both financial and academic data.~~ 3052

~~(B)~~ Except as provided in section 3314.017 of the Revised Code, the department of education and workforce shall issue an annual report card for each community school, regardless of how long the school has been in operation. The report card shall report the academic and financial performance of the school ~~utilizing one of the models developed under division (A) of this section.~~ The report card shall include all information applicable to school buildings under section 3302.03 of the Revised Code. The ratings a community school receives under section 3302.03 of the Revised Code for its first two full school years shall not be considered toward automatic closure of the school under section 3314.35 of the Revised Code or any other matter that is based on report card ratings. 3053
3054
3055
3056
3057
3058
3059
3060
3061
3062
3063
3064
3065

~~(C)~~ (B) Upon receipt of a copy of a contract between a sponsor and a community school entered into under this chapter, the department shall notify the community school of the specific model report card that will be used for that school. 3066
3067
3068
3069

~~(D)~~ (C) Report cards shall be distributed to the parents of all students in the community school, to the members of the board of education of the school district in which the community school is located, and to any person who requests one from the department. 3070
3071
3072
3073
3074

Sec. 3314.015. (A) The department of education and workforce shall be responsible for the oversight of any and all sponsors of the community schools established under this chapter and shall provide technical assistance to schools and sponsors in their compliance with applicable laws and the terms of the contracts entered into under section 3314.03 of the Revised Code and in the development and start-up activities of those schools. 3075
3076
3077
3078
3079
3080
3081

In carrying out its duties under this section, the department 3082
shall do all of the following: 3083

(1) In providing technical assistance to proposing 3084
parties, governing authorities, and sponsors, conduct training 3085
sessions and distribute informational materials; 3086

(2) Approve entities to be sponsors of community schools; 3087

(3) Monitor and evaluate, as required under section 3088
3314.016 of the Revised Code, the effectiveness of any and all 3089
sponsors in their oversight of the schools with which they have 3090
contracted; 3091

(4) By December thirty-first of each year, issue a report 3092
to the governor, the speaker of the house of representatives, 3093
the president of the senate, and the chairpersons of the house 3094
and senate committees principally responsible for education 3095
matters regarding the effectiveness of academic programs, 3096
operations, and legal compliance and of the financial condition 3097
of all community schools established under this chapter and on 3098
the performance of community school sponsors; 3099

(5) From time to time, make legislative recommendations to 3100
the general assembly designed to enhance the operation and 3101
performance of community schools. 3102

(B) (1) Except as provided in sections 3314.021 and 3103
3314.027 of the Revised Code, no entity shall enter into a 3104
preliminary agreement under division (C) (2) of section 3314.02 3105
of the Revised Code or renew an existing contract to sponsor a 3106
community school until it has received approval from the 3107
department to sponsor community schools under this chapter and 3108
has entered into a written agreement with the department 3109
regarding the manner in which the entity will conduct such 3110

sponsorship. 3111

On and after July 1, 2017, each entity that sponsors a 3112
community school in this state, except for an entity described 3113
in sections 3314.021 and 3314.027 of the Revised Code, shall 3114
attain approval from the department in order to continue 3115
sponsoring schools regardless of whether that entity intends to 3116
enter into a preliminary agreement or renew an existing 3117
contract. 3118

All new and renewed agreements between the department and 3119
a sponsor shall contain specific language addressing the 3120
parameters under which the department can intervene and 3121
potentially revoke sponsorship authority in the event that the 3122
sponsor is unwilling or unable to fulfill its obligations. 3123
Additionally, each agreement shall set forth any territorial 3124
restrictions and limits on the number of schools that entity may 3125
sponsor, provide for an annual evaluation process, and include a 3126
stipulation permitting the department to modify the agreement 3127
under the following circumstances: 3128

(a) Poor fiscal management; 3129

(b) Lack of academic progress. 3130

(2) The initial term of a sponsor's agreement with the 3131
department shall be for up to five years. 3132

(a) An agreement entered into with the department pursuant 3133
to this section may be renewed for a term of up to ten years 3134
using the following criteria: 3135

(i) The academic performance of students enrolled in each 3136
community school the entity sponsors, as determined by the 3137
department pursuant to division (B) (1) (a) of section 3314.016 of 3138
the Revised Code; 3139

(ii) The sponsor's adherence to quality practices, as 3140
determined by the department pursuant to division (B) (1) (b) of 3141
section 3314.016 of the Revised Code; 3142

(iii) The sponsor's compliance with all applicable laws 3143
and administrative rules. 3144

(b) Each agreement between the department and a sponsor 3145
shall specify that entities with an overall rating of 3146
"exemplary" for at least two consecutive years shall not be 3147
subject to the limit on the number of community schools the 3148
entity may sponsor or any territorial restrictions on 3149
sponsorship, for so long as that entity continues to be rated 3150
"exemplary." 3151

(c) The department shall adopt in accordance with Chapter 3152
119. of the Revised Code rules containing criteria, procedures, 3153
and deadlines for processing applications for approval of 3154
sponsors, for oversight of sponsors, for notifying a sponsor of 3155
noncompliance with applicable laws and administrative rules 3156
under division (F) of this section, for revocation of the 3157
approval of sponsors under division (C) of this section, and for 3158
entering into written agreements with sponsors. The rules shall 3159
require an entity to submit evidence of the entity's ability and 3160
willingness to comply with the provisions of division (D) of 3161
section 3314.03 of the Revised Code. The rules also shall 3162
require all entities approved as sponsors to demonstrate a 3163
record of financial responsibility and successful implementation 3164
of educational programs. If an entity seeking approval to 3165
sponsor community schools in this state sponsors or operates 3166
schools in another state, at least one of the schools sponsored 3167
or operated by the entity must be comparable to or better than 3168
the performance of Ohio schools in need of continuous 3169

improvement under section 3302.03 of the Revised Code, as 3170
determined by the department. 3171

Subject to section 3314.016 of the Revised Code, an entity 3172
that sponsors community schools may enter into preliminary 3173
agreements and sponsor up to one hundred schools, provided each 3174
school and the contract for sponsorship meets the requirements 3175
of this chapter. A sponsor that was rated "exemplary" on its 3176
most recent rating under section 3314.016 of the Revised Code 3177
may sponsor up to two hundred such schools. 3178

(3) The department shall determine, pursuant to criteria 3179
specified in rules adopted in accordance with Chapter 119. of 3180
the Revised Code, whether the mission proposed to be specified 3181
in the contract of a community school to be sponsored by a state 3182
university board of trustees or the board's designee under 3183
division (C)(1)(e) of section 3314.02 of the Revised Code 3184
complies with the requirements of that division. Such 3185
determination of the department is final. 3186

(4) The department shall determine, pursuant to criteria 3187
specified in rules adopted in accordance with Chapter 119. of 3188
the Revised Code, if any tax-exempt entity under section 501(c) 3189
(3) of the Internal Revenue Code that is proposed to be a 3190
sponsor of a community school is an education-oriented entity 3191
for purpose of satisfying the condition prescribed in division 3192
(C)(1)(f)(iii) of section 3314.02 of the Revised Code. Such 3193
determination of the department is final. 3194

(C) If at any time the department finds that a sponsor is 3195
not in compliance or is no longer willing to comply with its 3196
contract with any community school or with the department's 3197
rules for sponsorship, the department shall conduct a hearing in 3198
accordance with Chapter 119. of the Revised Code on that matter. 3199

If after the hearing, the department has confirmed the original 3200
finding, it may revoke the sponsor's approval to sponsor 3201
community schools. In that case, the department's office of Ohio 3202
school sponsorship, established under section 3314.029 of the 3203
Revised Code, may assume the sponsorship of any schools with 3204
which the sponsor has contracted until the earlier of the 3205
expiration of two school years or until a new sponsor as 3206
described in division (C) (1) of section 3314.02 of the Revised 3207
Code is secured by the school's governing authority. The office 3208
of Ohio school sponsorship may extend the term of the contract 3209
in the case of a school for which it has assumed sponsorship 3210
under this division as necessary to accommodate the term of the 3211
department's authorization to sponsor the school specified in 3212
this division. Community schools sponsored under this division 3213
shall not apply to the limit on directly authorized community 3214
schools under division (A) (3) of section 3314.029 of the Revised 3215
Code. However, nothing in this division shall preclude a 3216
community school affected by this division from applying for 3217
sponsorship under that section. 3218

(D) The decision of the department to disapprove an entity 3219
for sponsorship of a community school or to revoke approval for 3220
such sponsorship under division (C) of this section, may be 3221
appealed by the entity in accordance with section 119.12 of the 3222
Revised Code. 3223

(E) The department shall adopt procedures for use by a 3224
community school governing authority and sponsor when the school 3225
permanently closes and ceases operation, which shall include at 3226
least procedures for data reporting to the department, handling 3227
of student records, distribution of assets in accordance with 3228
section 3314.074 of the Revised Code, and other matters related 3229
to ceasing operation of the school. 3230

(F) (1) In lieu of revoking a sponsor's authority to 3231
sponsor community schools under division (C) of this section, if 3232
the department finds that a sponsor is not in compliance with 3233
applicable laws and administrative rules, the department shall 3234
declare in a written notice to the sponsor the specific laws or 3235
rules, or both, for which the sponsor is noncompliant. A sponsor 3236
notified under division (F) (1) of this section shall respond to 3237
the department not later than fourteen days after the 3238
notification with a proposed plan to remedy the conditions for 3239
which the sponsor was found to be noncompliant. The department 3240
shall approve or disapprove the plan not later than fourteen 3241
days after receiving it. If the plan is disapproved, the sponsor 3242
may submit a revised plan to the department not later than 3243
fourteen days after receiving notification of disapproval from 3244
the department or not later than sixty days after the date the 3245
sponsor received notification of noncompliance from the 3246
department, whichever is earlier. The department shall approve 3247
or disapprove the revised plan not later than fourteen days 3248
after receiving it or not later than sixty days after the date 3249
the sponsor received notification of noncompliance from the 3250
department, whichever is earlier. A sponsor may continue to make 3251
revisions by the deadlines prescribed in division (F) (1) of this 3252
section to any revised plan that is disapproved by the 3253
department until the sixtieth day after the date the sponsor 3254
received notification of noncompliance from the department. 3255

If a plan or a revised plan is approved, the sponsor shall 3256
implement it not later than sixty days after the date the 3257
sponsor received notification of noncompliance from the 3258
department or not later than thirty days after the plan is 3259
approved, whichever is later. If a sponsor does not respond to 3260
the department or implement an approved compliance plan by the 3261

deadlines prescribed by division (F) (1) of this section, or if a
sponsor does not receive approval of a compliance plan on or
before the sixtieth day after the date the sponsor received
notification of noncompliance from the department, the
department shall declare in written notice to the sponsor that
the sponsor is in probationary status, and may limit the
sponsor's ability to sponsor additional schools.

(2) A sponsor that has been placed on probationary status
under division (F) (1) of this section may apply to the
department for its probationary status to be lifted. The
application for a sponsor's probationary status to be lifted
shall include evidence, occurring after the initial notification
of noncompliance, of the sponsor's compliance with applicable
laws and administrative rules. Not later than fourteen days
after receiving an application from the sponsor, the department
shall decide whether or not to remove the sponsor's probationary
status.

(G) In carrying out its duties under this chapter, the
department shall not impose requirements on community schools or
their sponsors that are not permitted by law or duly adopted
rules.

(H) This section applies to entities that sponsor
conversion community schools and new start-up schools.

(I) Nothing in divisions (C) to (F) of this section
prohibits the department from taking any action permitted or
required under the written agreement between the department and
a sponsoring entity without a hearing on the matter, in the
event that the sponsor is unwilling or unable to fulfill its
obligations.

Sec. 3314.016. This section applies to any entity that 3291
sponsors a community school, regardless of whether section 3292
3314.021 or 3314.027 of the Revised Code exempts the entity from 3293
the requirement to be approved for sponsorship under divisions 3294
(A) (2) and (B) (1) of section 3314.015 of the Revised Code. The 3295
office of Ohio school sponsorship established under section 3296
3314.029 of the Revised Code shall be rated under division (B) 3297
of this section, but divisions (A) and (C) of this section do 3298
not apply to the office. 3299

(A) An entity that sponsors a community school shall be 3300
permitted to enter into contracts under section 3314.03 of the 3301
Revised Code to sponsor additional community schools only if the 3302
entity meets all of the following criteria: 3303

(1) The entity is in compliance with all provisions of 3304
this chapter requiring sponsors of community schools to report 3305
data or information to the department of education and 3306
workforce. 3307

(2) The entity is not rated as "ineffective" under 3308
division (B) (6) of this section. 3309

(3) Except as set forth in sections 3314.021 and 3314.027 3310
of the Revised Code, the entity has received approval from and 3311
entered into an agreement with the department pursuant to 3312
section 3314.015 of the Revised Code. 3313

(B) (1) The department shall develop and implement an 3314
evaluation system that annually rates and assigns an overall 3315
rating to each entity that sponsors a community school. The 3316
department, not later than the first day of February of each 3317
year, shall post on the department's web site the framework for 3318
the evaluation system, including technical documentation that 3319

the department intends to use to rate sponsors for the next 3320
school year. The department shall solicit public comment on the 3321
evaluation system for thirty consecutive days. Not later than 3322
the first day of April of each year, the department shall 3323
compile and post on the department's web site all public 3324
comments that were received during the public comment period. 3325
The evaluation system shall be posted on the department's web 3326
site by the fifteenth day of July of each school year. Any 3327
changes to the evaluation system after that date shall take 3328
effect the following year. The evaluation system shall be based 3329
on the following components: 3330

(a) Academic performance of students enrolled in community 3331
schools sponsored by the same entity. The academic performance 3332
component shall be derived from the performance measures 3333
prescribed for the state report cards under section 3302.03 or 3334
3314.017 of the Revised Code, and shall be based on the 3335
performance of the schools for the school year for which the 3336
evaluation is conducted. In addition to the academic performance 3337
for a specific school year, the academic performance component 3338
shall also include year-to-year changes in the overall sponsor 3339
portfolio. For a community school for which no graded 3340
performance measures are applicable or available, the department 3341
shall use nonreport card performance measures specified in the 3342
contract between the community school and the sponsor under 3343
division (A) (4) of section 3314.03 of the Revised Code. 3344

(b) Adherence by a sponsor to the quality practices 3345
prescribed by the department under division (B) (3) of this 3346
section. For a sponsor that was rated "effective" or "exemplary" 3347
on its most recent rating, the department may evaluate that 3348
sponsor's adherence to quality practices once over a period of 3349
three years. If the department elects to evaluate a sponsor once 3350

over a period of three years, the most recent rating for a 3351
sponsor's adherence to quality practices shall be used when 3352
determining an annual overall rating conducted under this 3353
section. 3354

(c) Compliance with all applicable laws and administrative 3355
rules by an entity that sponsors a community school. 3356

Under the evaluation system prescribed under division (B) 3357
(1) of this section, the department shall not assign an overall 3358
rating of "ineffective" or lower to an entity that sponsors a 3359
community school solely because that entity received no points 3360
on one of the components prescribed under that division. 3361

(2) In calculating an academic performance component, the 3362
department shall exclude all community schools that have been in 3363
operation for not more than two full school years and all 3364
community schools described in division ~~(A) (4) (b)~~ (B) (2) of 3365
section 3314.35 of the Revised Code. However, the academic 3366
performance of the community schools described in division ~~(A)~~ 3367
~~(4) (b)~~ (B) (2) of section 3314.35 of the Revised Code shall be 3368
reported, but shall not be used as a factor when determining a 3369
sponsoring entity's rating under this section. 3370

(3) The department, in consultation with entities that 3371
sponsor community schools, shall prescribe quality practices for 3372
community school sponsors and develop an instrument to measure 3373
adherence to those quality practices. The quality practices 3374
shall be based on standards developed by the national 3375
association of charter school authorizers or any other 3376
nationally organized community school organization. 3377

(4) (a) The department may permit peer review of a 3378
sponsor's adherence to the quality practices prescribed under 3379

division (B) (3) of this section. Peer reviewers shall be limited 3380
to individuals employed by sponsors rated "effective" or 3381
"exemplary" on the most recent ratings conducted under this 3382
section. 3383

(b) The department shall require individuals participating 3384
in peer review under division (B) (4) (a) of this section to 3385
complete training approved or established by the department. 3386

(c) The department may enter into an agreement with 3387
another entity to provide training to individuals conducting 3388
peer review of sponsors. Prior to entering into an agreement 3389
with an entity, the department shall review and approve of the 3390
entity's training program. 3391

(5) The director of education and workforce shall adopt 3392
rules in accordance with Chapter 119. of the Revised Code 3393
prescribing standards for measuring compliance with applicable 3394
laws and rules under division (B) (1) (c) of this section. 3395

(6) The department annually shall rate all entities that 3396
sponsor community schools as either "exemplary," "effective," 3397
"ineffective," or "poor," based on the components prescribed by 3398
division (B) of this section, where each component is weighted 3399
equally. A separate rating shall be given by the department for 3400
each component of the evaluation system. 3401

The department shall publish the ratings between the first 3402
day of October and the fifteenth day of November. 3403

Prior to the publication of the final ratings, the 3404
department shall designate and provide notice of a period of at 3405
least ten business days during which each sponsor may review the 3406
information used by the department to determine the sponsor's 3407
rating on the components prescribed by division (B) (1) of this 3408

section. If the sponsor believes there is an error in the 3409
department's evaluation, the sponsor may request adjustments to 3410
the rating of any of those components based on documentation 3411
previously submitted as part of an evaluation. The sponsor shall 3412
provide to the department any necessary evidence or information 3413
to support the requested adjustments. The department shall 3414
review the evidence and information, determine whether an 3415
adjustment is valid, and promptly notify the sponsor of its 3416
determination and reasons. If any adjustments to the data could 3417
result in a change to the rating on the applicable component or 3418
to the overall rating, the department shall recalculate the 3419
ratings prior to publication. 3420

The department shall provide training on an annual basis 3421
regarding the evaluation system prescribed under this section. 3422
The training shall, at a minimum, describe methodology, 3423
timelines, and data required for the evaluation system. The 3424
first training session shall occur not later than March 2, 2016. 3425
Beginning in 2018, the training shall be made available to each 3426
entity that sponsors a community school by the fifteenth day of 3427
July of each year and shall include guidance on any changes made 3428
to the evaluation system. 3429

(7) (a) Entities with an overall rating of "exemplary" for 3430
the two most recent years in which the entity was evaluated may 3431
take advantage of the following incentives: 3432

(i) Renewal of the written agreement with the department, 3433
not to exceed ten years, provided that the entity consents to 3434
continued evaluation of adherence to quality practices as 3435
described in division (B) (1) (b) of this section; 3436

(ii) The ability to extend the term of the contract 3437
between the sponsoring entity and the community school beyond 3438

the term described in the written agreement with the department; 3439

(iii) An exemption from the preliminary agreement and 3440
contract adoption and execution deadline requirements prescribed 3441
in division (D) of section 3314.02 of the Revised Code; 3442

(iv) An exemption from the automatic contract expiration 3443
requirement, should a new community school fail to open by the 3444
thirtieth day of September of the calendar year in which the 3445
community school contract is executed; 3446

(v) No limit on the number of community schools the entity 3447
may sponsor; 3448

(vi) No territorial restrictions on sponsorship. 3449

An entity may continue to sponsor any community schools 3450
with which it entered into agreements under division (B) (7) (a) 3451
(v) or (vi) of this section while rated "exemplary," 3452
notwithstanding the fact that the entity later receives a lower 3453
overall rating. 3454

(b) Entities with an overall rating of "exemplary" or 3455
"effective" for the three most recent years in which the entity 3456
was evaluated shall be evaluated by the department once every 3457
three years. 3458

(c) (i) Entities that receive an overall rating of 3459
"ineffective" shall be prohibited from sponsoring any new or 3460
additional community schools during the time in which the 3461
sponsor is rated as "ineffective" and shall be subject to a 3462
quality improvement plan based on correcting the deficiencies 3463
that led to the "ineffective" rating, with timelines and 3464
benchmarks that have been established by the department. 3465

(ii) Entities that receive an overall rating of 3466

"ineffective" on their three most recent ratings shall have all 3467
sponsorship authority revoked. Within thirty days after 3468
receiving its third rating of "ineffective," the entity may 3469
appeal the revocation of its sponsorship authority to the 3470
director, who shall appoint an independent hearing officer to 3471
conduct a hearing in accordance with Chapter 119. of the Revised 3472
Code. The hearing shall be conducted within thirty days after 3473
receipt of the notice of appeal. Within forty-five days after 3474
the hearing is completed, the director shall determine whether 3475
the revocation is appropriate based on the hearing conducted by 3476
the independent hearing officer, and if determined appropriate, 3477
the revocation shall be confirmed. 3478

(d) Entities that receive an overall rating of "poor" 3479
shall have all sponsorship authority revoked. Within thirty days 3480
after receiving a rating of "poor," the entity may appeal the 3481
revocation of its sponsorship authority to the director, who 3482
shall appoint an independent hearing officer to conduct a 3483
hearing in accordance with Chapter 119. of the Revised Code. The 3484
hearing shall be conducted within thirty days after receipt of 3485
the notice of appeal. Within forty-five days after the hearing 3486
is completed, the director shall determine whether the 3487
revocation is appropriate based on the hearing conducted by the 3488
independent hearing officer, and if determined appropriate, the 3489
revocation shall be confirmed. 3490

(8) For the 2014-2015 school year and each school year 3491
thereafter, student academic performance prescribed under 3492
division (B)(1)(a) of this section shall include student 3493
academic performance data from community schools that primarily 3494
serve students enrolled in a dropout prevention and recovery 3495
program. 3496

(C) If the governing authority of a community school 3497
enters into a contract with a sponsor prior to the date on which 3498
the sponsor is prohibited from sponsoring additional schools 3499
under division (A) of this section and the school has not opened 3500
for operation as of that date, that contract shall be void and 3501
the school shall not open until the governing authority secures 3502
a new sponsor by entering into a contract with the new sponsor 3503
under section 3314.03 of the Revised Code. However, the 3504
department's office of Ohio school sponsorship, established 3505
under section 3314.029 of the Revised Code, may assume the 3506
sponsorship of the school until the earlier of the expiration of 3507
two school years or until a new sponsor is secured by the 3508
school's governing authority. A community school sponsored by 3509
the department under this division shall not be included when 3510
calculating the maximum number of directly authorized community 3511
schools permitted under division (A) (3) of section 3314.029 of 3512
the Revised Code. 3513

(D) When an entity's authority to sponsor schools is 3514
revoked pursuant to division (B) (7) (c) or (d) of this section, 3515
the office of Ohio school sponsorship shall assume sponsorship 3516
of any schools with which the original sponsor has contracted 3517
for the remainder of that school year. The office may continue 3518
sponsoring those schools until the earlier of: 3519

(1) The expiration of two school years from the time that 3520
sponsorship is revoked; 3521

(2) When a new sponsor is secured by the governing 3522
authority pursuant to division (C) (1) of section 3314.02 of the 3523
Revised Code. 3524

Any community school sponsored under this division shall 3525
not be counted for purposes of directly authorized community 3526

schools under division (A) (3) of section 3314.029 of the Revised Code. 3527
3528

(E) The department shall recalculate the rating for the 3529
2017-2018 school year for each sponsor of a community school 3530
that receives recalculated ratings pursuant to division (I) of 3531
section 3314.017 of the Revised Code. 3532

Sec. 3314.017. (A) The department of education and 3533
workforce shall prescribe by rules, adopted in accordance with 3534
Chapter 119. of the Revised Code, an academic performance rating 3535
and report card system that satisfies the requirements of this 3536
section for community schools that primarily serve students 3537
enrolled in dropout prevention and recovery programs as 3538
described in division ~~(A) (4) (a)~~ (B) (1) of section 3314.35 of the 3539
Revised Code, to be used in lieu of the system prescribed under 3540
sections 3302.03 and 3314.012 of the Revised Code beginning with 3541
the 2012-2013 school year. Each such school shall comply with 3542
the testing and reporting requirements of the system as 3543
prescribed by the department. 3544

(B) Nothing in this section shall at any time relieve a 3545
school from its obligations under the "No Child Left Behind Act 3546
of 2001" to make "adequate yearly progress," as both that act 3547
and that term are defined in section 3302.01 of the Revised 3548
Code, or a school's amenability to the provisions of section 3549
3302.04 or 3302.041 of the Revised Code. The department shall 3550
continue to report each school's performance as required by the 3551
act and to enforce applicable sanctions under section 3302.04 or 3552
3302.041 of the Revised Code. 3553

(C) The rules adopted by the department shall prescribe 3554
the following performance indicators for the rating and report 3555
card system required by this section: 3556

(1) Graduation rate for each of the following student cohorts:	3557 3558
(a) The number of students who graduate in four years or less with a regular high school diploma divided by the number of students who form the adjusted cohort for the graduating class;	3559 3560 3561
(b) The number of students who graduate in five years with a regular high school diploma divided by the number of students who form the adjusted cohort for the four-year graduation rate;	3562 3563 3564
(c) The number of students who graduate in six years with a regular high school diploma divided by the number of students who form the adjusted cohort for the four-year graduation rate;	3565 3566 3567
(d) The number of students who graduate in seven years with a regular high school diploma divided by the number of students who form the adjusted cohort for the four-year graduation rate;	3568 3569 3570 3571
(e) The number of students who graduate in eight years with a regular high school diploma divided by the number of students who form the adjusted cohort for the four-year graduation rate.	3572 3573 3574 3575
(2) The percentage of twelfth-grade students currently enrolled in the school who have attained the designated passing score on all of the state high school achievement assessments required under division (B)(1) of section 3301.0710 of the Revised Code or the cumulative performance score on the end-of-course examinations prescribed under division (B)(2) of section 3301.0712 of the Revised Code, whichever applies, and other students enrolled in the school, regardless of grade level, who are within three months of their twenty-second birthday and have attained the designated passing score on all of the state high	3576 3577 3578 3579 3580 3581 3582 3583 3584 3585

school achievement assessments or the cumulative performance 3586
score on the end-of-course examinations, whichever applies, by 3587
their twenty-second birthday; 3588

(3) Annual measurable objectives as defined in section 3589
3302.01 of the Revised Code; 3590

(4) Growth in student achievement in reading, or 3591
mathematics, or both as measured by separate nationally norm- 3592
referenced assessments that have developed appropriate standards 3593
for students enrolled in dropout prevention and recovery 3594
programs, adopted or approved by the department. 3595

(D) (1) The department's rules shall prescribe the expected 3596
performance levels and benchmarks for each of the indicators 3597
prescribed by division (C) of this section based on the data 3598
gathered by the department under division (G) of this section 3599
and simulations created by the department. Based on a school's 3600
level of attainment or nonattainment of the expected performance 3601
levels and benchmarks for each of the indicators, the department 3602
shall rate each school in one of the following categories: 3603

(a) Exceeds standards; 3604

(b) Meets standards; 3605

(c) Does not meet standards. 3606

(2) The department's rules shall establish all of the 3607
following: 3608

(a) Performance levels and benchmarks for the indicators 3609
described in divisions (C) (1) to (3) of this section; 3610

(b) Both of the following: 3611

(i) Performance levels and benchmarks for the indicator 3612

described in division (C) (4) of this section; 3613

(ii) Standards for awarding a community school described 3614
in division ~~(A) (4) (a)~~ (B) (1) of section 3314.35 of the Revised 3615
Code an overall designation, which shall be calculated as 3616
follows: 3617

(I) Thirty per cent of the score shall be based on the 3618
indicators described in division (C) (1) of this section that are 3619
applicable to the school year for which the overall designation 3620
is granted. 3621

(II) Thirty per cent of the score shall be based on the 3622
indicators described in division (C) (4) of this section. 3623

(III) Twenty per cent of the score shall be based on the 3624
indicators described in division (C) (2) of this section. 3625

(IV) Twenty per cent of the score shall be based on the 3626
indicators described in division (C) (3) of this section. 3627

(3) If both of the indicators described in divisions (C) 3628
(1) and (2) of this section improve by ten per cent for two 3629
consecutive years, a school shall be rated not less than "meets 3630
standards." 3631

The rating and the relevant performance data for each 3632
school shall be posted on the department's web site, and a copy 3633
of the rating and data shall be provided to the governing 3634
authority of the community school. 3635

(E) (1) For the 2012-2013 school year, the department shall 3636
issue a report card including the following performance 3637
measures, but without a performance rating as described in 3638
divisions (D) (1) (a) to (c) of this section, for each community 3639
school described in division ~~(A) (4) (a)~~ (B) (1) of section 3314.35 3640

of the Revised Code:	3641
(a) The graduation rates as described in divisions (C) (1)	3642
(a) to (c) of this section;	3643
(b) The percentage of twelfth-grade students and other	3644
students who have attained a designated passing score on high	3645
school achievement assessments as described in division (C) (2)	3646
of this section;	3647
(c) The statewide average for the graduation rates and	3648
assessment passage rates described in divisions (C) (1) (a) to (c)	3649
and (C) (2) of this section;	3650
(d) Annual measurable objectives described in division (C)	3651
(3) of this section.	3652
(2) For the 2013-2014 school year, the department shall	3653
issue a report card including the following performance measures	3654
for each community school described in division (A) (4) (a) <u>(B) (1)</u>	3655
of section 3314.35 of the Revised Code:	3656
(a) The graduation rates described in divisions (C) (1) (a)	3657
to (d) of this section, including a performance rating as	3658
described in divisions (D) (1) (a) to (c) of this section;	3659
(b) The percentage of twelfth-grade students and other	3660
students who have attained a designated passing score on high	3661
school achievement assessments as described in division (C) (2)	3662
of this section, including a performance rating as described in	3663
divisions (D) (1) (a) to (c) of this section;	3664
(c) Annual measurable objectives described in division (C)	3665
(3) of this section, including a performance rating as described	3666
in divisions (D) (1) (a) to (c) of this section;	3667
(d) Both of the following without an assigned rating:	3668

(i) Growth in annual student achievement in reading and mathematics described in division (C) (4) of this section, if available;	3669 3670 3671
(ii) Student outcome data, including postsecondary credit earned, nationally recognized career or technical certification, military enlistment, job placement, and attendance rate.	3672 3673 3674
(3) Beginning with the 2014-2015 school year, and annually thereafter, the department shall issue a report card for each community school described in division (A) (4) (a) <u>(B) (1)</u> of section 3314.35 of the Revised Code that includes all of the following performance measures, including a performance rating for each measure as described in divisions (D) (1) (a) to (c) of this section:	3675 3676 3677 3678 3679 3680 3681
(a) The graduation rates as described in division (C) (1) of this section;	3682 3683
(b) The percentage of twelfth-grade students and other students who have attained a designated passing score on high school achievement assessments as described in division (C) (2) of this section;	3684 3685 3686 3687
(c) Annual measurable objectives described in division (C) (3) of this section, including a performance rating as described in divisions (D) (1) (a) to (c) of this section;	3688 3689 3690
(d) Growth in annual student achievement in reading and mathematics as described in division (C) (4) of this section;	3691 3692
(e) An overall performance designation for the school calculated under rules adopted under division (D) (2) of this section.	3693 3694 3695
The department shall also include student outcome data,	3696

including postsecondary credit earned, nationally recognized 3697
career or technical certification, military enlistment, job 3698
placement, attendance rate, and progress on closing achievement 3699
gaps for each school. This information shall not be included in 3700
the calculation of a school's performance rating. 3701

(F) Not later than the thirty-first day of July of each 3702
year, the department shall submit preliminary report card data 3703
for overall academic performance for each performance measure 3704
prescribed in division (E) (3) of this section for each community 3705
school to which this section applies. 3706

(G) For the purposes of prescribing performance levels and 3707
benchmarks under division (D) of this section, the department 3708
shall gather and analyze data from prior school years for each 3709
community school described in division ~~(A) (4) (a)~~ (B) (1) of 3710
section 3314.35 of the Revised Code. Each such school shall 3711
cooperate with the department. The department shall consult with 3712
stakeholder groups in performing its duties under this division. 3713

(H) The department shall review the performance levels and 3714
benchmarks for performance indicators in the report card issued 3715
under this section and may revise them based on the data 3716
collected under division (G) of this section. 3717

(I) For the purposes of division (F) of section 3314.351 3718
of the Revised Code, the department shall recalculate the 3719
ratings for each school under division (E) (3) of this section 3720
for the 2017-2018 school year and calculate the ratings under 3721
that division for the 2018-2019 school year using the indicators 3722
prescribed by division (C) of this section, as it exists on and 3723
after July 18, 2019. 3724

Sec. 3314.0211. (A) No community school to which either of 3725

the following applies shall be eligible to merge with one or 3726
more other community schools under this section: 3727

(1) The school has met the performance criteria for 3728
required closure specified in division (A) of section 3314.35 or 3729
division (A) of section 3314.351 of the Revised Code for at 3730
least one of the two most recent school years. 3731

(2) The school has been notified of the sponsor's intent 3732
to terminate or not renew the school's contract pursuant to 3733
section 3314.07 of the Revised Code. 3734

(B) Two or more community schools may merge upon the 3735
adoption of a resolution by the governing authority of each 3736
school involved in the merger. Any merger shall take effect on 3737
the first day of July of the year specified in the resolution. 3738

(C) Not less than sixty days prior to the effective date 3739
of a merger under division (B) of this section, each community 3740
school involved in the merger shall do both of the following: 3741

(1) Provide a copy of the resolution to the school's 3742
sponsor; 3743

(2) Notify the department of education and workforce of 3744
all of the following: 3745

(a) The impending merger; 3746

(b) The effective date of the merger; 3747

(c) The school that will be designated as the surviving 3748
school in accordance with section 1702.41 of the Revised Code; 3749

(d) The entity that will sponsor the surviving school. 3750

(D) Notwithstanding anything to the contrary in the 3751
Revised Code, the governing authority of the surviving community 3752

school shall enter into a new contract with the school's sponsor 3753
under section 3314.03 of the Revised Code. 3754

(E) No sponsor shall do either of the following: 3755

(1) Assign the sponsor's existing contract with a merging 3756
community school to the sponsor of the surviving community 3757
school; 3758

(2) Assume an existing contract from the sponsor of a 3759
community school involved in a merger under division (B) of this 3760
section. 3761

Division (E) of this section shall not apply to the office 3762
of Ohio school sponsorship established under section 3314.029 of 3763
the Revised Code. 3764

(F) (1) The department shall issue a report card under 3765
section 3302.03 or 3314.017 of the Revised Code for the 3766
surviving community school. 3767

(2) Notwithstanding anything to the contrary in division 3768
~~(B)~~ (A) of section 3314.012 of the Revised Code, all report card 3769
ratings associated with the surviving school, whether issued 3770
before or after the merger, shall be used for purposes of 3771
section 3314.35 or 3314.351 of the Revised Code and any other 3772
matter that is based on report card ratings or measures. 3773

(G) Nothing in this section shall exempt a community 3774
school from closure under section 3314.35 or 3314.351 of the 3775
Revised Code. 3776

Sec. 3314.03. A copy of every contract entered into under 3777
this section shall be filed with the director of education and 3778
workforce. The department of education and workforce shall make 3779
available on its web site a copy of every approved, executed 3780

contract filed with the director under this section. 3781

(A) Each contract entered into between a sponsor and the 3782
governing authority of a community school shall specify the 3783
following: 3784

(1) That the school shall be established as either of the 3785
following: 3786

(a) A nonprofit corporation established under Chapter 3787
1702. of the Revised Code, if established prior to April 8, 3788
2003; 3789

(b) A public benefit corporation established under Chapter 3790
1702. of the Revised Code, if established after April 8, 2003. 3791

(2) The education program of the school, including the 3792
school's mission, the characteristics of the students the school 3793
is expected to attract, the ages and grades of students, and the 3794
focus of the curriculum; 3795

(3) The academic goals to be achieved and the method of 3796
measurement that will be used to determine progress toward those 3797
goals, which shall include the statewide achievement 3798
assessments; 3799

(4) Performance standards, including but not limited to 3800
all applicable report card measures set forth in section 3302.03 3801
or 3314.017 of the Revised Code, by which the success of the 3802
school will be evaluated by the sponsor; 3803

(5) The admission standards of section 3314.06 of the 3804
Revised Code and, if applicable, section 3314.061 of the Revised 3805
Code; 3806

(6) (a) Dismissal procedures; 3807

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

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

(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code.

(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:

(a) A detailed description of each facility used for instructional purposes;

(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;

(c) The annual mortgage principal and interest payments that are paid by the school;

(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.

(10) Qualifications of employees, including both of the following:

(a) A requirement that the school's classroom teachers be

licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours or forty hours per week pursuant to section 3319.301 of the Revised Code;

(b) A prohibition against the school employing an individual described in section 3314.104 of the Revised Code in any position.

(11) That the school will comply with the following requirements:

(a) The school will provide learning opportunities to a minimum of twenty-five students for a minimum of nine hundred twenty hours per school year.

(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the school.

(c) The school will be nonsectarian in its programs, admission policies, employment practices, and all other operations, and will not be operated by a sectarian school or religious institution.

(d) The school will comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, ~~3313.6015,~~ 3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117,

3313.721, 3313.753, 3313.80, 3313.814, 3313.816, 3313.817, 3865
3313.818, 3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3866
3319.077, 3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3867
3319.324, 3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3868
3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 3869
3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3870
3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and 3871
Chapters 117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., 3872
and 4167. of the Revised Code as if it were a school district 3873
and will comply with section 3301.0714 of the Revised Code in 3874
the manner specified in section 3314.17 of the Revised Code. 3875

(e) The school shall comply with Chapter 102. and section 3876
2921.42 of the Revised Code. 3877

(f) The school will comply with sections 3313.61, 3878
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 3879
Revised Code, except that for students who enter ninth grade for 3880
the first time before July 1, 2010, the requirement in sections 3881
3313.61 and 3313.611 of the Revised Code that a person must 3882
successfully complete the curriculum in any high school prior to 3883
receiving a high school diploma may be met by completing the 3884
curriculum adopted by the governing authority of the community 3885
school rather than the curriculum specified in Title XXXIII of 3886
the Revised Code or any rules of the department. Beginning with 3887
students who enter ninth grade for the first time on or after 3888
July 1, 2010, the requirement in sections 3313.61 and 3313.611 3889
of the Revised Code that a person must successfully complete the 3890
curriculum of a high school prior to receiving a high school 3891
diploma shall be met by completing the requirements prescribed 3892
in section 3313.6027 and division (C) of section 3313.603 of the 3893
Revised Code, unless the person qualifies under division (D) or 3894
(F) of that section. Each school shall comply with the plan for 3895

awarding high school credit based on demonstration of subject 3896
area competency, and beginning with the 2017-2018 school year, 3897
with the updated plan that permits students enrolled in seventh 3898
and eighth grade to meet curriculum requirements based on 3899
subject area competency adopted by the department under 3900
divisions (J) (1) and (2) of section 3313.603 of the Revised 3901
Code. Beginning with the 2018-2019 school year, the school shall 3902
comply with the framework for granting units of high school 3903
credit to students who demonstrate subject area competency 3904
through work-based learning experiences, internships, or 3905
cooperative education developed by the department under division 3906
(J) (3) of section 3313.603 of the Revised Code. 3907

(g) The school governing authority will submit within four 3908
months after the end of each school year a report of its 3909
activities and progress in meeting the goals and standards of 3910
divisions (A) (3) and (4) of this section and its financial 3911
status to the sponsor and the parents of all students enrolled 3912
in the school. 3913

(h) The school, unless it is an internet- or computer- 3914
based community school, will comply with section 3313.801 of the 3915
Revised Code as if it were a school district. 3916

(i) If the school is the recipient of moneys from a grant 3917
awarded under the federal race to the top program, Division (A), 3918
Title XIV, Sections 14005 and 14006 of the "American Recovery 3919
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 3920
the school will pay teachers based upon performance in 3921
accordance with section 3317.141 and will comply with section 3922
3319.111 of the Revised Code as if it were a school district. 3923

(j) If the school operates a preschool program that is 3924
licensed by the department under sections 3301.52 to 3301.59 of 3925

the Revised Code, the school shall comply with sections 3301.50 3926
to 3301.59 of the Revised Code and the minimum standards for 3927
preschool programs prescribed in rules adopted by the department 3928
under section 3301.53 of the Revised Code. 3929

(k) The school will comply with sections 3313.6021 and 3930
3313.6023 of the Revised Code as if it were a school district 3931
unless it is either of the following: 3932

(i) An internet- or computer-based community school; 3933

(ii) A community school in which a majority of the 3934
enrolled students are children with disabilities as described in 3935
division ~~(A) (4) (b)~~ (B) (2) of section 3314.35 of the Revised 3936
Code. 3937

(l) The school will comply with section 3321.191 of the 3938
Revised Code, unless it is an internet- or computer-based 3939
community school that is subject to section 3314.261 of the 3940
Revised Code. 3941

(12) Arrangements for providing health and other benefits 3942
to employees; 3943

(13) The length of the contract, which shall begin at the 3944
beginning of an academic year. No contract shall exceed five 3945
years unless such contract has been renewed pursuant to division 3946
(E) of this section. 3947

(14) The governing authority of the school, which shall be 3948
responsible for carrying out the provisions of the contract; 3949

(15) A financial plan detailing an estimated school budget 3950
for each year of the period of the contract and specifying the 3951
total estimated per pupil expenditure amount for each such year. 3952

(16) Requirements and procedures regarding the disposition 3953

of employees of the school in the event the contract is 3954
terminated or not renewed pursuant to section 3314.07 of the 3955
Revised Code; 3956

(17) Whether the school is to be created by converting all 3957
or part of an existing public school or educational service 3958
center building or is to be a new start-up school, and if it is 3959
a converted public school or service center building, 3960
specification of any duties or responsibilities of an employer 3961
that the board of education or service center governing board 3962
that operated the school or building before conversion is 3963
delegating to the governing authority of the community school 3964
with respect to all or any specified group of employees provided 3965
the delegation is not prohibited by a collective bargaining 3966
agreement applicable to such employees; 3967

(18) Provisions establishing procedures for resolving 3968
disputes or differences of opinion between the sponsor and the 3969
governing authority of the community school; 3970

(19) A provision requiring the governing authority to 3971
adopt a policy regarding the admission of students who reside 3972
outside the district in which the school is located. That policy 3973
shall comply with the admissions procedures specified in 3974
sections 3314.06 and 3314.061 of the Revised Code and, at the 3975
sole discretion of the authority, shall do one of the following: 3976

(a) Prohibit the enrollment of students who reside outside 3977
the district in which the school is located; 3978

(b) Permit the enrollment of students who reside in 3979
districts adjacent to the district in which the school is 3980
located; 3981

(c) Permit the enrollment of students who reside in any 3982

other district in the state. 3983

(20) A provision recognizing the authority of the 3984
department to take over the sponsorship of the school in 3985
accordance with the provisions of division (C) of section 3986
3314.015 of the Revised Code; 3987

(21) A provision recognizing the sponsor's authority to 3988
assume the operation of a school under the conditions specified 3989
in division (B) of section 3314.073 of the Revised Code; 3990

(22) A provision recognizing both of the following: 3991

(a) The authority of public health and safety officials to 3992
inspect the facilities of the school and to order the facilities 3993
closed if those officials find that the facilities are not in 3994
compliance with health and safety laws and regulations; 3995

(b) The authority of the department as the community 3996
school oversight body to suspend the operation of the school 3997
under section 3314.072 of the Revised Code if the department has 3998
evidence of conditions or violations of law at the school that 3999
pose an imminent danger to the health and safety of the school's 4000
students and employees and the sponsor refuses to take such 4001
action. 4002

(23) A description of the learning opportunities that will 4003
be offered to students including both classroom-based and non- 4004
classroom-based learning opportunities that is in compliance 4005
with criteria for student participation established by the 4006
department under division (H) (2) of section 3314.08 of the 4007
Revised Code; 4008

(24) The school will comply with sections 3302.04 and 4009
3302.041 of the Revised Code, except that any action required to 4010
be taken by a school district pursuant to those sections shall 4011

be taken by the sponsor of the school. 4012

(25) Beginning in the 2006-2007 school year, the school 4013
will open for operation not later than the thirtieth day of 4014
September each school year, unless the mission of the school as 4015
specified under division (A) (2) of this section is solely to 4016
serve dropouts. In its initial year of operation, if the school 4017
fails to open by the thirtieth day of September, or within one 4018
year after the adoption of the contract pursuant to division (D) 4019
of section 3314.02 of the Revised Code if the mission of the 4020
school is solely to serve dropouts, the contract shall be void. 4021

(26) Whether the school's governing authority is planning 4022
to seek designation for the school as a STEM school equivalent 4023
under section 3326.032 of the Revised Code; 4024

(27) That the school's attendance and participation 4025
policies will be available for public inspection; 4026

(28) That the school's attendance and participation 4027
records shall be made available to the department, auditor of 4028
state, and school's sponsor to the extent permitted under and in 4029
accordance with the "Family Educational Rights and Privacy Act 4030
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 4031
regulations promulgated under that act, and section 3319.321 of 4032
the Revised Code; 4033

(29) If a school operates using the blended learning 4034
model, as defined in section 3301.079 of the Revised Code, all 4035
of the following information: 4036

(a) An indication of what blended learning model or models 4037
will be used; 4038

(b) A description of how student instructional needs will 4039
be determined and documented; 4040

(c) The method to be used for determining competency, 4041
granting credit, and promoting students to a higher grade level; 4042

(d) The school's attendance requirements, including how 4043
the school will document participation in learning 4044
opportunities; 4045

(e) A statement describing how student progress will be 4046
monitored; 4047

(f) A statement describing how private student data will 4048
be protected; 4049

(g) A description of the professional development 4050
activities that will be offered to teachers. 4051

(30) A provision requiring that all moneys the school's 4052
operator loans to the school, including facilities loans or cash 4053
flow assistance, must be accounted for, documented, and bear 4054
interest at a fair market rate; 4055

(31) A provision requiring that, if the governing 4056
authority contracts with an attorney, accountant, or entity 4057
specializing in audits, the attorney, accountant, or entity 4058
shall be independent from the operator with which the school has 4059
contracted. 4060

(32) A provision requiring the governing authority to 4061
adopt an enrollment and attendance policy that requires a 4062
student's parent to notify the community school in which the 4063
student is enrolled when there is a change in the location of 4064
the parent's or student's primary residence. 4065

(33) A provision requiring the governing authority to 4066
adopt a student residence and address verification policy for 4067
students enrolling in or attending the school. 4068

(B) The community school shall also submit to the sponsor 4069
a comprehensive plan for the school. The plan shall specify the 4070
following: 4071

(1) The process by which the governing authority of the 4072
school will be selected in the future; 4073

(2) The management and administration of the school; 4074

(3) If the community school is a currently existing public 4075
school or educational service center building, alternative 4076
arrangements for current public school students who choose not 4077
to attend the converted school and for teachers who choose not 4078
to teach in the school or building after conversion; 4079

(4) The instructional program and educational philosophy 4080
of the school; 4081

(5) Internal financial controls. 4082

When submitting the plan under this division, the school 4083
shall also submit copies of all policies and procedures 4084
regarding internal financial controls adopted by the governing 4085
authority of the school. 4086

(C) A contract entered into under section 3314.02 of the 4087
Revised Code between a sponsor and the governing authority of a 4088
community school may provide for the community school governing 4089
authority to make payments to the sponsor, which is hereby 4090
authorized to receive such payments as set forth in the contract 4091
between the governing authority and the sponsor. The total 4092
amount of such payments for monitoring, oversight, and technical 4093
assistance of the school shall not exceed three per cent of the 4094
total amount of payments for operating expenses that the school 4095
receives from the state. 4096

(D) The contract shall specify the duties of the sponsor 4097
which shall be in accordance with the written agreement entered 4098
into with the department under division (B) of section 3314.015 4099
of the Revised Code and shall include the following: 4100

(1) Monitor the community school's compliance with all 4101
laws applicable to the school and with the terms of the 4102
contract; 4103

(2) Monitor and evaluate the academic and fiscal 4104
performance and the organization and operation of the community 4105
school on at least an annual basis; 4106

~~(3) Report on an annual basis the results of the 4107
evaluation conducted under division (D) (2) of this section to 4108
the department and to the parents of students enrolled in the 4109
community school;~~ 4110

~~(4) Provide technical assistance to the community school 4111
in complying with laws applicable to the school and terms of the 4112
contract;~~ 4113

~~(5)~~ (4) Take steps to intervene in the school's operation 4114
to correct problems in the school's overall performance, declare 4115
the school to be on probationary status pursuant to section 4116
3314.073 of the Revised Code, suspend the operation of the 4117
school pursuant to section 3314.072 of the Revised Code, or 4118
terminate the contract of the school pursuant to section 3314.07 4119
of the Revised Code as determined necessary by the sponsor; 4120

~~(6)~~ (5) Have in place a plan of action to be undertaken in 4121
the event the community school experiences financial 4122
difficulties or closes prior to the end of a school year. 4123

(E) Upon the expiration of a contract entered into under 4124
this section, the sponsor of a community school may, with the 4125

approval of the governing authority of the school, renew that 4126
contract for a period of time determined by the sponsor, but not 4127
ending earlier than the end of any school year, if the sponsor 4128
finds that the school's compliance with applicable laws and 4129
terms of the contract and the school's progress in meeting the 4130
academic goals prescribed in the contract have been 4131
satisfactory. Any contract that is renewed under this division 4132
remains subject to the provisions of sections 3314.07, 3314.072, 4133
and 3314.073 of the Revised Code. 4134

(F) If a community school fails to open for operation 4135
within one year after the contract entered into under this 4136
section is adopted pursuant to division (D) of section 3314.02 4137
of the Revised Code or permanently closes prior to the 4138
expiration of the contract, the contract shall be void and the 4139
school shall not enter into a contract with any other sponsor. A 4140
school shall not be considered permanently closed because the 4141
operations of the school have been suspended pursuant to section 4142
3314.072 of the Revised Code. 4143

Sec. 3314.11. (A) ~~The governing authority of each~~ 4144
~~community school established under this chapter monthly shall~~ 4145
~~review the residency records of students enrolled in that~~ 4146
~~community school.~~ Upon the enrollment of each student and on an 4147
annual basis, the governing authority of each community school 4148
established under this chapter shall verify to the department of 4149
education and workforce the school district in which the student 4150
is entitled to attend school under section 3313.64 or 3313.65 of 4151
the Revised Code. 4152

The school district may review the determination made by 4153
the community school under division (A) of this section. 4154

(B) (1) For purposes of its initial reporting of the school 4155

districts in which its students are entitled to attend school, 4156
the governing authority of a community school shall adopt a 4157
policy that prescribes the number of documents listed in 4158
division (E) of this section required to verify a student's 4159
residency. This policy shall supersede any policy concerning the 4160
number of documents for initial residency verification adopted 4161
by the district the student is entitled to attend. 4162

(2) For purposes of the annual reporting of the school 4163
districts in which its students are entitled to attend school, 4164
the governing authority of a community school shall adopt a 4165
policy that prescribes the information required to verify a 4166
student's residency. This information may be obtained through 4167
any type of document, including any of the documents listed in 4168
division (E) of this section, or any type of communication with 4169
a government official authorized to provide such information. 4170

(C) For purposes of making the determinations required 4171
under this section, the school district in which a parent or 4172
child resides is the location the parent or student has 4173
established as the primary residence and where substantial 4174
family activity takes place. 4175

(D) If a community school's determination under division 4176
(A) of this section of the school district a student is entitled 4177
to attend under section 3313.64 or 3313.65 of the Revised Code 4178
differs from a district's determination, the community school 4179
that made the determination under division (A) of this section 4180
shall provide the school district with documentation of the 4181
student's residency and shall make a good faith effort to 4182
accurately identify the correct residence of the student. 4183

(E) For purposes of this section, the following documents 4184
may serve as evidence of primary residence: 4185

- (1) A deed, mortgage, lease, current home owner's or renter's insurance declaration page, or current real property tax bill; 4186
4187
4188
- (2) A utility bill or receipt of utility installation issued within ninety days of enrollment; 4189
4190
- (3) A paycheck or paystub issued to the parent or student within ninety days of the date of enrollment that includes the address of the parent's or student's primary residence; 4191
4192
4193
- (4) The most current available bank statement issued to the parent or student that includes the address of the parent's or student's primary residence; 4194
4195
4196
- (5) Any other official document issued to the parent or student that includes the address of the parent's or student's primary residence. The department shall develop guidelines for determining what qualifies as an "official document" under this division. 4197
4198
4199
4200
4201
- (F) When a student loses permanent housing and becomes a homeless child or youth, as defined in 42 U.S.C. 11434a, or when a child who is such a homeless child or youth changes temporary living arrangements, the district in which the student is entitled to attend school shall be determined in accordance with division (F) (13) of section 3313.64 of the Revised Code and the "McKinney-Vento Homeless Assistance Act," 42 U.S.C. 11431 et seq. 4202
4203
4204
4205
4206
4207
4208
4209
- (G) In the event of a disagreement as to which school district a student is entitled to attend, the community school, after complying with division (D) of this section, but not more than sixty days after the ~~monthly~~ deadline established by the department for reporting of community school enrollment, may 4210
4211
4212
4213
4214

present the matter to the director of education and workforce. 4215
Not later than thirty days after the community school presents 4216
the matter, the director, or the director's designee, shall 4217
determine which district the student is entitled to attend and 4218
shall direct any necessary adjustments to payments under section 4219
3317.022 of the Revised Code based on that determination. 4220

Sec. 3314.29. (A) This section applies to any internet- or 4221
computer-based community school that meets all of the following 4222
conditions: 4223

(1) Serves all of grades kindergarten through twelve; 4224

(2) Has an enrollment of at least two thousand students; 4225

(3) Has a sponsor that was not rated ineffective or poor 4226
on its most recent evaluation under section 3314.016 of the 4227
Revised Code. 4228

(B) Beginning with the 2018-2019 school year, the 4229
governing authority of a community school to which this section 4230
applies may adopt a resolution to divide the school into two or 4231
three separate schools as follows: 4232

(1) If the school is divided into two schools, one school 4233
shall serve grades kindergarten through eight and one school 4234
shall serve grades nine through twelve. 4235

(2) If the school is divided into three schools, one 4236
school shall serve grades kindergarten through five, one school 4237
shall serve grades six through eight, and one school shall serve 4238
grades nine through twelve. 4239

(C) The resolution adopted by the governing authority 4240
shall not be effective unless approved by the school's sponsor. 4241
Following approval of the resolution by the sponsor, and by the 4242

fifteenth day of March prior to the school year in which it will 4243
take effect, the governing authority shall file the resolution 4244
with the department of education and workforce. The division of 4245
the schools shall be effective on the first day of July 4246
succeeding the date the resolution is filed with the department. 4247

(D) All of the following shall apply to each new school 4248
created as a result of the resolution authorized by this section 4249
and to the school that is divided as a result of the resolution: 4250

(1) Each school shall have the same governing authority. 4251

(2) The sponsor and governing authority shall enter into a 4252
separate contract under section 3314.03 of the Revised Code for 4253
each school. 4254

(3) No school shall primarily serve students enrolled in a 4255
dropout prevention and recovery program operated by the school. 4256

(4) No school shall be permitted to divide again under 4257
this section. 4258

(5) Notwithstanding anything to the contrary in division 4259
(B) (2) of section 3314.016 of the Revised Code, each school 4260
shall be included in the calculation of the academic performance 4261
component for purposes of rating the schools' sponsor under the 4262
evaluation system prescribed by that section. 4263

(6) Each school shall be subject to the laws contained in 4264
Chapter 3314. of the Revised Code, except as otherwise specified 4265
in this section. 4266

(E) The department shall issue a report card under section 4267
3314.012 of the Revised Code for each new school created as a 4268
result of the resolution authorized by this section and for the 4269
school that is divided as a result of the resolution. For 4270

purposes of the report cards and other reporting requirements 4271
under this chapter, the department shall assign the school that 4272
serves the highest grades the same internal retrieval number 4273
previously used by the school that is divided under this 4274
section. The department shall assign a new internal retrieval 4275
number to each other school resulting from the division. 4276

Notwithstanding division ~~(B)~~ (A) of section 3314.012 of 4277
the Revised Code, the ratings a school receives on its report 4278
card for the first two full school years after the division 4279
under this section shall count toward closure of the school 4280
under section 3314.35 of the Revised Code and any other matter 4281
that is based on report card ratings or measures. 4282

Sec. 3314.35. ~~(A)(1) Except as provided in division (A)(4)~~ 4283
~~of this section, this section applies to any community school~~ 4284
~~that meets one of the following criteria after July 1, 2009, but~~ 4285
~~before July 1, 2011:—~~ 4286

~~(a) The school does not offer a grade level higher than~~ 4287
~~three and has been declared to be in a state of academic~~ 4288
~~emergency under section 3302.03 of the Revised Code for three of~~ 4289
~~the four most recent school years.—~~ 4290

~~(b) The school satisfies all of the following conditions:—~~ 4291

~~(i) The school offers any of grade levels four to eight~~ 4292
~~but does not offer a grade level higher than nine.—~~ 4293

~~(ii) The school has been declared to be in a state of~~ 4294
~~academic emergency under section 3302.03 of the Revised Code for~~ 4295
~~two of the three most recent school years.—~~ 4296

~~(iii) In at least two of the three most recent school~~ 4297
~~years, the school showed less than one standard year of academic~~ 4298
~~growth in either reading or mathematics, as determined by the~~ 4299

~~department of education and workforce in accordance with rules adopted under division (A) of section 3302.021 of the Revised Code.~~ 4300
4301
4302

~~(c) The school offers any of grade levels ten to twelve and has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for three of the four most recent school years.~~ 4303
4304
4305
4306

~~(2) Except as provided in division (A) (4) of this section, this section applies to any community school that meets one of the following criteria after July 1, 2011, but before July 1, 2013:~~ 4307
4308
4309
4310

~~(a) The school does not offer a grade level higher than three and has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for two of the three most recent school years.~~ 4311
4312
4313
4314

~~(b) The school satisfies all of the following conditions:~~ 4315

~~(i) The school offers any of grade levels four to eight but does not offer a grade level higher than nine.~~ 4316
4317

~~(ii) The school has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for two of the three most recent school years.~~ 4318
4319
4320

~~(iii) In at least two of the three most recent school years, the school showed less than one standard year of academic growth in either reading or mathematics, as determined by the department in accordance with rules adopted under division (A) of section 3302.021 of the Revised Code.~~ 4321
4322
4323
4324
4325

~~(c) The school offers any of grade levels ten to twelve and has been declared to be in a state of academic emergency~~ 4326
4327

~~under section 3302.03 of the Revised Code for two of the three
most recent school years.~~ 4328
4329

~~(3) (A) Except as provided in division (A) (4) (B) of this
section and section 3314.355 of the Revised Code, this section
applies to any community school that meets one of the following
criteria on or after July 1, 2013:~~ 4330
4331
4332
4333

~~(a) (1) The school does not offer a grade level higher
than three and, for the three most recent school years,
satisfies any either of the following criteria:~~ 4334
4335
4336

~~(i) The school has been declared to be in a state of
academic emergency under section 3302.03 of the Revised Code, as
it existed prior to March 22, 2013;~~ 4337
4338
4339

~~(ii) The school has received a grade of "F" in improving
literacy in grades kindergarten through three under division (B)
(1) (g) or (C) (1) (g) of section 3302.03 of the Revised Code;~~ 4340
4341
4342

~~(iii) (a) The school has received a performance rating of
one star for early literacy under division (D) (3) (e) of section
3302.03 of the Revised Code;~~ 4343
4344
4345

~~(iv) (b) The school has received an overall performance
rating of less than two stars under division (D) (3) of section
3302.03 of the Revised Code;~~ 4346
4347
4348

~~(v) The school has received an overall grade of "F" under
division (C) of section 3302.03 of the Revised Code.~~ 4349
4350

~~(b) (2) The school offers any of grade levels four to
eight but does not offer a grade level higher than nine and, for
the three most recent school years, satisfies any either of the
following criteria:~~ 4351
4352
4353
4354

~~(i) The school has been declared to be in a state of~~ 4355

~~academic emergency under section 3302.03 of the Revised Code, as 4356
it existed prior to March 22, 2013, and the school showed less 4357
than one standard year of academic growth in either reading or 4358
mathematics, as determined by the department in accordance with 4359
rules adopted under division (A) of section 3302.021 of the 4360
Revised Code; 4361~~

~~(ii) The school has received a grade of "F" for the 4362
performance index score under division (A) (1) (b), (B) (1) (b), or 4363
(C) (1) (b) and a grade of "F" for the value added progress 4364
dimension under division (A) (1) (e), (B) (1) (e), or (C) (1) (e) of 4365
section 3302.03 of the Revised Code; 4366~~

~~(iii) (a) The school has received a performance rating of 4367
one star for both achievement under division (D) (3) (b) of 4368
section 3302.03 of the Revised Code and progress under division 4369
(D) (3) (c) of that section; 4370~~

~~(iv) The school has received an overall grade of "F" under 4371
division (C) and a grade of "F" for the value added progress 4372
dimension under division (C) (1) (e) of section 3302.03 of the 4373
Revised Code; 4374~~

~~(v) (b) The school has received an overall performance 4375
rating of less than two stars under division (D) of section 4376
3302.03 of the Revised Code and a performance rating of one star 4377
for progress under division (D) (3) (c) of that section. 4378~~

~~(e) (3) The school offers any of grade levels ten to 4379
twelve and, for the three most recent school years, satisfies 4380
any either of the following criteria: 4381~~

~~(i) The school has been declared to be in a state of 4382
academic emergency under section 3302.03 of the Revised Code, as 4383
it existed prior to March 22, 2013; 4384~~

~~(ii) The school has received a grade of "F" for the performance index score under division (A) (1) (b), (B) (1) (b), or (C) (1) (b) and has not met annual measurable objectives under division (A) (1) (a), (B) (1) (a), or (C) (1) (a) of section 3302.03 of the Revised Code;~~

~~(iii) (a) The school has received a performance rating of "one star" for achievement under division (D) (3) (b) of section 3302.03 of the Revised Code and has not met annual measurable objectives for gap closing under division (D) (3) (a) of that section, as determined by the department;~~

~~(iv) The school has received an overall grade of "F" under division (C) and a grade of "F" for the value-added progress dimension under division (C) (1) (c) of section 3302.03 of the Revised Code;~~

~~(v) (b) The school has received an overall performance rating of less than two stars under division (D) of section 3302.03 of the Revised Code and a performance rating of one star for progress under division (D) (1) (b) of that section.~~

For purposes of division ~~(A) (3)~~ (A) of this section only, the department shall calculate the value-added progress dimension for a community school using assessment scores for only those students to whom the school has administered the achievement assessments prescribed by section 3301.0710 of the Revised Code for at least the two most recent school years but using value-added data from only the most recent school year.

~~(4) (B)~~ This section does not apply to either of the following:

~~(a) (1)~~ Any community school in which a majority of the students are enrolled in a dropout prevention and recovery

program that is operated by the school. Rather, such schools 4414
shall be subject to closure only as provided in section 3314.351 4415
of the Revised Code. However, prior to July 1, 2014, a community 4416
school in which a majority of the students are enrolled in a 4417
dropout prevention and recovery program shall be exempt from 4418
this section only if it has been granted a waiver under section 4419
3314.36 of the Revised Code. 4420

~~(b)-(2)~~ Any community school in which a majority of the 4421
enrolled students are children with disabilities receiving 4422
special education and related services in accordance with 4423
Chapter 3323. of the Revised Code. 4424

~~(B)-(C)~~ Any community school to which this section applies 4425
shall permanently close at the conclusion of the school year in 4426
which the school first becomes subject to this section. The 4427
sponsor and governing authority of the school shall comply with 4428
all procedures for closing a community school adopted by the 4429
department under division (E) of section 3314.015 of the Revised 4430
Code. The governing authority of the school shall not enter into 4431
a contract with any other sponsor under section 3314.03 of the 4432
Revised Code after the school closes. 4433

~~(C) In accordance with division (B) of section 3314.012 of~~ 4434
~~the Revised Code, the department shall not consider the~~ 4435
~~performance ratings assigned to a community school for its first~~ 4436
~~two years of operation when determining whether the school meets~~ 4437
~~the criteria prescribed by division (A)(1) or (2) of this~~ 4438
~~section.~~ 4439

(D) Nothing in this section or in any other provision of 4440
the Revised Code prohibits the sponsor of a community school 4441
from exercising its option not to renew a contract for any 4442
reason or from terminating a contract prior to its expiration 4443

for any of the reasons set forth in section 3314.07 of the Revised Code.

Sec. 3319.079. (A) The holder of a valid educator license with a grade band specification prescribed under division (A) (1) of section 3319.22 of the Revised Code, as that division existed prior to October 3, 2023, who renews that license may receive either of the following:

(1) A grade band specification prescribed under division (A) (1) of section 3319.22 of the Revised Code, as that division existed prior to October 3, 2023;

(2) A grade band specification prescribed under division (A) (1) of section 3319.22 of the Revised Code as that division exists on the date of its renewal.

(B) The holder of a valid educator license with a grade band specification prescribed under division (A) (1) of section 3319.22 of the Revised Code, as that division existed on and after October 3, 2023, but prior to the effective date of this amendment, who renews that license may receive either of the following:

(1) A grade band specification prescribed under division (A) (1) of section 3319.22 of the Revised Code, as that division existed on and after October 3, 2023, but prior to the effective date of this amendment;

(2) A grade band specification prescribed under division (A) (1) of section 3319.22 of the Revised Code as that division exists on the date of its renewal.

(C) Upon renewal of a license under this section, the holder of a valid educator license shall receive a grade band specification that includes one or more of the grades the holder

was authorized to teach under the prior license. 4473

Sec. 3319.0811. ~~If~~ (A) Except as provided in division (B) 4474
of this section, if the board of education of a school district 4475
offers to students of compulsory school age courses for high 4476
school credit that are taught at times outside the district's 4477
normal school day, the board shall enter into supplemental 4478
contracts under section 3319.08 of the Revised Code with the 4479
teachers assigned to teach those courses and shall not include 4480
such assignment of duties within the teachers' regular 4481
employment contracts under that section. 4482

(B) A supplemental contract shall not be required under 4483
this section if a teacher voluntarily agrees to a regularly 4484
occurring schedule that begins or ends outside the normal school 4485
day, so long as the teacher is not assigned more total daily 4486
hours than a teacher assigned to the district's normal school 4487
day and is otherwise in compliance with applicable requirements 4488
of the district's collective bargaining agreement. 4489

Sec. 3319.111. Notwithstanding section 3319.09 of the 4490
Revised Code, this section applies to any person who is employed 4491
under a teacher license issued under this chapter, or under a 4492
professional or permanent teacher's certificate issued under 4493
former section 3319.222 of the Revised Code, and who spends at 4494
least fifty per cent of the time employed providing student 4495
instruction. However, this section does not apply to any person 4496
who is employed as a substitute teacher or as an instructor of 4497
adult education. 4498

(A) The board of education of each school district, in 4499
consultation with teachers employed by the board, shall update 4500
its standards-based teacher evaluation policy to conform with 4501
either the framework for evaluation of teachers adopted under 4502

section 3319.112 of the Revised Code or a framework created or 4503
adopted by the board. The policy shall become operative at the 4504
expiration of any collective bargaining agreement covering 4505
teachers employed by the board that is in effect on November 2, 4506
2018, and shall be included in any renewal or extension of such 4507
an agreement. 4508

(B) When using measures of student performance as evidence 4509
in a teacher's evaluation, those measures shall be high-quality 4510
student data. The board of education of each school district may 4511
use data from the assessments on the list developed under 4512
division (B) (2) of section 3319.112 of the Revised Code as high- 4513
quality student data. 4514

(C) (1) The board shall conduct an evaluation of each 4515
teacher employed by the board at least once each school year, 4516
except as provided in division (C) (2) of this section. The 4517
evaluation shall be completed by the first day of May and the 4518
teacher shall receive a written report of the results of the 4519
evaluation by the tenth day of May. 4520

(2) (a) The board may evaluate each teacher who received a 4521
rating of accomplished on the teacher's most recent evaluation 4522
conducted under this section once every three school years, so 4523
long as the teacher submits a self-directed professional growth 4524
plan to the evaluator that focuses on specific areas identified 4525
in the observations and evaluation and the evaluator determines 4526
that the teacher is making progress on that plan. 4527

(b) The board may evaluate each teacher who received a 4528
rating of skilled on the teacher's most recent evaluation 4529
conducted under this section once every two years, so long as 4530
the teacher and evaluator jointly develop a professional growth 4531
plan for the teacher that focuses on specific areas identified 4532

in the observations and evaluation and the evaluator determines 4533
that the teacher is making progress on that plan. 4534

(c) For each teacher who is evaluated pursuant to division 4535
(C) (2) of this section, the evaluation shall be completed by the 4536
first day of May of the applicable school year, and the teacher 4537
shall receive a written report of the results of the evaluation 4538
by the tenth day of May of that school year. 4539

(d) The board may elect not to conduct an evaluation of a 4540
teacher who meets one of the following requirements: 4541

(i) The teacher was on leave from the school district for 4542
fifty per cent or more of the school year, as calculated by the 4543
board. 4544

(ii) The teacher has submitted notice of retirement and 4545
that notice has been accepted by the board not later than the 4546
first day of December of the school year in which the evaluation 4547
is otherwise scheduled to be conducted. 4548

(e) The board may elect not to conduct an evaluation of a 4549
teacher who is participating in the teacher residency program 4550
established under section 3319.223 of the Revised Code for the 4551
year during which that teacher takes, for the first time, at 4552
least half of the performance-based assessment prescribed by the 4553
state board of education for resident educators. 4554

(3) In any year that a teacher is not formally evaluated 4555
pursuant to division (C) of this section as a result of 4556
receiving a rating of accomplished or skilled on the teacher's 4557
most recent evaluation, an individual qualified to evaluate a 4558
teacher under division (D) of this section shall conduct at 4559
least one observation of the teacher and hold at least one 4560
conference with the teacher. The conference shall include a 4561

discussion of progress on the teacher's professional growth 4562
plan. 4563

(D) Each evaluation conducted pursuant to this section 4564
shall be conducted by one or more of the following persons who 4565
hold a credential established by the state board of education 4566
for being an evaluator: 4567

(1) A person who is under contract with the board pursuant 4568
to section 3319.01 or 3319.02 of the Revised Code and holds a 4569
license designated for being a superintendent, assistant 4570
superintendent, or principal issued under section 3319.22 of the 4571
Revised Code; 4572

(2) A person who is under contract with the board pursuant 4573
to section 3319.02 of the Revised Code and holds a license 4574
designated for being a vocational director, administrative 4575
specialist, or supervisor in any educational area issued under 4576
section 3319.22 of the Revised Code; 4577

(3) A person designated to conduct evaluations under an 4578
agreement entered into by the board, including an agreement 4579
providing for peer review entered into by the board and 4580
representatives of teachers employed by the board; 4581

(4) A person who is employed by an entity contracted by 4582
the board to conduct evaluations and who holds a license 4583
designated for being a superintendent, assistant superintendent, 4584
principal, vocational director, administrative specialist, or 4585
supervisor in any educational area issued under section 3319.22 4586
of the Revised Code or is qualified to conduct evaluations. 4587

(E) Notwithstanding division (A) (3) of section 3319.112 of 4588
the Revised Code, the board shall require at least three formal 4589
observations of each teacher who is under consideration for 4590

nonrenewal and with whom the board has entered into a limited 4591
contract or an extended limited contract under section 3319.11 4592
of the Revised Code. 4593

(F) The board shall include in its evaluation policy 4594
procedures for using the evaluation results for retention and 4595
promotion decisions and for removal of poorly performing 4596
teachers. Seniority shall not be the basis for a decision to 4597
retain a teacher, except when making a decision between teachers 4598
who have comparable evaluations. 4599

(G) For purposes of section 3333.0411 of the Revised Code, 4600
the board annually shall report to the state board the number of 4601
teachers for whom an evaluation was conducted under this section 4602
and the number of teachers assigned each rating prescribed under 4603
division (B) (1) of section 3319.112 of the Revised Code or the 4604
equivalent framework created or adopted by the board, aggregated 4605
by the teacher preparation programs from which and the years in 4606
which the teachers graduated. The state board shall establish 4607
guidelines for reporting the information required by this 4608
division. The guidelines shall not permit or require that the 4609
name of, or any other personally identifiable information about, 4610
any teacher be reported under this division. 4611

(H) Notwithstanding any provision to the contrary in 4612
Chapter 4117. of the Revised Code, the requirements of this 4613
section prevail over any conflicting provisions of a collective 4614
bargaining agreement entered into on or after November 2, 2018. 4615

Sec. 3319.112. (A) The state board of education shall 4616
revise the standards-based state framework for the evaluation of 4617
teachers based on the recommendations of the educator standards 4618
board established under section 3319.60 of the Revised Code. The 4619
state board shall hold at least one public hearing on the 4620

revised framework and shall make the full text of the revised
framework available at each hearing it holds on the revised
framework. The state board shall adopt the revised framework.
The state board may update the framework periodically by
adoption of a resolution. The framework shall establish an
evaluation system that does the following:

(1) Provides for multiple evaluation factors;

(2) Is aligned with the standards for teachers adopted
under section 3319.61 of the Revised Code;

(3) Requires observation of the teacher being evaluated,
including at least two formal observations by the evaluator of
at least thirty minutes each and classroom walk-throughs;

(4) Assigns a rating on each evaluation in accordance with
division (B) of this section;

(5) Requires each teacher to be provided with a written
report of the results of the teacher's evaluation;

(6) Uses at least two measures of high-quality student
data to provide evidence of student learning attributable to the
teacher being evaluated. The state board shall define "high-
quality student data" for this purpose. When applicable to the
grade level or subject area taught by a teacher, high-quality
student data shall include the value-added progress dimension
established under section 3302.021 of the Revised Code, but the
teacher or evaluator shall use at least one other measure of
high-quality student data to demonstrate student learning. In
accordance with the guidance described in division (D)(3) of
this section, high-quality student data may be used as evidence
in any component of the evaluation related to the following:

(a) Knowledge of the students to whom the teacher provides

instruction;	4650
(b) The teacher's use of differentiated instructional practices based on the needs or abilities of individual students;	4651 4652 4653
(c) Assessment of student learning;	4654
(d) The teacher's use of assessment data;	4655
(e) Professional responsibility and growth.	4656
(7) Prohibits the shared attribution of student performance data among all teachers in a district, building, grade, content area, or other group;	4657 4658 4659
(8) Includes development of a professional growth plan or improvement plan for the teacher that is based on the results of the evaluation and is aligned to any school district or building improvement plan required for the teacher's district or building under the "Elementary and Secondary Education Act of 1965," as amended by the "Every Student Succeeds Act of 2015," Pub. L. No. 114-95, 20 U.S.C. 6301 et seq.;	4660 4661 4662 4663 4664 4665 4666
(9) Provides for professional development to accelerate and continue teacher growth and provide support to poorly performing teachers;	4667 4668 4669
(10) Provides for the allocation of financial resources to support professional development;	4670 4671
(11) Prohibits the use of student learning objectives.	4672
(B) For purposes of the framework adopted under this section, the state board also shall do the following:	4673 4674
(1) Revise, as necessary, specific standards and criteria that distinguish between the following levels of performance for	4675 4676

teachers and principals for the purpose of assigning ratings on 4677
~~the any~~ evaluations conducted under sections 3311.80, 3311.84, 4678
3319.02, and 3319.111 of the Revised Code using the framework 4679
prescribed by this section: 4680

(a) Accomplished; 4681

(b) Skilled; 4682

(c) Developing; 4683

(d) Ineffective. 4684

(2) Develop a list of student assessments that measure 4685
mastery of the course content for the appropriate grade level, 4686
which may include nationally normed standardized assessments, 4687
industry certification examinations, or end-of-course 4688
examinations. The data from these assessments may be considered 4689
high-quality student data. 4690

(C) The state board shall consult with experts, teachers 4691
and principals employed in public schools, the educator 4692
standards board, and representatives of stakeholder groups in 4693
revising the standards and criteria required by division (B) (1) 4694
of this section. 4695

(D) To assist school districts in developing evaluation 4696
policies under sections 3311.80, 3311.84, 3319.02, and 3319.111 4697
of the Revised Code, the state board shall do all of the 4698
following: 4699

(1) Serve as a clearinghouse of promising evaluation 4700
procedures and evaluation models that districts may use; 4701

(2) Provide technical assistance to districts in creating 4702
evaluation policies; 4703

(3) Provide guidance to districts on how high-quality student data may be used as evidence of student learning attributable to a particular teacher, including examples of appropriate use of that data within the framework adopted under this section;

(4) Provide guidance to districts on how information from student surveys, student portfolios, peer review evaluations, teacher self-evaluations, and other components determined appropriate by the district may be used as part of the evaluation process.

(E) Not later than July 1, 2020, the state board, in consultation with state agencies that employ teachers, shall update its standards-based framework for the evaluation of teachers employed by those agencies. Each state agency that employs teachers shall adopt a standards-based teacher evaluation policy to conform with the framework. The policy shall become operative at the expiration of any collective bargaining agreement covering teachers employed by the agency that is in effect on November 2, 2018, and shall be included in any renewal or extension of such an agreement. However, this division does not apply to any person who is employed as a substitute teacher or as an instructor of adult education.

Sec. 3319.22. (A) (1) The state board of education shall issue the following educator licenses:

(a) A resident educator license, which shall be valid for two years and shall be renewable for reasons specified by rules adopted by the state board pursuant to division (A) (3) of this section. The state board, on a case-by-case basis, may extend the license's duration as necessary to enable the license holder to complete the Ohio teacher residency program established under

section 3319.223 of the Revised Code; 4734

(b) A professional educator license, which shall be valid 4735
for five years and shall be renewable; 4736

(c) A senior professional educator license, which shall be 4737
valid for five years and shall be renewable; 4738

(d) A lead professional educator license, which shall be 4739
valid for five years and shall be renewable. 4740

Subject to division (A) (4) of this section, licenses 4741
issued under division (A) (1) of this section on and after- 4742
~~December 29, 2023, the effective date of this amendment~~ shall 4743
specify whether the educator is licensed to teach grades pre- 4744
kindergarten through eight or grades ~~six~~-seven through twelve. 4745
The changes to the grade band specifications under this section 4746
shall not apply to a person who holds a license under division 4747
(A) (1) of this section prior to ~~December 29, 2023~~ the effective 4748
date of this amendment. Further, the changes to the grade band 4749
specifications under this section shall not apply to any license 4750
issued to teach in the area of computer information science, 4751
bilingual education, dance, drama or theater, world language, 4752
health, library or media, music, physical education, teaching 4753
English to speakers of other languages, career-technical 4754
education, or visual arts or to any license issued to an 4755
intervention specialist, including a gifted intervention 4756
specialist, or to any other license that does not align to the 4757
grade band specifications. 4758

(2) (a) Except as provided in division (A) (2) (b) of this 4759
section, the state board may issue any additional educator 4760
licenses of categories, types, and levels the board elects to 4761
provide. 4762

(b) Not later than December 31, 2024, the state board shall cease licensing school psychologists. The state board shall coordinate with the state board of psychology to transition to licensure under Chapter 4732. of the Revised Code any school psychologists licensed under rules adopted in accordance with sections 3301.07 and 3319.22 of the Revised Code.

(3) Except as provided in division (I) of this section, the state board shall adopt rules establishing the standards and requirements for obtaining each educator license issued under this section. The rules shall also include the reasons for which a resident educator license may be renewed under division (A) (1) (a) of this section.

(4) Notwithstanding the requirement that each license issued under division (A) (1) of this section specify the grade band in which the educator is licensed to teach, a school district or community school may employ an educator to teach outside of the designated grade band by not more than two grade levels and for not more than two school years at a time. The school district superintendent or governing authority of the community school may renew that teacher's eligibility to teach in accordance with this division on a biennial basis. Any educator to whom division (A) (4) of this section applies shall be considered a "properly certified or licensed teacher" for the purposes of section 3319.074 of the Revised Code.

(B) Except as provided in division (I) of this section, the rules adopted under this section shall require at least the following standards and qualifications for the educator licenses described in division (A) (1) of this section:

(1) An applicant for a resident educator license shall

hold at least a bachelor's degree from an accredited teacher 4793
preparation program or be a participant in the teach for America 4794
program and meet the qualifications required under section 4795
3319.227 of the Revised Code. 4796

(2) An applicant for a professional educator license 4797
shall: 4798

(a) Hold at least a bachelor's degree from an institution 4799
of higher education accredited by a regional accrediting 4800
organization; 4801

(b) Have successfully completed the Ohio teacher residency 4802
program established under section 3319.223 of the Revised Code, 4803
if the applicant's current or most recently issued license is a 4804
resident educator license issued under this section or an 4805
alternative resident educator license issued under section 4806
3319.26 of the Revised Code. 4807

(3) An applicant for a senior professional educator 4808
license shall: 4809

(a) Hold at least a ~~master's~~ bachelor's degree from an 4810
institution of higher education accredited by a regional 4811
accrediting organization; 4812

(b) Have previously held a professional educator license 4813
issued under this section or section 3319.222 or under former 4814
section 3319.22 of the Revised Code; 4815

(c) Meet the criteria for the accomplished or 4816
distinguished level of performance, as described in the 4817
standards for teachers adopted by the state board under section 4818
3319.61 of the Revised Code. 4819

(4) An applicant for a lead professional educator license 4820

shall: 4821

(a) Hold at least a ~~master's~~bachelor's degree from an 4822
institution of higher education accredited by a regional 4823
accrediting organization; 4824

(b) Have previously held a professional educator license 4825
or a senior professional educator license issued under this 4826
section or a professional educator license issued under section 4827
3319.222 or former section 3319.22 of the Revised Code; 4828

(c) Meet the criteria for the distinguished level of 4829
performance, as described in the standards for teachers adopted 4830
by the state board under section 3319.61 of the Revised Code; 4831

(d) Either hold a valid certificate issued by the national 4832
board for professional teaching standards or meet the criteria 4833
for a master teacher or other criteria for a lead teacher 4834
adopted by the educator standards board under division (F) (4) or 4835
(5) of section 3319.61 of the Revised Code. 4836

(C) The state board shall align the standards and 4837
qualifications for obtaining a principal license with the 4838
standards for principals adopted by the state board under 4839
section 3319.61 of the Revised Code. 4840

(D) If the state board requires any examinations for 4841
educator licensure, the state board shall provide the results of 4842
such examinations received by the state board to the chancellor 4843
of higher education, in the manner and to the extent permitted 4844
by state and federal law. 4845

(E) Any rules the state board of education adopts, amends, 4846
or rescinds for educator licenses under this section or any 4847
other law shall be adopted, amended, or rescinded under Chapter 4848
119. of the Revised Code except as follows: 4849

(1) Notwithstanding division (E) of section 119.03 and 4850
division (A)(1) of section 119.04 of the Revised Code, in the 4851
case of the adoption of any rule or the amendment or rescission 4852
of any rule that necessitates institutions' offering preparation 4853
programs for educators and other school personnel that are 4854
approved by the chancellor of higher education under section 4855
3333.048 of the Revised Code to revise the curriculum of those 4856
programs, the effective date shall not be as prescribed in 4857
division (E) of section 119.03 and division (A)(1) of section 4858
119.04 of the Revised Code. Instead, the effective date of such 4859
rules, or the amendment or rescission of such rules, shall be 4860
the date prescribed by section 3333.048 of the Revised Code. 4861

(2) Notwithstanding the authority to adopt, amend, or 4862
rescind emergency rules in division (G) of section 119.03 of the 4863
Revised Code, this authority shall not apply to the state board 4864
of education with regard to rules for educator licenses. 4865

(F)(1) The rules adopted under this section establishing 4866
standards requiring additional coursework for the renewal of any 4867
educator license shall require a school district and a chartered 4868
nonpublic school to establish local professional development 4869
committees. In a nonpublic school, the chief administrative 4870
officer shall establish the committees in any manner acceptable 4871
to such officer. The committees established under this division 4872
shall determine whether coursework that a district or chartered 4873
nonpublic school teacher proposes to complete meets the 4874
requirement of the rules. The state board shall provide 4875
technical assistance and support to committees as the committees 4876
incorporate the professional development standards adopted 4877
pursuant to section 3319.61 of the Revised Code into their 4878
review of coursework that is appropriate for license renewal. 4879
The rules shall establish a procedure by which a teacher may 4880

appeal the decision of a local professional development 4881
committee. 4882

(2) In any school district in which there is no exclusive 4883
representative established under Chapter 4117. of the Revised 4884
Code, the professional development committees shall be 4885
established as described in division (F) (2) of this section. 4886

Not later than the effective date of the rules adopted 4887
under this section, the board of education of each school 4888
district shall establish the structure for one or more local 4889
professional development committees to be operated by such 4890
school district. The committee structure so established by a 4891
district board shall remain in effect unless within thirty days 4892
prior to an anniversary of the date upon which the current 4893
committee structure was established, the board provides notice 4894
to all affected district employees that the committee structure 4895
is to be modified. Professional development committees may have 4896
a district-level or building-level scope of operations, and may 4897
be established with regard to particular grade or age levels for 4898
which an educator license is designated. 4899

Each professional development committee shall consist of 4900
at least three classroom teachers employed by the district, one 4901
principal employed by the district, and one other employee of 4902
the district appointed by the district superintendent. For 4903
committees with a building-level scope, the teacher and 4904
principal members shall be assigned to that building, and the 4905
teacher members shall be elected by majority vote of the 4906
classroom teachers assigned to that building. For committees 4907
with a district-level scope, the teacher members shall be 4908
elected by majority vote of the classroom teachers of the 4909
district, and the principal member shall be elected by a 4910

majority vote of the principals of the district, unless there 4911
are two or fewer principals employed by the district, in which 4912
case the one or two principals employed shall serve on the 4913
committee. If a committee has a particular grade or age level 4914
scope, the teacher members shall be licensed to teach such grade 4915
or age levels, and shall be elected by majority vote of the 4916
classroom teachers holding such a license and the principal 4917
shall be elected by all principals serving in buildings where 4918
any such teachers serve. The district superintendent shall 4919
appoint a replacement to fill any vacancy that occurs on a 4920
professional development committee, except in the case of 4921
vacancies among the elected classroom teacher members, which 4922
shall be filled by vote of the remaining members of the 4923
committee so selected. 4924

Terms of office on professional development committees 4925
shall be prescribed by the district board establishing the 4926
committees. The conduct of elections for members of professional 4927
development committees shall be prescribed by the district board 4928
establishing the committees. A professional development 4929
committee may include additional members, except that the 4930
majority of members on each such committee shall be classroom 4931
teachers employed by the district. Any member appointed to fill 4932
a vacancy occurring prior to the expiration date of the term for 4933
which a predecessor was appointed shall hold office as a member 4934
for the remainder of that term. 4935

The initial meeting of any professional development 4936
committee, upon election and appointment of all committee 4937
members, shall be called by a member designated by the district 4938
superintendent. At this initial meeting, the committee shall 4939
select a chairperson and such other officers the committee deems 4940
necessary, and shall adopt rules for the conduct of its 4941

meetings. Thereafter, the committee shall meet at the call of 4942
the chairperson or upon the filing of a petition with the 4943
district superintendent signed by a majority of the committee 4944
members calling for the committee to meet. 4945

(3) In the case of a school district in which an exclusive 4946
representative has been established pursuant to Chapter 4117. of 4947
the Revised Code, professional development committees shall be 4948
established in accordance with any collective bargaining 4949
agreement in effect in the district that includes provisions for 4950
such committees. 4951

If the collective bargaining agreement does not specify a 4952
different method for the selection of teacher members of the 4953
committees, the exclusive representative of the district's 4954
teachers shall select the teacher members. 4955

If the collective bargaining agreement does not specify a 4956
different structure for the committees, the board of education 4957
of the school district shall establish the structure, including 4958
the number of committees and the number of teacher and 4959
administrative members on each committee; the specific 4960
administrative members to be part of each committee; whether the 4961
scope of the committees will be district levels, building 4962
levels, or by type of grade or age levels for which educator 4963
licenses are designated; the lengths of terms for members; the 4964
manner of filling vacancies on the committees; and the frequency 4965
and time and place of meetings. However, in all cases, except as 4966
provided in division (F)(4) of this section, there shall be a 4967
majority of teacher members of any professional development 4968
committee, there shall be at least five total members of any 4969
professional development committee, and the exclusive 4970
representative shall designate replacement members in the case 4971

of vacancies among teacher members, unless the collective 4972
bargaining agreement specifies a different method of selecting 4973
such replacements. 4974

(4) Whenever an administrator's coursework plan is being 4975
discussed or voted upon, the local professional development 4976
committee shall, at the request of one of its administrative 4977
members, cause a majority of the committee to consist of 4978
administrative members by reducing the number of teacher members 4979
voting on the plan. 4980

(5) A professional development committee may grant an 4981
individual seeking to renew a license under this section credit 4982
towards continuing education requirements for completion of a 4983
statutorily required professional development training. Such an 4984
individual shall receive continuing education credit for one 4985
completed professional development course per licensure renewal 4986
period. To qualify for continuing education credit under this 4987
division, a professional development course shall be completed 4988
during the time in which an individual holds a valid license 4989
under this section. 4990

(G) (1) The state board of education, educational service 4991
centers, county boards of developmental disabilities, college 4992
and university departments of education, head start programs, 4993
and the Ohio education computer network may establish local 4994
professional development committees to determine whether the 4995
coursework proposed by their employees who are licensed or 4996
certificated under this section or section 3319.222 of the 4997
Revised Code, or under the former version of either section as 4998
it existed prior to October 16, 2009, meet the requirements of 4999
the rules adopted under this section. They may establish local 5000
professional development committees on their own or in 5001

collaboration with a school district or other agency having 5002
authority to establish them. 5003

Local professional development committees established by 5004
county boards of developmental disabilities shall be structured 5005
in a manner comparable to the structures prescribed for school 5006
districts in divisions (F)(2) and (3) of this section, as shall 5007
the committees established by any other entity specified in 5008
division (G)(1) of this section that provides educational 5009
services by employing or contracting for services of classroom 5010
teachers licensed or certificated under this section or section 5011
3319.222 of the Revised Code, or under the former version of 5012
either section as it existed prior to October 16, 2009. All 5013
other entities specified in division (G)(1) of this section 5014
shall structure their committees in accordance with guidelines 5015
which shall be issued by the state board. 5016

(2) Educational service centers may establish local 5017
professional development committees to serve educators who are 5018
not employed in schools in this state, including pupil services 5019
personnel who are licensed under this section. Local 5020
professional development committees shall be structured in a 5021
manner comparable to the structures prescribed for school 5022
districts in divisions (F)(2) and (3) of this section. 5023

These committees may agree to review the coursework, 5024
continuing education units, or other equivalent activities 5025
related to classroom teaching or the area of licensure that is 5026
proposed by an individual who satisfies both of the following 5027
conditions: 5028

(a) The individual is licensed or certificated under this 5029
section or under the former version of this section as it 5030
existed prior to October 16, 2009. 5031

(b) The individual is not currently employed as an 5032
educator or is not currently employed by an entity that operates 5033
a local professional development committee under this section. 5034

Any committee that agrees to work with such an individual 5035
shall work to determine whether the proposed coursework, 5036
continuing education units, or other equivalent activities meet 5037
the requirements of the rules adopted by the state board under 5038
this section. 5039

(3) Any public agency that is not specified in division 5040
(G) (1) or (2) of this section but provides educational services 5041
and employs or contracts for services of classroom teachers 5042
licensed or certificated under this section or section 3319.222 5043
of the Revised Code, or under the former version of either 5044
section as it existed prior to October 16, 2009, may establish a 5045
local professional development committee, subject to the 5046
approval of the state board. The committee shall be structured 5047
in accordance with guidelines issued by the state board. 5048

(H) ~~Not later than July 1, 2016, the~~ The state board, in 5049
accordance with Chapter 119. of the Revised Code, shall adopt 5050
rules pursuant to division (A) (3) of this section that do both 5051
of the following: 5052

(1) Exempt consistently high-performing teachers and 5053
school counselors from the requirement to complete any 5054
additional coursework for the renewal of an educator license 5055
issued under this section or section 3319.26 of the Revised 5056
Code. The rules also shall specify that such teachers and school 5057
counselors are exempt from any requirements prescribed by 5058
professional development committees established under divisions 5059
(F) and (G) of this section. 5060

(2) For purposes of division (H)(1) of this section, ~~the~~ 5061
~~state board shall define~~ the term "consistently high-performing 5062
teacher, or school counselor" means any teacher or school 5063
counselor who meets both of the following: 5064

(a) For at least four of the past five years, the teacher 5065
or school counselor has received the highest level of 5066
performance rating under section 3319.112 or 3319.113 of the 5067
Revised Code, as applicable, or an equivalent performance rating 5068
under section 3311.80 of the Revised Code; 5069

(b) The teacher or school counselor meets at least one, or 5070
any combination, of the following for at least three of the five 5071
years of the current licensure cycle: 5072

(i) Holds a valid senior or lead professional educator 5073
license; 5074

(ii) Holds a locally recognized educational leadership 5075
role that enhances educational practices by providing 5076
professional learning experience at district, regional, state, 5077
or higher educational level; 5078

(iii) Serves in a leadership role for a national or state 5079
professional academic education organization; 5080

(iv) Serves on a state-level committee supporting 5081
education; 5082

(v) Receives a state or national educational recognition 5083
or award. 5084

(I) The state board shall issue a resident educator 5085
license, professional educator license, senior professional 5086
educator license, lead professional educator license, or any 5087
other educator license in accordance with Chapter 4796. of the 5088

Revised Code to an applicant if either of the following applies: 5089

(1) The applicant holds a license in another state. 5090

(2) The applicant has satisfactory work experience, a 5091
government certification, or a private certification as 5092
described in that chapter as a resident educator, professional 5093
educator, senior professional educator, lead professional 5094
educator, or any other type of educator in a state that does not 5095
issue one or more of those licenses. 5096

Sec. 3319.2210. (A) The state board of education shall 5097
issue a one-year nonrenewable out-of-state educator license, 5098
valid for teaching the grade levels and curriculum areas named 5099
in such license, upon the request of an employing school 5100
district to a qualified applicant who meets all of the following 5101
requirements: 5102

(1) Is deemed to be of good moral character; 5103

(2) Is an out-of-state applicant and the holder of a valid 5104
out-of-state teaching license who has completed a baccalaureate 5105
degree, an approved teacher preparation program, and the 5106
examination prescribed by the state in which the licensure is 5107
held, but who has not yet successfully completed the examination 5108
prescribed by the state board for Ohio licensure; 5109

(3) Except as provided in division (B) of this section, 5110
has completed at least six of the required twelve semester hours 5111
of coursework in the teaching of reading as described in section 5112
3319.24 of the Revised Code for educators requesting an early 5113
childhood, primary, middle childhood, pre-kindergarten through 5114
eight, intervention specialist, early childhood intervention 5115
specialist, or primary intervention specialist license. The 5116
remaining coursework requirement shall be listed as a limitation 5117

on the license and must be completed before the out-of-state 5118
license expires. 5119

(B) An applicant for a one-year nonrenewable out-of-state 5120
educator license who successfully completes Ohio's foundations 5121
of reading exam on the applicant's first attempt shall not be 5122
required to have completed at least six of the required twelve 5123
semester hours of coursework in the teaching of reading as 5124
described in section 3319.24 of the Revised Code prior to 5125
receipt of the license. 5126

Sec. 3319.264. (A) Notwithstanding any other provision of 5127
the Revised Code or any rule adopted by the state board of 5128
education to the contrary, the state board of education shall 5129
issue an alternative resident educator license under division 5130
(C) of section 3319.26 of the Revised Code to each applicant who 5131
meets both of the following conditions: 5132

(1) The applicant has a master's degree in the subject 5133
area to be taught from an accredited institution of higher 5134
education. 5135

(2) The applicant passes an examination in the subject 5136
area to be taught. 5137

(B) The holder of an alternative resident educator license 5138
issued under this section shall be subject to divisions (A), 5139
(B), (D), and (E) of section 3319.26 of the Revised Code and 5140
shall be granted a professional educator license upon successful 5141
completion of the requirements described in division (F) of 5142
section 3319.26 of the Revised Code. 5143

(C) To renew an initial alternative resident educator 5144
license issued under this section, the holder of that license 5145
shall complete the pedagogical training institute described in 5146

division (B) of section 3319.26 of the Revised Code. 5147

Sec. 3319.273. (A) The department of education and 5148
workforce may establish alternative pathways for an individual 5149
who holds a bachelor's degree from an institution of higher 5150
education accredited by a regional accrediting agency to obtain 5151
an educator license to work as an administrator or 5152
superintendent. The department may establish rules as needed to 5153
implement this section. 5154

(B) The state board of education shall issue an educator 5155
license to work as an administrator or superintendent to an 5156
individual who completes an alternative pathway established by 5157
the department under this section. 5158

Sec. 3319.316. The state board of education shall be a 5159
participating public office for purposes of the retained 5160
applicant fingerprint database established under section 5161
109.5721 of the Revised Code and shall receive notification from 5162
the bureau of criminal identification and investigation of the 5163
arrest or conviction of the following persons: 5164

(A) Persons to whom the state board has issued a license, 5165
as defined in section 3319.31 of the Revised Code; 5166

(B) On behalf of employers described in section 3319.391 5167
or 3327.10 of the Revised Code, persons who are not required to 5168
hold a license issued by the state board and are employed in or 5169
contracted for a position that the district, service center, or 5170
school reasonably determines may involve routine interaction 5171
with a child or regular responsibility for the care, custody, or 5172
control of a child, including persons who operate a school bus 5173
or motor van. Notwithstanding anything to the contrary in 5174
division (E) of section 109.5721 of the Revised Code, the state 5175

board is authorized to and promptly shall transmit any 5176
notification received regarding a person under this division to 5177
the person's employer. 5178

Sec. 3319.391. This section applies to any person hired by 5179
a school district, educational service center, or chartered 5180
nonpublic school and any contractor or person hired by a 5181
contractor engaged in providing services that may involve 5182
routine interaction with a child or regular responsibility for 5183
the care, custody, or control of a child to a school district, 5184
educational service center, or chartered nonpublic school in any 5185
position that does not require a "license" issued by the state 5186
board of education, as defined in section 3319.31 of the Revised 5187
Code, or a registration issued by the state board of education 5188
under Chapter 3319. of the Revised Code, and is not for the 5189
operation of a vehicle for pupil transportation. This section 5190
does not apply to any person who volunteers at a school building 5191
within a district, educational service center, or chartered 5192
nonpublic school, including a parent volunteer in a student's 5193
classroom. 5194

(A) (1) For each person to whom this section applies who is 5195
hired on or after November 14, 2007, the employer shall request 5196
a criminal records check in accordance with section 3319.39 of 5197
the Revised Code and shall request a subsequent criminal records 5198
check by the fifth day of September every fifth year thereafter. 5199

(2) For each person to whom this section applies who is 5200
hired prior to November 14, 2007, the employer shall request a 5201
criminal records check by a date prescribed by the state board 5202
and shall request a subsequent criminal records check by the 5203
fifth day of September every fifth year thereafter. 5204

(3) If, ~~on the effective date of this amendment~~ October 3, 5205

2023, the most recent criminal records check requested for a 5206
person under division (A) (1) or (2) of this section was 5207
completed more than one year prior to that date or does not 5208
include information gathered pursuant to division (A) of section 5209
109.57 of the Revised Code, the employer shall request a new 5210
criminal records check that includes information gathered 5211
pursuant to division (A) of section 109.57 of the Revised Code 5212
by a date prescribed by the state board and shall request a 5213
subsequent criminal records check by the fifth day of September 5214
every fifth year thereafter. 5215

(B) (1) Each request for a criminal records check under 5216
this section shall be made to the superintendent of the bureau 5217
of criminal identification and investigation in the manner 5218
prescribed in section 3319.39 of the Revised Code, except that 5219
if both of the following conditions apply to the person subject 5220
to the records check, the employer shall request the 5221
superintendent only to obtain any criminal records that the 5222
federal bureau of investigation has on the person: 5223

(a) The employer previously requested the superintendent 5224
to determine whether the bureau of criminal identification and 5225
investigation has any information, gathered pursuant to division 5226
(A) of section 109.57 of the Revised Code, on the person in 5227
conjunction with a criminal records check requested under 5228
section 3319.39 of the Revised Code or under this section. 5229

(b) The person presents proof that the person has been a 5230
resident of this state for the five-year period immediately 5231
prior to the date upon which the person becomes subject to a 5232
criminal records check under this section. 5233

(2) Upon receipt of a request under division (B) (1) of 5234
this section, the superintendent of the bureau of criminal 5235

identification and investigation shall conduct the criminal 5236
records check in accordance with section 109.572 of the Revised 5237
Code as if the request had been made under section 3319.39 of 5238
the Revised Code. However, as specified in division (B) (2) of 5239
section 109.572 of the Revised Code, if the employer requests 5240
the superintendent only to obtain any criminal records that the 5241
federal bureau of investigation has on the person for whom the 5242
request is made, the superintendent shall not conduct the review 5243
prescribed by division (B) (1) of that section. 5244

(C) Notwithstanding division (D) of section 3319.39 of the 5245
Revised Code, the bureau of criminal identification and 5246
investigation shall make the initial criminal records check of a 5247
person requested by an employer under division (A) of this 5248
section on or after ~~the effective date of this amendment~~ October 5249
3, 2023, available to the state board. The state board shall use 5250
the information received to enroll the person in the retained 5251
applicant fingerprint database, established under section 5252
109.5721 of the Revised Code, in the same manner as any teacher 5253
licensed under sections 3319.22 to 3319.31 of the Revised Code. 5254
If the state board is unable to enroll the person in the 5255
retained applicant fingerprint database because the person has 5256
not satisfied the requirements for enrollment, the state board 5257
shall notify the employer that the person has not satisfied the 5258
requirements for enrollment. However, the bureau shall not be 5259
required to make available to the state board the criminal 5260
records check of any person who is already enrolled in the 5261
retained applicant fingerprint database on the date the person's 5262
employer requests a records check of the person under division 5263
(A) of this section. 5264

If the state board receives notification of the arrest, 5265
guilty plea, or conviction of a person who is subject to this 5266

section, the state board shall promptly notify the employing 5267
school district, chartered nonpublic school, or educational 5268
service center in accordance with division (B) of section 5269
3319.316 of the Revised Code. 5270

(D) Any person who is the subject of a criminal records 5271
check under this section and has been convicted of or pleaded 5272
guilty to any offense described in division (B)(1) of section 5273
3319.39 of the Revised Code shall not be hired or shall be 5274
released from employment, as applicable, unless the person meets 5275
the rehabilitation standards adopted by the state board under 5276
division (E) of that section. 5277

Sec. 3326.11. Each science, technology, engineering, and 5278
mathematics school established under this chapter and its 5279
governing body shall comply with sections 9.90, 9.91, 109.65, 5280
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 5281
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 5282
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 5283
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.5318, 5284
3313.5319, 3313.608, 3313.6012, 3313.6013, 3313.6014, ~~3313.6015,~~ 5285
3313.6020, 3313.6021, 3313.6024, 3313.6025, 3313.6026, 5286
3313.6028, 3313.6029, 3313.61, 3313.611, 3313.614, 3313.615, 5287
3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411, 5288
3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 5289
3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 5290
3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 5291
3313.7112, 3313.7117, 3313.721, 3313.753, 3313.80, 3313.801, 5292
3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 5293
3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 5294
3319.21, 3319.238, 3319.318, 3319.32, 3319.321, 3319.324, 5295
3319.35, 3319.39, 3319.391, 3319.393, 3319.41, 3319.45, 3319.46, 5296
3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.05, 3321.13, 5297

3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 3322.20, 5298
3322.24, 3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5299
5502.703, and 5705.391 and Chapters 102., 117., 1347., 2744., 5300
3307., 3309., 3365., 3742., 4112., 4123., 4141., and 4167. of 5301
the Revised Code as if it were a school district. 5302

Sec. 3327.021. (A) As used in this section, "out of 5303
compliance" means that, for a period of five consecutive school 5304
days or ten school days within a school year, at least one of 5305
the following has occurred on each of those days: 5306

(1) Students transported to and from school by a school 5307
bus arrive more than thirty minutes late to school; 5308

(2) Students transported to and from school by a school 5309
bus are picked up more than thirty minutes after the end of the 5310
school day; 5311

(3) Students scheduled to be transported to and from 5312
school by a school bus are not transported by school bus at all 5313
due to the failure of the bus to arrive; 5314

(4) A school district has been noncompliant with any other 5315
transportation requirements under Chapter 3327. of the Revised 5316
Code. 5317

Any school day in which any of the conditions in divisions 5318
(A) (1) to (4) of this section occur due to inclement weather 5319
shall not be counted towards the determination of noncompliance 5320
under this section. 5321

Any school day in which a condition in division (A) (2) of 5322
this section occurs after school shall not be counted towards 5323
the determination of noncompliance under this section if the 5324
condition occurs promptly after school and the school provides 5325
academic services supervised by a school employee to the 5326

affected students for not more than sixty minutes after the end 5327
of the school day. This exception applies only for students who 5328
receive academic services under this section. Any student pickup 5329
that occurs more than sixty minutes after the end of the school 5330
day shall be considered for an out of compliance determination. 5331

(B) The department of education and workforce shall 5332
monitor whether each city, local, or exempted village school 5333
district is out of compliance. If the department determines that 5334
a district is out of compliance, the department shall notify a 5335
school district that it is out of compliance. The first time a 5336
district receives notification of noncompliance, it shall create 5337
a corrective action plan and submit that plan to the department 5338
within one week of receiving notification of the department's 5339
determination. If a district is subsequently found to be out of 5340
compliance, the department shall withhold twenty-five per cent 5341
of the district's daily payment for student transportation under 5342
Chapter 3317. of the Revised Code, as computed by the 5343
department, for each day that the district is determined to be 5344
out of compliance, beginning with the first day after the 5345
district has submitted the corrective action plan. A district 5346
may be found out of compliance two more times within the same 5347
school year, with twenty-five per cent of its daily state 5348
transportation funding withheld for each day it is determined to 5349
be out of compliance. 5350

If a district is determined to be out of compliance for a 5351
fifth time in the course of a school year, the department shall 5352
withhold one hundred per cent of its daily state transportation 5353
aid until the department determines that a district is no longer 5354
out of compliance. 5355

The department shall reset the calculation of a district's 5356

noncompliance to zero at the beginning of each school year. 5357

(C) For each day, including the initial period that 5358
determined noncompliance, that the district is found to be out 5359
of compliance under this section and any of the conditions in 5360
divisions (A) (1) to (4) of this section occur, the department of 5361
education and workforce shall calculate the daily amount of that 5362
payment on a per-pupil basis and disburse that per-pupil amount 5363
to the district or school in which the pupil is enrolled. The 5364
district or school shall then remit those funds to the parent, 5365
guardian, or other person in charge of each pupil who did not 5366
receive proper transportation while the district was out of 5367
compliance. Funds shall be disbursed out of the amount withheld 5368
by the department under division (B) of this section. 5369

(D) This section does not affect the authority of a school 5370
district to provide payment in lieu of transportation in 5371
accordance with section 3327.02 of the Revised Code. 5372

Beginning with disputes regarding determinations of school 5373
district noncompliance with transportation obligations arising 5374
after December 1, 2023, the department shall issue a 5375
determination within thirty days of receiving notice of the 5376
dispute. The department may delay a determination to within 5377
forty-five days of receiving a dispute notice if the department 5378
notifies all affected parties in advance that the determination 5379
will be delayed. 5380

Sec. 3333.393. (A) As used in this section and in section 5381
3333.394 of the Revised Code: 5382

(1) "Academic year" shall be as defined by the chancellor 5383
of higher education. 5384

(2) "Parent" means the parent, guardian, or custodian of a 5385

qualified student as described by this section. 5386

(3) "Qualified service" means teaching at a qualifying 5387
school district or another school district as prescribed in 5388
division (G) of this section. 5389

(4) "Qualifying school district" means ~~a school district~~ 5390
~~building any of the following that has been identified as "high~~ 5391
~~need" by the chancellor and meets both of the following~~ 5392
~~conditions:~~ 5393

~~(a) The school building, that~~ has difficulty attracting 5394
and retaining classroom teachers who hold a valid educator 5395
license issued under section 3319.22 of the Revised Code; 5396

~~(b) The, and school is operated by the same school~~ 5397
~~district that either employs the scholarship recipient or is the~~ 5398
~~district or school from which the recipient of a scholarship~~ 5399
~~graduated from high school or was employed;~~ 5400

(a) A school district; 5401

(b) An educational service center; 5402

(c) A community school established under Chapter 3314. of 5403
the Revised Code; 5404

(d) A STEM school established under Chapter 3326. of the 5405
Revised Code; 5406

(e) A chartered nonpublic school; 5407

(f) A nonchartered nonpublic school. 5408

(5) "Qualifying employee" means an individual employed at 5409
a qualifying school ~~and who either holds an educational aide~~ 5410
~~permit or educational paraprofessional license issued under~~ 5411
~~section 3319.088 or a substitute license under section 3319.226~~ 5412

~~of the Revised Code district.~~ 5413

(6) "Qualifying high school senior" means a student who is 5414
currently enrolled in the twelfth grade, and for whom either of 5415
the following is true: 5416

(a) The student will graduate from a secondary school in a 5417
qualifying school district where at least twenty-five percent of 5418
the students are eligible for a free or reduced-price lunch. 5419

(b) The student completes the free application for federal 5420
student aid for the academic year for which the scholarship 5421
begins and receives a student aid index of 25,000 or less. 5422

(B) The grow your own teacher college scholarship program 5423
is hereby established. Each scholarship shall be awarded for up 5424
to four academic years and shall not exceed \$7,500 for each 5425
academic year. Under the program, the chancellor of higher 5426
education, in conjunction with the department of education and 5427
workforce, shall award scholarships to the following: 5428

(1) ~~Low income~~ Qualifying high school seniors who commit 5429
to teaching in a qualifying school district for a minimum of 5430
four years upon graduation from a teacher training program at a 5431
state institution of higher education or an Ohio nonprofit 5432
institution of higher education that has a certificate of 5433
authorization under Chapter 1713. of the Revised Code. 5434

(2) Qualifying employees who commit to teaching in a 5435
qualifying school district for a minimum of four years upon 5436
graduation from a teacher training program at a state 5437
institution of higher education or an Ohio nonprofit institution 5438
of higher education that has a certificate of authorization 5439
under Chapter 1713. of the Revised Code. 5440

~~Each scholarship shall be awarded for up to four academic~~ 5441

~~years and shall not exceed \$7,500 for each academic year.~~ 5442

(C) The department and the chancellor shall develop an 5443
application process for awarding scholarships under the program. 5444
The department and the chancellor also shall appoint a highly 5445
qualified and diverse application committee to assist in the 5446
selection of scholarship recipients. If insufficient funds are 5447
available to fund all qualifying applicants, the chancellor may 5448
prioritize those students with the most financial need. 5449

(D) (1) Scholarships shall be awarded to students under 5450
division (B) (1) of this section who meet both of the following 5451
conditions: 5452

(a) Received a high school diploma or honors diploma under 5453
section 3313.61 of the Revised Code; 5454

(b) Commit to completing the four-year teaching obligation 5455
within not more than six years after graduating from the teacher 5456
training program. 5457

(2) Scholarships shall be awarded to qualifying employees 5458
under division (B) (2) of this section who commit to completing 5459
the four-year teaching obligation within not more than six years 5460
after graduating from the teacher training program. Qualifying 5461
employees shall ~~be permitted to complete coursework associated~~ 5462
~~with a teacher training program on evenings or weekends as~~ 5463
~~necessary while maintaining maintain~~ employment at a the 5464
qualifying school district during their teacher training program 5465
unless they must terminate or suspend their employment to 5466
complete the student teaching requirements of the teacher 5467
training program. 5468

(E) ~~A teacher training program, in consultation with the~~ 5469
~~department of education and workforce, may grant credit to a~~ 5470

~~qualifying employee who has commensurate work experience at a~~ 5471
~~qualifying school under this section for completion of a teacher~~ 5472
~~training program.~~ 5473

~~(F)~~The chancellor shall require that all applicants to 5474
the grow your own teacher program file a statement of service 5475
status in compliance with section 3345.32 of the Revised Code, 5476
if applicable, and that all applicants have not been convicted 5477
of, plead guilty to, or adjudicated a delinquent child for any 5478
violation listed in section 3333.38 of the Revised Code. 5479

~~(G)~~(F) Recipients shall complete the four-year teaching 5480
commitment within not more than six years after graduating from 5481
the teacher training program. Failure to fulfill the commitment 5482
shall convert the scholarship into a loan to be repaid under 5483
section 3333.394 of the Revised Code. 5484

(G) Upon completion of a teacher training program, if the 5485
qualifying school district is unable to hire the graduate, the 5486
recipient may be permitted by the chancellor to complete the 5487
required teaching commitment at another qualifying school 5488
district that has difficulty attracting and retaining classroom 5489
teachers who hold a valid educator license as described in 5490
division (A)(4) of this section. 5491

Sec. 3333.394. (A)(1) Each recipient who accepts a 5492
scholarship under the grow your own teacher program under 5493
section 3333.393 of the Revised Code shall sign a promissory 5494
note payable to the state ~~in~~. In the event the scholarship is 5495
terminated or the recipient does not satisfy the service 5496
requirement under division ~~(G)~~(F) of section 3333.393 of the 5497
Revised Code ~~or the scholarship is terminated~~, the promissory 5498
takes immediate effect. The amount payable under the note shall 5499
be the amount of total ~~scholarships~~scholarship funds accepted 5500

by the recipient under the program, unless a portion is forgiven 5501
as described under this section. 5502

~~(2) Each recipient shall be awarded an amount of up to~~ 5503
~~\$7,500 at the beginning of each school year in which the~~ 5504
~~recipient begins or maintains qualifying employment as defined~~ 5505
~~in section 3333.393 of the Revised Code. Upon completion of that~~ 5506
a full school year of qualified service as defined in division 5507
(A) (3) of section 3333.393 of the Revised Code, the twenty-five 5508
percent of the total amount the recipient received at the 5509
beginning of the year awarded under the promissory note shall be 5510
forgiven. An individual may receive an award under this division 5511
for up to four years. If a recipient is unable to complete the 5512
required qualified service as a result of a reduction in force 5513
at the recipient's school of employment before the end of the 5514
school year, the chancellor shall deem that school year as one 5515
year of qualified service completed. 5516

~~(3) Failure to complete a full school year of employment~~ 5517
~~converts the award made under division (A) (1) of this section~~ 5518
~~into a loan to be repaid. The loan to be repaid shall be the~~ 5519
~~amount of the award made at the beginning of that school year.~~ 5520

~~(4) An award made under this division shall not exceed~~ 5521
~~\$7,500 in each school year. The total amount awarded to an~~ 5522
~~individual under this section and section 3333.393 of the~~ 5523
~~Revised Code shall not exceed the total cost of a qualifying~~ 5524
~~employee's loans for a teacher training program. The promissory~~ 5525
note shall be rescinded in the event that a recipient dies or 5526
becomes totally and permanently disabled. 5527

~~(B) (1) As specified in division (A) (2) of this section,~~ 5528
~~the amount of the annual award made under division (A) of this~~ 5529
~~section shall be forgiven following completion of one year of~~ 5530

~~qualified employment by the recipient in accordance with~~ 5531
~~division (C) of section 3333.393 of the Revised Code.~~ 5532

~~(2) An award also shall be forgiven in the event that a~~ 5533
~~recipient dies, becomes totally and permanently disabled, or is~~ 5534
~~unable to complete the required qualified service as a result of~~ 5535
~~a reduction in force at the recipient's school of employment~~ 5536
~~before the end of the academic year.~~ 5537

~~(C)~~ (B) The scholarship shall be deemed terminated upon 5538
the recipient's ~~separation from employment at a qualifying~~ 5539
~~school or the recipient's failure to meet the standards of the~~ 5540
scholarship as determined by the department and the chancellor 5541
and shall be converted to a loan to be repaid under division (A) 5542
of this section. 5543

~~(D)~~ (C) The chancellor and the attorney general shall 5544
collect payments on the converted loan in accordance with 5545
section 131.02 of the Revised Code, but shall not charge an 5546
interest rate on such payments. 5547

Sec. 3345.205. (A) For purposes of this section: 5548

(1) "Early childhood teacher preparation program" means a 5549
program approved under section 3333.048 of the Revised Code, or 5550
a program that, upon completion of which, results in a 5551
credential, including a child development associate 5552
certification, or an associate or higher degree in child 5553
development or early childhood education. 5554

(2) "Early learning and development program" has the same 5555
meaning as in section 5104.29 of the Revised Code. 5556

(3) "Eligible institution" means all of the following: 5557

(a) A state institution of higher education, as defined in 5558

section 3345.011 of the Revised Code; 5559

(b) A private college, as defined in section 3365.01 of 5560
the Revised Code; 5561

(c) An Ohio technical center, as defined in section 5562
3333.94 of the Revised Code; 5563

(d) A career-technical center, joint vocational school 5564
district, comprehensive career-technical center, or compact 5565
career-technical center; 5566

(e) A secondary or high school; 5567

(f) Any other organization or institution that offers a 5568
child development associate credential during the time in which 5569
an individual is working to complete that credential. 5570

(4) "Tiered quality rating and improvement system" means 5571
the program established under section 5104.29 of the Revised 5572
Code. 5573

(B) (1) Each eligible institution shall permit a student 5574
enrolled in one of its early childhood teacher preparation 5575
programs who is employed by an early learning and development 5576
program that participates in the state's tiered quality rating 5577
and improvement system to complete any of the eligible 5578
institution's student teaching requirements or field experience 5579
hours at the student's place of employment. 5580

(2) No eligible institution shall prohibit a student from 5581
being paid for hours worked in accordance with division (B) (1) 5582
of this section. 5583

(C) The chancellor of higher education and the department 5584
of children and youth shall collaborate with industry 5585
stakeholders to develop strategies to assist employees of early 5586

learning and development programs that participate in the 5587
state's tiered quality rating and improvement system and who are 5588
enrolled in an early childhood teacher preparation program to 5589
complete student teaching or field experience hours at the 5590
employee's place of employment. 5591

Sec. 5502.70. (A) There is hereby created in the 5592
department of public safety the Ohio mobile training team, which 5593
shall be administered by a chief mobile training officer. The 5594
team shall provide services to public and nonpublic schools 5595
regarding school safety and security. 5596

(B) Not later than ~~ninety days after the effective date of~~ 5597
~~this section~~ December 11, 2022, the director of public safety 5598
shall appoint an individual who satisfies the criteria specified 5599
in division (B) of section 5502.701 of the Revised Code as the 5600
chief mobile training officer, who shall serve at the pleasure 5601
of the director. To carry out the duties prescribed by this 5602
section or sections 5502.702 and 5502.703 of the Revised Code, 5603
the chief mobile training officer may hire and maintain 5604
necessary staff and may enter into any necessary agreements. 5605

(C) Not later than ninety days after the appointment of 5606
the chief mobile training officer, the director of public safety 5607
shall appoint sixteen regional mobile training officers, each of 5608
whom shall satisfy the criteria specified in division (B) of 5609
section 5502.701 of the Revised Code, to conduct the duties 5610
described in sections 5502.702 and 5502.703 of the Revised Code. 5611

The regions shall be the same as those described in 5612
~~division (A) of~~ section 3312.02 of the Revised Code. To carry 5613
out the duties prescribed by sections 5502.702 and 5502.703 of 5614
the Revised Code, a regional mobile training officer may hire 5615
and maintain necessary staff and may enter into any necessary 5616

agreements. 5617

(D) Except as otherwise provided by law, nothing in this 5618
section or in sections 5502.702 and 5502.703 of the Revised Code 5619
shall be construed to give the director of public safety, the 5620
chief mobile training officer, or a regional mobile training 5621
officer authority over the incident management structure or 5622
responsibilities of local emergency response personnel. 5623

(E) The department of public safety, in accordance with 5624
Chapter 119. of the Revised Code, shall adopt rules with respect 5625
to the Ohio mobile training team. The rules shall be made 5626
available for public inspection at the department of public 5627
safety and at other places and during reasonable hours as fixed 5628
by the chief mobile training officer of the Ohio mobile training 5629
team. 5630

Section 2. That existing sections 3301.0714, 3301.28, 5631
3302.03, 3302.12, 3302.151, 3307.353, 3309.345, 3311.80, 5632
3312.02, 3313.26, 3313.413, 3313.46, 3313.48, 3313.60, 5633
3313.6011, 3313.92, 3313.984, 3314.012, 3314.015, 3314.016, 5634
3314.017, 3314.0211, 3314.03, 3314.11, 3314.29, 3314.35, 5635
3319.079, 3319.0811, 3319.111, 3319.112, 3319.22, 3319.2210, 5636
3319.316, 3319.391, 3326.11, 3327.021, 3333.393, 3333.394, and 5637
5502.70 of the Revised Code are hereby repealed. 5638

Section 3. That sections 3301.0717, 3301.131, 3301.134, 5639
3301.14, 3301.30, 3302.22, 3313.6015, 3314.20, 3317.50, 3317.51, 5640
3319.234, 3319.55, 3319.56, and 3319.57 of the Revised Code are 5641
hereby repealed. 5642

Section 4. That the versions of sections 3301.0714 and 5643
3314.03 of the Revised Code that are scheduled to take effect on 5644
January 1, 2025, be amended to read as follows: 5645

Sec. 3301.0714. (A) The department of education and 5646
workforce shall adopt rules for a statewide education management 5647
information system. The rules shall require the department to 5648
establish guidelines for the establishment and maintenance of 5649
the system in accordance with this section and the rules adopted 5650
under this section. The guidelines shall include: 5651

(1) Standards identifying and defining the types of data 5652
in the system in accordance with divisions (B) and (C) of this 5653
section; 5654

(2) Procedures for annually collecting and reporting the 5655
data to the department in accordance with division (D) of this 5656
section; 5657

(3) Procedures for annually compiling the data in 5658
accordance with division (G) of this section; 5659

(4) Procedures for annually reporting the data to the 5660
public in accordance with division (H) of this section; 5661

(5) Standards to provide strict safeguards to protect the 5662
confidentiality of personally identifiable student data. 5663

(B) The guidelines adopted under this section shall 5664
require the data maintained in the education management 5665
information system to include at least the following: 5666

(1) Student participation and performance data, for each 5667
grade in each school district as a whole and for each grade in 5668
each school building in each school district, that includes: 5669

(a) The numbers of students receiving each category of 5670
instructional service offered by the school district, such as 5671
regular education instruction, vocational education instruction, 5672
specialized instruction programs or enrichment instruction that 5673

is part of the educational curriculum, instruction for gifted 5674
students, instruction for students with disabilities, and 5675
remedial instruction. The guidelines shall require instructional 5676
services under this division to be divided into discrete 5677
categories if an instructional service is limited to a specific 5678
subject, a specific type of student, or both, such as regular 5679
instructional services in mathematics, remedial reading 5680
instructional services, instructional services specifically for 5681
students gifted in mathematics or some other subject area, or 5682
instructional services for students with a specific type of 5683
disability. The categories of instructional services required by 5684
the guidelines under this division shall be the same as the 5685
categories of instructional services used in determining cost 5686
units pursuant to division (C) (3) of this section. 5687

(b) The numbers of students receiving support or 5688
extracurricular services for each of the support services or 5689
extracurricular programs offered by the school district, such as 5690
counseling services, health services, and extracurricular sports 5691
and fine arts programs. The categories of services required by 5692
the guidelines under this division shall be the same as the 5693
categories of services used in determining cost units pursuant 5694
to division (C) (4) (a) of this section. 5695

(c) Average student grades in each subject in grades nine 5696
through twelve; 5697

(d) Academic achievement levels as assessed under sections 5698
3301.0710, 3301.0711, and 3301.0712 of the Revised Code; 5699

(e) The number of students designated as having a 5700
disabling condition pursuant to division (C) (1) of section 5701
3301.0711 of the Revised Code; 5702

(f) The numbers of students reported to the department	5703
pursuant to division (C) (2) of section 3301.0711 of the Revised	5704
Code;	5705
(g) Attendance rates and the average daily attendance for	5706
the year. For purposes of this division, a student shall be	5707
counted as present for any field trip that is approved by the	5708
school administration.	5709
(h) Expulsion rates;	5710
(i) Suspension rates;	5711
(j) Dropout rates;	5712
(k) Rates of retention in grade;	5713
(l) For pupils in grades nine through twelve, the average	5714
number of carnegie units, as calculated in accordance with the	5715
director's rules;	5716
(m) Graduation rates, to be calculated in a manner	5717
specified by the department that reflects the rate at which	5718
students who were in the ninth grade three years prior to the	5719
current year complete school and that is consistent with	5720
nationally accepted reporting requirements;	5721
(n) Results of diagnostic assessments administered to	5722
kindergarten students as required under section 3301.0715 of the	5723
Revised Code to permit a comparison of the academic readiness of	5724
kindergarten students. However, no district shall be required to	5725
report to the department the results of any diagnostic	5726
assessment administered to a kindergarten student, except for	5727
the language and reading assessment described in division (A) (2)	5728
of section 3301.0715 of the Revised Code, if the parent of that	5729
student requests the district not to report those results.	5730

~~(o) Beginning on July 1, 2018, for each disciplinary action which is required to be reported under division (B) (5) of this section, districts and schools also shall include an identification of the person or persons, if any, at whom the student's violent behavior that resulted in discipline was directed. The person or persons shall be identified by the respective classification at the district or school, such as student, teacher, or nonteaching employee, but shall not be identified by name.~~ 5731
5732
5733
5734
5735
5736
5737
5738
5739

~~Division (B) (1) (o) of this section does not apply after the date that is two years following the submission of the report required by Section 733.13 of H.B. 49 of the 132nd general assembly.~~ 5740
5741
5742
5743

~~(p)~~ The number of students earning each state diploma seal included in the system prescribed under division (A) of section 3313.6114 of the Revised Code; 5744
5745
5746

~~(q)~~ (p) The number of students demonstrating competency for graduation using each option described in divisions (B) (1) (a) to (d) of section 3313.618 of the Revised Code; 5747
5748
5749

~~(r)~~ (q) The number of students completing each foundational and supporting option as part of the demonstration of competency for graduation pursuant to division (B) (1) (b) of section 3313.618 of the Revised Code; 5750
5751
5752
5753

~~(s)~~ (r) The number of students enrolled in all-day kindergarten, as defined in section 3321.05 of the Revised Code. 5754
5755

(2) Personnel and classroom enrollment data for each school district, including: 5756
5757

(a) The total numbers of licensed employees and nonlicensed employees and the numbers of full-time equivalent 5758
5759

licensed employees and nonlicensed employees providing each 5760
category of instructional service, instructional support 5761
service, and administrative support service used pursuant to 5762
division (C) (3) of this section. The guidelines adopted under 5763
this section shall require these categories of data to be 5764
maintained for the school district as a whole and, wherever 5765
applicable, for each grade in the school district as a whole, 5766
for each school building as a whole, and for each grade in each 5767
school building. 5768

(b) The total number of employees and the number of full- 5769
time equivalent employees providing each category of service 5770
used pursuant to divisions (C) (4) (a) and (b) of this section, 5771
and the total numbers of licensed employees and nonlicensed 5772
employees and the numbers of full-time equivalent licensed 5773
employees and nonlicensed employees providing each category used 5774
pursuant to division (C) (4) (c) of this section. The guidelines 5775
adopted under this section shall require these categories of 5776
data to be maintained for the school district as a whole and, 5777
wherever applicable, for each grade in the school district as a 5778
whole, for each school building as a whole, and for each grade 5779
in each school building. 5780

(c) The total number of regular classroom teachers 5781
teaching classes of regular education and the average number of 5782
pupils enrolled in each such class, in each of grades 5783
kindergarten through five in the district as a whole and in each 5784
school building in the school district. 5785

(d) The number of lead teachers employed by each school 5786
district and each school building. 5787

(3) (a) Student demographic data for each school district, 5788
including information regarding the gender ratio of the school 5789

district's pupils, the racial make-up of the school district's 5790
pupils, the number of English learners in the district, and an 5791
appropriate measure of the number of the school district's 5792
pupils who reside in economically disadvantaged households. The 5793
demographic data shall be collected in a manner to allow 5794
correlation with data collected under division (B) (1) of this 5795
section. Categories for data collected pursuant to division (B) 5796
(3) of this section shall conform, where appropriate, to 5797
standard practices of agencies of the federal government. 5798

(b) With respect to each student entering kindergarten, 5799
whether the student previously participated in a public 5800
preschool program, a private preschool program, or a head start 5801
program, and the number of years the student participated in 5802
each of these programs. 5803

(4) (a) The core curriculum and instructional materials 5804
being used for English language arts in each of grades pre- 5805
kindergarten to five; 5806

(b) The reading intervention programs being used in each 5807
of grades pre-kindergarten to twelve. 5808

(5) Any data required to be collected pursuant to federal 5809
law. 5810

(C) The education management information system shall 5811
include cost accounting data for each district as a whole and 5812
for each school building in each school district. The guidelines 5813
adopted under this section shall require the cost data for each 5814
school district to be maintained in a system of mutually 5815
exclusive cost units and shall require all of the costs of each 5816
school district to be divided among the cost units. The 5817
guidelines shall require the system of mutually exclusive cost 5818

units to include at least the following:	5819
(1) Administrative costs for the school district as a whole. The guidelines shall require the cost units under this division (C) (1) to be designed so that each of them may be compiled and reported in terms of average expenditure per pupil in enrolled ADM in the school district, as determined pursuant to section 3317.03 of the Revised Code.	5820 5821 5822 5823 5824 5825
(2) Administrative costs for each school building in the school district. The guidelines shall require the cost units under this division (C) (2) to be designed so that each of them may be compiled and reported in terms of average expenditure per full-time equivalent pupil receiving instructional or support services in each building.	5826 5827 5828 5829 5830 5831
(3) Instructional services costs for each category of instructional service provided directly to students and required by guidelines adopted pursuant to division (B) (1) (a) of this section. The guidelines shall require the cost units under division (C) (3) of this section to be designed so that each of them may be compiled and reported in terms of average expenditure per pupil receiving the service in the school district as a whole and average expenditure per pupil receiving the service in each building in the school district and in terms of a total cost for each category of service and, as a breakdown of the total cost, a cost for each of the following components:	5832 5833 5834 5835 5836 5837 5838 5839 5840 5841 5842
(a) The cost of each instructional services category required by guidelines adopted under division (B) (1) (a) of this section that is provided directly to students by a classroom teacher;	5843 5844 5845 5846
(b) The cost of the instructional support services, such	5847

as services provided by a speech-language pathologist, classroom 5848
aide, multimedia aide, or librarian, provided directly to 5849
students in conjunction with each instructional services 5850
category; 5851

(c) The cost of the administrative support services 5852
related to each instructional services category, such as the 5853
cost of personnel that develop the curriculum for the 5854
instructional services category and the cost of personnel 5855
supervising or coordinating the delivery of the instructional 5856
services category. 5857

(4) Support or extracurricular services costs for each 5858
category of service directly provided to students and required 5859
by guidelines adopted pursuant to division (B) (1) (b) of this 5860
section. The guidelines shall require the cost units under 5861
division (C) (4) of this section to be designed so that each of 5862
them may be compiled and reported in terms of average 5863
expenditure per pupil receiving the service in the school 5864
district as a whole and average expenditure per pupil receiving 5865
the service in each building in the school district and in terms 5866
of a total cost for each category of service and, as a breakdown 5867
of the total cost, a cost for each of the following components: 5868

(a) The cost of each support or extracurricular services 5869
category required by guidelines adopted under division (B) (1) (b) 5870
of this section that is provided directly to students by a 5871
licensed employee, such as services provided by a guidance 5872
counselor or any services provided by a licensed employee under 5873
a supplemental contract; 5874

(b) The cost of each such services category provided 5875
directly to students by a nonlicensed employee, such as 5876
janitorial services, cafeteria services, or services of a sports 5877

trainer; 5878

(c) The cost of the administrative services related to 5879
each services category in division (C) (4) (a) or (b) of this 5880
section, such as the cost of any licensed or nonlicensed 5881
employees that develop, supervise, coordinate, or otherwise are 5882
involved in administering or aiding the delivery of each 5883
services category. 5884

(D) (1) The guidelines adopted under this section shall 5885
require school districts to collect information about individual 5886
students, staff members, or both in connection with any data 5887
required by division (B) or (C) of this section or other 5888
reporting requirements established in the Revised Code. The 5889
guidelines may also require school districts to report 5890
information about individual staff members in connection with 5891
any data required by division (B) or (C) of this section or 5892
other reporting requirements established in the Revised Code. 5893
The guidelines shall not authorize school districts to request 5894
social security numbers of individual students. The guidelines 5895
shall prohibit the reporting under this section of a student's 5896
name, address, and social security number to the department. The 5897
guidelines shall also prohibit the reporting under this section 5898
of any personally identifiable information about any student, 5899
except for the purpose of assigning the data verification code 5900
required by division (D) (2) of this section, to any other person 5901
unless such person is employed by the school district or the 5902
information technology center operated under section 3301.075 of 5903
the Revised Code and is authorized by the district or technology 5904
center to have access to such information or is employed by an 5905
entity with which the department contracts for the scoring or 5906
the development of state assessments. The guidelines may require 5907
school districts to provide the social security numbers of 5908

individual staff members and the county of residence for a 5909
student. Nothing in this section prohibits the department from 5910
providing a student's county of residence to the department of 5911
taxation to facilitate the distribution of tax revenue. 5912

(2) (a) The guidelines shall provide for each school 5913
district or community school to assign a data verification code 5914
that is unique on a statewide basis over time to each student 5915
whose initial Ohio enrollment is in that district or school and 5916
to report all required individual student data for that student 5917
utilizing such code. The guidelines shall also provide for 5918
assigning data verification codes to all students enrolled in 5919
districts or community schools on the effective date of the 5920
guidelines established under this section. The assignment of 5921
data verification codes for other entities, as described in 5922
division (D) (2) (d) of this section, the use of those codes, and 5923
the reporting and use of associated individual student data 5924
shall be coordinated by the department of education and 5925
workforce in accordance with state and federal law. 5926

School districts shall report individual student data to 5927
the department through the information technology centers 5928
utilizing the code. The entities described in division (D) (2) (d) 5929
of this section shall report individual student data to the 5930
department in the manner prescribed by the department. 5931

(b) (i) Except as provided in sections 3301.941, 3310.11, 5932
3310.42, 3310.63, 3313.978, 3317.20, and 5747.057 of the Revised 5933
Code, and in division (D) (2) (b) (ii) of this section, at no time 5934
shall the department have access to information that would 5935
enable any data verification code to be matched to personally 5936
identifiable student data. 5937

(ii) For the purpose of making per-pupil payments to 5938

community schools under section 3317.022 of the Revised Code, 5939
the department shall have access to information that would 5940
enable any data verification code to be matched to personally 5941
identifiable student data. 5942

(c) Each school district and community school shall ensure 5943
that the data verification code is included in the student's 5944
records reported to any subsequent school district, community 5945
school, or state institution of higher education, as defined in 5946
section 3345.011 of the Revised Code, in which the student 5947
enrolls. Any such subsequent district or school shall utilize 5948
the same identifier in its reporting of data under this section. 5949

(d) (i) The director of any state agency that administers a 5950
publicly funded program providing services to children who are 5951
younger than compulsory school age, as defined in section 5952
3321.01 of the Revised Code, including the directors of health, 5953
job and family services, mental health and addiction services, 5954
children and youth, and developmental disabilities, shall 5955
request and receive, pursuant to sections 3301.0723 and 5180.33 5956
of the Revised Code, a data verification code for a child who is 5957
receiving those services. 5958

(ii) The director of developmental disabilities, director 5959
of health, director of job and family services, director of 5960
mental health and addiction services, medicaid director, 5961
executive director of the commission on minority health, 5962
executive director of the opportunities for Ohioans with 5963
disabilities agency, or director of education and workforce, on 5964
behalf of a program that receives public funds and provides 5965
services to children who are younger than compulsory school age, 5966
may request and receive, pursuant to section 3301.0723 of the 5967
Revised Code, a data verification code for a child who is 5968

receiving services from the program. 5969

(E) The guidelines adopted under this section may require 5970
school districts to collect and report data, information, or 5971
reports other than that described in divisions (A), (B), and (C) 5972
of this section for the purpose of complying with other 5973
reporting requirements established in the Revised Code. The 5974
other data, information, or reports may be maintained in the 5975
education management information system but are not required to 5976
be compiled as part of the profile formats required under 5977
division (G) of this section or the annual statewide report 5978
required under division (H) of this section. 5979

(F) The board of education of each school district shall 5980
annually collect and report to the department, in accordance 5981
with the guidelines established by the department, the data 5982
required pursuant to this section. A school district may collect 5983
and report these data notwithstanding section 2151.357 or 5984
3319.321 of the Revised Code. 5985

(G) The department shall, in accordance with the 5986
procedures it adopts, annually compile the data reported by each 5987
school district pursuant to division (D) of this section. The 5988
department shall design formats for profiling each school 5989
district as a whole and each school building within each 5990
district and shall compile the data in accordance with these 5991
formats. These profile formats shall: 5992

(1) Include all of the data gathered under this section in 5993
a manner that facilitates comparison among school districts and 5994
among school buildings within each school district; 5995

(2) Present the data on academic achievement levels as 5996
assessed by the testing of student achievement maintained 5997

pursuant to division (B)(1)(d) of this section. 5998

(H)(1) The department shall, in accordance with the 5999
procedures it adopts, annually prepare a statewide report for 6000
all school districts and the general public that includes the 6001
profile of each of the school districts developed pursuant to 6002
division (G) of this section. Copies of the report shall be sent 6003
to each school district. 6004

(2) The department shall, in accordance with the 6005
procedures it adopts, annually prepare an individual report for 6006
each school district and the general public that includes the 6007
profiles of each of the school buildings in that school district 6008
developed pursuant to division (G) of this section. ~~Copies of~~ 6009
~~the report shall be sent to the superintendent of the district~~ 6010
~~and to each member of the district board of education.~~ 6011

~~(3) Copies of the reports prescribed in divisions (H)(1)~~ 6012
~~and (2) of this section shall be made available to the general~~ 6013
~~public at each school district's offices. Each district board of~~ 6014
~~education shall make copies of each report available to any~~ 6015
~~person upon request and payment of a reasonable fee for the cost~~ 6016
~~of reproducing the report. The board shall annually publish in a~~ 6017
~~newspaper of general circulation in the school district, at~~ 6018
~~least twice during the two weeks prior to the week in which the~~ 6019
~~reports will first be available, a notice containing the address~~ 6020
~~where the reports are available and the date on which the~~ 6021
~~reports will be available.~~ 6022

(I) Any data that is collected or maintained pursuant to 6023
this section and that identifies an individual pupil is not a 6024
public record for the purposes of section 149.43 of the Revised 6025
Code. 6026

(J) As used in this section: 6027

(1) "School district" means any city, local, exempted 6028
village, or joint vocational school district and, in accordance 6029
with section 3314.17 of the Revised Code, any community school. 6030
As used in division (L) of this section, "school district" also 6031
includes any educational service center or other educational 6032
entity required to submit data using the system established 6033
under this section. 6034

(2) "Cost" means any expenditure for operating expenses 6035
made by a school district excluding any expenditures for debt 6036
retirement except for payments made to any commercial lending 6037
institution for any loan approved pursuant to section 3313.483 6038
of the Revised Code. 6039

(K) Any person who removes data from the information 6040
system established under this section for the purpose of 6041
releasing it to any person not entitled under law to have access 6042
to such information is subject to section 2913.42 of the Revised 6043
Code prohibiting tampering with data. 6044

(L) (1) In accordance with division (L) (2) of this section 6045
and the rules adopted under division (L) (10) of this section, 6046
the department may sanction any school district that reports 6047
incomplete or inaccurate data, reports data that does not 6048
conform to data requirements and descriptions published by the 6049
department, fails to report data in a timely manner, or 6050
otherwise does not make a good faith effort to report data as 6051
required by this section. 6052

(2) If the department decides to sanction a school 6053
district under this division, the department shall take the 6054
following sequential actions: 6055

(a) Notify the district in writing that the department has determined that data has not been reported as required under this section and require the district to review its data submission and submit corrected data by a deadline established by the department. The department also may require the district to develop a corrective action plan, which shall include provisions for the district to provide mandatory staff training on data reporting procedures.

(b) Withhold up to ten per cent of the total amount of state funds due to the district for the current fiscal year and, if not previously required under division (L) (2) (a) of this section, require the district to develop a corrective action plan in accordance with that division;

(c) Withhold an additional amount of up to twenty per cent of the total amount of state funds due to the district for the current fiscal year;

(d) Direct department staff or an outside entity to investigate the district's data reporting practices and make recommendations for subsequent actions. The recommendations may include one or more of the following actions:

(i) Arrange for an audit of the district's data reporting practices by department staff or an outside entity;

(ii) Conduct a site visit and evaluation of the district;

(iii) Withhold an additional amount of up to thirty per cent of the total amount of state funds due to the district for the current fiscal year;

(iv) Continue monitoring the district's data reporting;

(v) Assign department staff to supervise the district's

data management system; 6084

(vi) Conduct an investigation to determine whether to 6085
suspend or revoke the license of any district employee in 6086
accordance with division (N) of this section; 6087

(vii) If the district is issued a report card under 6088
section 3302.03 of the Revised Code, indicate on the report card 6089
that the district has been sanctioned for failing to report data 6090
as required by this section; 6091

(viii) If the district is issued a report card under 6092
section 3302.03 of the Revised Code and incomplete or inaccurate 6093
data submitted by the district likely caused the district to 6094
receive a higher performance rating than it deserved under that 6095
section, issue a revised report card for the district; 6096

(ix) Any other action designed to correct the district's 6097
data reporting problems. 6098

(3) Any time the department takes an action against a 6099
school district under division (L)(2) of this section, the 6100
department shall make a report of the circumstances that 6101
prompted the action. The department shall send a copy of the 6102
report to the district superintendent or chief administrator and 6103
maintain a copy of the report in its files. 6104

(4) If any action taken under division (L)(2) of this 6105
section resolves a school district's data reporting problems to 6106
the department's satisfaction, the department shall not take any 6107
further actions described by that division. If the department 6108
withheld funds from the district under that division, the 6109
department may release those funds to the district, except that 6110
if the department withheld funding under division (L)(2)(c) of 6111
this section, the department shall not release the funds 6112

withheld under division (L) (2) (b) of this section and, if the
department withheld funding under division (L) (2) (d) of this
section, the department shall not release the funds withheld
under division (L) (2) (b) or (c) of this section.

(5) Notwithstanding anything in this section to the
contrary, the department may use its own staff or an outside
entity to conduct an audit of a school district's data reporting
practices any time the department has reason to believe the
district has not made a good faith effort to report data as
required by this section. If any audit conducted by an outside
entity under division (L) (2) (d) (i) or (5) of this section
confirms that a district has not made a good faith effort to
report data as required by this section, the district shall
reimburse the department for the full cost of the audit. The
department may withhold state funds due to the district for this
purpose.

(6) Prior to issuing a revised report card for a school
district under division (L) (2) (d) (viii) of this section, the
department may hold a hearing to provide the district with an
opportunity to demonstrate that it made a good faith effort to
report data as required by this section. The hearing shall be
conducted by a referee appointed by the department. Based on the
information provided in the hearing, the referee shall recommend
whether the department should issue a revised report card for
the district. If the referee affirms the department's contention
that the district did not make a good faith effort to report
data as required by this section, the district shall bear the
full cost of conducting the hearing and of issuing any revised
report card.

(7) If the department determines that any inaccurate data

reported under this section caused a school district to receive 6143
excess state funds in any fiscal year, the district shall 6144
reimburse the department an amount equal to the excess funds, in 6145
accordance with a payment schedule determined by the department. 6146
The department may withhold state funds due to the district for 6147
this purpose. 6148

(8) Any school district that has funds withheld under 6149
division (L) (2) of this section may appeal the withholding in 6150
accordance with Chapter 119. of the Revised Code. 6151

(9) In all cases of a disagreement between the department 6152
and a school district regarding the appropriateness of an action 6153
taken under division (L) (2) of this section, the burden of proof 6154
shall be on the district to demonstrate that it made a good 6155
faith effort to report data as required by this section. 6156

(10) The director of education and workforce shall adopt 6157
rules under Chapter 119. of the Revised Code to implement 6158
division (L) of this section. 6159

(M) No information technology center or school district 6160
shall acquire, change, or update its student administration 6161
software package to manage and report data required to be 6162
reported to the department unless it converts to a student 6163
software package that is certified by the department. 6164

(N) The state board of education, in accordance with 6165
sections 3319.31 and 3319.311 of the Revised Code, may suspend 6166
or revoke a license as defined under division (A) of section 6167
3319.31 of the Revised Code that has been issued to any school 6168
district employee found to have willfully reported erroneous, 6169
inaccurate, or incomplete data to the education management 6170
information system. 6171

(O) No person shall release or maintain any information 6172
about any student in violation of this section. Whoever violates 6173
this division is guilty of a misdemeanor of the fourth degree. 6174

(P) The department shall disaggregate the data collected 6175
under division (B)(1)(n) of this section according to the race 6176
and socioeconomic status of the students assessed. 6177

(Q) If the department cannot compile any of the 6178
information required by division (I) of section 3302.03 of the 6179
Revised Code based upon the data collected under this section, 6180
the department shall develop a plan and a reasonable timeline 6181
for the collection of any data necessary to comply with that 6182
division. 6183

Sec. 3314.03. A copy of every contract entered into under 6184
this section shall be filed with the director of education and 6185
workforce. The department of education and workforce shall make 6186
available on its web site a copy of every approved, executed 6187
contract filed with the director under this section. 6188

(A) Each contract entered into between a sponsor and the 6189
governing authority of a community school shall specify the 6190
following: 6191

(1) That the school shall be established as either of the 6192
following: 6193

(a) A nonprofit corporation established under Chapter 6194
1702. of the Revised Code, if established prior to April 8, 6195
2003; 6196

(b) A public benefit corporation established under Chapter 6197
1702. of the Revised Code, if established after April 8, 2003. 6198

(2) The education program of the school, including the 6199

school's mission, the characteristics of the students the school is expected to attract, the ages and grades of students, and the focus of the curriculum;

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

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

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

(6) (a) Dismissal procedures;

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

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

(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code.

(9) An addendum to the contract outlining the facilities	6229
to be used that contains at least the following information:	6230
(a) A detailed description of each facility used for	6231
instructional purposes;	6232
(b) The annual costs associated with leasing each facility	6233
that are paid by or on behalf of the school;	6234
(c) The annual mortgage principal and interest payments	6235
that are paid by the school;	6236
(d) The name of the lender or landlord, identified as	6237
such, and the lender's or landlord's relationship to the	6238
operator, if any.	6239
(10) Qualifications of employees, including both of the	6240
following:	6241
(a) A requirement that the school's classroom teachers be	6242
licensed in accordance with sections 3319.22 to 3319.31 of the	6243
Revised Code, except that a community school may engage	6244
noncertificated persons to teach up to twelve hours or forty	6245
hours per week pursuant to section 3319.301 of the Revised Code;	6246
(b) A prohibition against the school employing an	6247
individual described in section 3314.104 of the Revised Code in	6248
any position.	6249
(11) That the school will comply with the following	6250
requirements:	6251
(a) The school will provide learning opportunities to a	6252
minimum of twenty-five students for a minimum of nine hundred	6253
twenty hours per school year.	6254
(b) The governing authority will purchase liability	6255

insurance, or otherwise provide for the potential liability of 6256
the school. 6257

(c) The school will be nonsectarian in its programs, 6258
admission policies, employment practices, and all other 6259
operations, and will not be operated by a sectarian school or 6260
religious institution. 6261

(d) The school will comply with sections 9.90, 9.91, 6262
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 6263
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 6264
3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 6265
3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, ~~3313.6015,~~ 6266
3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 6267
3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 6268
3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 6269
3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 6270
3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 6271
3313.721, 3313.753, 3313.80, 3313.814, 3313.816, 3313.817, 6272
3313.818, 3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 6273
3319.077, 3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 6274
3319.324, 3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 6275
3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 6276
3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 6277
3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and 6278
Chapters 117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., 6279
and 4167. of the Revised Code as if it were a school district 6280
and will comply with section 3301.0714 of the Revised Code in 6281
the manner specified in section 3314.17 of the Revised Code. 6282

(e) The school shall comply with Chapter 102. and section 6283
2921.42 of the Revised Code. 6284

(f) The school will comply with sections 3313.61, 6285

3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 6286
Revised Code, except that for students who enter ninth grade for 6287
the first time before July 1, 2010, the requirement in sections 6288
3313.61 and 3313.611 of the Revised Code that a person must 6289
successfully complete the curriculum in any high school prior to 6290
receiving a high school diploma may be met by completing the 6291
curriculum adopted by the governing authority of the community 6292
school rather than the curriculum specified in Title XXXIII of 6293
the Revised Code or any rules of the department. Beginning with 6294
students who enter ninth grade for the first time on or after 6295
July 1, 2010, the requirement in sections 3313.61 and 3313.611 6296
of the Revised Code that a person must successfully complete the 6297
curriculum of a high school prior to receiving a high school 6298
diploma shall be met by completing the requirements prescribed 6299
in section 3313.6027 and division (C) of section 3313.603 of the 6300
Revised Code, unless the person qualifies under division (D) or 6301
(F) of that section. Each school shall comply with the plan for 6302
awarding high school credit based on demonstration of subject 6303
area competency, and beginning with the 2017-2018 school year, 6304
with the updated plan that permits students enrolled in seventh 6305
and eighth grade to meet curriculum requirements based on 6306
subject area competency adopted by the department under 6307
divisions (J) (1) and (2) of section 3313.603 of the Revised 6308
Code. Beginning with the 2018-2019 school year, the school shall 6309
comply with the framework for granting units of high school 6310
credit to students who demonstrate subject area competency 6311
through work-based learning experiences, internships, or 6312
cooperative education developed by the department under division 6313
(J) (3) of section 3313.603 of the Revised Code. 6314

(g) The school governing authority will submit within four 6315
months after the end of each school year a report of its 6316

activities and progress in meeting the goals and standards of 6317
divisions (A) (3) and (4) of this section and its financial 6318
status to the sponsor and the parents of all students enrolled 6319
in the school. 6320

(h) The school, unless it is an internet- or computer- 6321
based community school, will comply with section 3313.801 of the 6322
Revised Code as if it were a school district. 6323

(i) If the school is the recipient of moneys from a grant 6324
awarded under the federal race to the top program, Division (A), 6325
Title XIV, Sections 14005 and 14006 of the "American Recovery 6326
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 6327
the school will pay teachers based upon performance in 6328
accordance with section 3317.141 and will comply with section 6329
3319.111 of the Revised Code as if it were a school district. 6330

(j) If the school operates a preschool program that is 6331
licensed by the department under sections 3301.52 to 3301.59 of 6332
the Revised Code, the school shall comply with sections 3301.50 6333
to 3301.59 of the Revised Code and the minimum standards for 6334
preschool programs prescribed in rules adopted by the department 6335
of children and youth under section 3301.53 of the Revised Code. 6336

(k) The school will comply with sections 3313.6021 and 6337
3313.6023 of the Revised Code as if it were a school district 6338
unless it is either of the following: 6339

(i) An internet- or computer-based community school; 6340

(ii) A community school in which a majority of the 6341
enrolled students are children with disabilities as described in 6342
division ~~(A) (4) (b)~~ (B) (2) of section 3314.35 of the Revised 6343
Code. 6344

(l) The school will comply with section 3321.191 of the 6345

Revised Code, unless it is an internet- or computer-based 6346
community school that is subject to section 3314.261 of the 6347
Revised Code. 6348

(12) Arrangements for providing health and other benefits 6349
to employees; 6350

(13) The length of the contract, which shall begin at the 6351
beginning of an academic year. No contract shall exceed five 6352
years unless such contract has been renewed pursuant to division 6353
(E) of this section. 6354

(14) The governing authority of the school, which shall be 6355
responsible for carrying out the provisions of the contract; 6356

(15) A financial plan detailing an estimated school budget 6357
for each year of the period of the contract and specifying the 6358
total estimated per pupil expenditure amount for each such year. 6359

(16) Requirements and procedures regarding the disposition 6360
of employees of the school in the event the contract is 6361
terminated or not renewed pursuant to section 3314.07 of the 6362
Revised Code; 6363

(17) Whether the school is to be created by converting all 6364
or part of an existing public school or educational service 6365
center building or is to be a new start-up school, and if it is 6366
a converted public school or service center building, 6367
specification of any duties or responsibilities of an employer 6368
that the board of education or service center governing board 6369
that operated the school or building before conversion is 6370
delegating to the governing authority of the community school 6371
with respect to all or any specified group of employees provided 6372
the delegation is not prohibited by a collective bargaining 6373
agreement applicable to such employees; 6374

(18) Provisions establishing procedures for resolving 6375
disputes or differences of opinion between the sponsor and the 6376
governing authority of the community school; 6377

(19) A provision requiring the governing authority to 6378
adopt a policy regarding the admission of students who reside 6379
outside the district in which the school is located. That policy 6380
shall comply with the admissions procedures specified in 6381
sections 3314.06 and 3314.061 of the Revised Code and, at the 6382
sole discretion of the authority, shall do one of the following: 6383

(a) Prohibit the enrollment of students who reside outside 6384
the district in which the school is located; 6385

(b) Permit the enrollment of students who reside in 6386
districts adjacent to the district in which the school is 6387
located; 6388

(c) Permit the enrollment of students who reside in any 6389
other district in the state. 6390

(20) A provision recognizing the authority of the 6391
department to take over the sponsorship of the school in 6392
accordance with the provisions of division (C) of section 6393
3314.015 of the Revised Code; 6394

(21) A provision recognizing the sponsor's authority to 6395
assume the operation of a school under the conditions specified 6396
in division (B) of section 3314.073 of the Revised Code; 6397

(22) A provision recognizing both of the following: 6398

(a) The authority of public health and safety officials to 6399
inspect the facilities of the school and to order the facilities 6400
closed if those officials find that the facilities are not in 6401
compliance with health and safety laws and regulations; 6402

(b) The authority of the department as the community 6403
school oversight body to suspend the operation of the school 6404
under section 3314.072 of the Revised Code if the department has 6405
evidence of conditions or violations of law at the school that 6406
pose an imminent danger to the health and safety of the school's 6407
students and employees and the sponsor refuses to take such 6408
action. 6409

(23) A description of the learning opportunities that will 6410
be offered to students including both classroom-based and non- 6411
classroom-based learning opportunities that is in compliance 6412
with criteria for student participation established by the 6413
department under division (H) (2) of section 3314.08 of the 6414
Revised Code; 6415

(24) The school will comply with sections 3302.04 and 6416
3302.041 of the Revised Code, except that any action required to 6417
be taken by a school district pursuant to those sections shall 6418
be taken by the sponsor of the school. 6419

(25) Beginning in the 2006-2007 school year, the school 6420
will open for operation not later than the thirtieth day of 6421
September each school year, unless the mission of the school as 6422
specified under division (A) (2) of this section is solely to 6423
serve dropouts. In its initial year of operation, if the school 6424
fails to open by the thirtieth day of September, or within one 6425
year after the adoption of the contract pursuant to division (D) 6426
of section 3314.02 of the Revised Code if the mission of the 6427
school is solely to serve dropouts, the contract shall be void. 6428

(26) Whether the school's governing authority is planning 6429
to seek designation for the school as a STEM school equivalent 6430
under section 3326.032 of the Revised Code; 6431

- (27) That the school's attendance and participation policies will be available for public inspection; 6432
6433
- (28) That the school's attendance and participation records shall be made available to the department, auditor of state, and school's sponsor to the extent permitted under and in accordance with the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any regulations promulgated under that act, and section 3319.321 of the Revised Code; 6434
6435
6436
6437
6438
6439
6440
- (29) If a school operates using the blended learning model, as defined in section 3301.079 of the Revised Code, all of the following information: 6441
6442
6443
- (a) An indication of what blended learning model or models will be used; 6444
6445
- (b) A description of how student instructional needs will be determined and documented; 6446
6447
- (c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level; 6448
6449
- (d) The school's attendance requirements, including how the school will document participation in learning opportunities; 6450
6451
6452
- (e) A statement describing how student progress will be monitored; 6453
6454
- (f) A statement describing how private student data will be protected; 6455
6456
- (g) A description of the professional development activities that will be offered to teachers. 6457
6458

(30) A provision requiring that all moneys the school's operator loans to the school, including facilities loans or cash flow assistance, must be accounted for, documented, and bear interest at a fair market rate;

(31) A provision requiring that, if the governing authority contracts with an attorney, accountant, or entity specializing in audits, the attorney, accountant, or entity shall be independent from the operator with which the school has contracted.

(32) A provision requiring the governing authority to adopt an enrollment and attendance policy that requires a student's parent to notify the community school in which the student is enrolled when there is a change in the location of the parent's or student's primary residence.

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

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

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

(2) The management and administration of the school;

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

(4) The instructional program and educational philosophy 6487
of the school; 6488

(5) Internal financial controls. 6489

When submitting the plan under this division, the school 6490
shall also submit copies of all policies and procedures 6491
regarding internal financial controls adopted by the governing 6492
authority of the school. 6493

(C) A contract entered into under section 3314.02 of the 6494
Revised Code between a sponsor and the governing authority of a 6495
community school may provide for the community school governing 6496
authority to make payments to the sponsor, which is hereby 6497
authorized to receive such payments as set forth in the contract 6498
between the governing authority and the sponsor. The total 6499
amount of such payments for monitoring, oversight, and technical 6500
assistance of the school shall not exceed three per cent of the 6501
total amount of payments for operating expenses that the school 6502
receives from the state. 6503

(D) The contract shall specify the duties of the sponsor 6504
which shall be in accordance with the written agreement entered 6505
into with the department under division (B) of section 3314.015 6506
of the Revised Code and shall include the following: 6507

(1) Monitor the community school's compliance with all 6508
laws applicable to the school and with the terms of the 6509
contract; 6510

(2) Monitor and evaluate the academic and fiscal 6511
performance and the organization and operation of the community 6512
school on at least an annual basis; 6513

~~(3) Report on an annual basis the results of the 6514
evaluation conducted under division (D)(2) of this section to 6515~~

~~the department and to the parents of students enrolled in the
community school;~~ 6516
6517

~~(4)~~ Provide technical assistance to the community school 6518
in complying with laws applicable to the school and terms of the 6519
contract; 6520

~~(5)~~ (4) Take steps to intervene in the school's operation 6521
to correct problems in the school's overall performance, declare 6522
the school to be on probationary status pursuant to section 6523
3314.073 of the Revised Code, suspend the operation of the 6524
school pursuant to section 3314.072 of the Revised Code, or 6525
terminate the contract of the school pursuant to section 3314.07 6526
of the Revised Code as determined necessary by the sponsor; 6527

~~(6)~~ (5) Have in place a plan of action to be undertaken in 6528
the event the community school experiences financial 6529
difficulties or closes prior to the end of a school year. 6530

(E) Upon the expiration of a contract entered into under 6531
this section, the sponsor of a community school may, with the 6532
approval of the governing authority of the school, renew that 6533
contract for a period of time determined by the sponsor, but not 6534
ending earlier than the end of any school year, if the sponsor 6535
finds that the school's compliance with applicable laws and 6536
terms of the contract and the school's progress in meeting the 6537
academic goals prescribed in the contract have been 6538
satisfactory. Any contract that is renewed under this division 6539
remains subject to the provisions of sections 3314.07, 3314.072, 6540
and 3314.073 of the Revised Code. 6541

(F) If a community school fails to open for operation 6542
within one year after the contract entered into under this 6543
section is adopted pursuant to division (D) of section 3314.02 6544

of the Revised Code or permanently closes prior to the 6545
expiration of the contract, the contract shall be void and the 6546
school shall not enter into a contract with any other sponsor. A 6547
school shall not be considered permanently closed because the 6548
operations of the school have been suspended pursuant to section 6549
3314.072 of the Revised Code. 6550

Section 5. That the existing versions of sections 6551
3301.0714 and 3314.03 of the Revised Code that are scheduled to 6552
take effect January 1, 2025, are hereby repealed. 6553

Section 6. Sections 4 and 5 of this act take effect on 6554
January 1, 2025, or on the effective date of this section, 6555
whichever is later. 6556

Section 7. Notwithstanding anything to the contrary in 6557
section 3317.011 of the Revised Code, for fiscal years 2024 and 6558
2025, the department of education and workforce shall do all of 6559
the following: 6560

(A) Calculate a school district's academic co-curricular 6561
activities cost under division (E) (4) of that section using the 6562
sum of the enrolled ADM of every school district that reported 6563
the data specified in division (E) (4) (a) of that section; 6564

(B) Calculate a district's supplies and academic content 6565
cost under division (E) (6) of that section using the sum of the 6566
enrolled ADM of every school district that reported the data 6567
specified in division (E) (6) (a) of that section; 6568

(C) Calculate a district's athletic co-curricular 6569
activities base cost under division (H) of that section using 6570
the sum of the enrolled ADM of every school district that 6571
reported the data specified in division (H) (2) of that section; 6572

(D) Calculate a district's building operations cost under 6573

division (G) (3) of that section using the sum of the enrolled 6574
ADM of every city, local, and exempted village school district 6575
that reported the data specified in divisions (G) (3) (a) (i) and 6576
(ii) of that section. 6577

Section 8. (A) The Department of Education and Workforce 6578
shall develop a comprehensive framework to be used to determine 6579
the performance of sponsors of community schools established 6580
under Chapter 3314. of the Revised Code. The Department shall 6581
engage a facilitator to work with community school stakeholders 6582
in developing the framework. 6583

(B) The framework developed shall do at least all of the 6584
following: 6585

(1) Provide meaningful differentiation of performance by 6586
community school sponsors; 6587

(2) Include specific academic and operational performance 6588
indicators, metrics, and standards; 6589

(3) Specify the frequency with which sponsors should be 6590
assessed; 6591

(4) Include recommendations for consequences for 6592
consistently underperforming sponsors. 6593

(C) The Department shall provide a copy of the framework 6594
developed under this section and the Department's legislative 6595
recommendations to the Governor, President of the Senate, 6596
Speaker of the House of Representatives, and community school 6597
stakeholders not later than March 31, 2025. 6598

(D) Notwithstanding anything in the Revised Code to the 6599
contrary, the Department shall not evaluate community school 6600
sponsors for the 2024-2025 school year, unless a sponsor elects 6601

to be evaluated. If a sponsor elects to be evaluated for 2024- 6602
2025, the sponsor shall be eligible for any benefits established 6603
under state law based on that evaluation. 6604

Section 9. Not later than one hundred twenty days after 6605
the effective date of this section, the Department of Education 6606
and Workforce shall develop and recommend to the General 6607
Assembly a proposal for an apprenticeship program for school 6608
principals. 6609

Section 10. Notwithstanding anything to the contrary in 6610
division (I) of section 133.06 of the Revised Code, from the 6611
effective date of this section through December 31, 2027, a 6612
school district may incur net indebtedness by the issuance of 6613
securities in accordance with the provisions of Chapter 133. of 6614
the Revised Code in excess of the limit specified in division 6615
(B) or (C) of section 133.06 of the Revised Code when necessary 6616
to raise the school district portion of the basic project cost 6617
and any additional funds necessary to participate in a project 6618
under Chapter 3318. of the Revised Code, including the cost of 6619
items designated by the facilities construction commission as 6620
required locally funded initiatives, the cost of other locally 6621
funded initiatives in an amount that does not exceed seventy- 6622
five per cent of the district's portion of the basic project 6623
cost, and the cost for site acquisition. A school district shall 6624
notify the Director of Education and Workforce whenever that 6625
district will exceed either limit pursuant to this section. 6626

Section 11. That Section 265.270 of H.B. 33 of the 135th 6627
General Assembly be amended to read as follows: 6628

Sec. 265.270. FOUNDATION FUNDING - ALL STUDENTS 6629

Of the portion of the formula aid distributed to city, 6630

local, and exempted village school districts, joint vocational 6631
school districts, community schools, and STEM schools under this 6632
section, an amount in each fiscal year, as calculated by the 6633
Department of Education and Workforce, shall be used for the 6634
purposes of division (B) of section 3317.0215 of the Revised 6635
Code. 6636

Of the foregoing appropriation item 200550, Foundation 6637
Funding - All Students, up to \$5,357,606 in each fiscal year 6638
shall be used to fund gifted education at educational service 6639
centers. The Department shall distribute the funding through the 6640
unit-based funding methodology in place under division (L) of 6641
section 3317.024, division (E) of section 3317.05, and divisions 6642
(A), (B), and (C) of section 3317.053 of the Revised Code as 6643
they existed prior to fiscal year 2010. 6644

Of the foregoing appropriation item 200550, Foundation 6645
Funding - All Students, up to \$45,650,000 in fiscal year 2024 6646
and up to \$47,600,000 in fiscal year 2025 shall be reserved to 6647
fund the state reimbursement of educational service centers 6648
under section 3317.11 of the Revised Code. 6649

Of the foregoing appropriation item 200550, Foundation 6650
Funding - All Students, up to \$3,500,000 in each fiscal year 6651
shall be distributed to educational service centers for school 6652
improvement initiatives and for the provision of technical 6653
assistance to schools and districts consistent with requirements 6654
of section 3312.01 of the Revised Code. The Department may 6655
distribute these funds through a competitive grant process. 6656

Of the foregoing appropriation item 200550, Foundation 6657
Funding - All Students, up to \$7,000,000 in each fiscal year 6658
shall be reserved for payments under the section of ~~this act~~ 6659
H.B. 33 of the 135th General Assembly entitled "POWER PLANT 6660

VALUATION ADJUSTMENT." If this amount is not sufficient, the 6661
Director of Education and Workforce may reallocate excess funds 6662
for other purposes supported by this appropriation item in order 6663
to fully pay the amounts required by that section, provided that 6664
the aggregate amount appropriated in appropriation item 200550, 6665
Foundation Funding - All Students, is not exceeded. 6666

Of the foregoing appropriation item 200550, Foundation 6667
Funding - All Students, up to \$4,000,000 in each fiscal year 6668
shall be used to support the administration of state scholarship 6669
programs. 6670

Of the foregoing appropriation item 200550, Foundation 6671
Funding - All Students, up to \$1,000,000 in each fiscal year 6672
shall be distributed to the Cleveland Municipal School District 6673
to provide tutorial assistance as provided in division (B) of 6674
section 3313.979 of the Revised Code. The Cleveland Municipal 6675
School District shall report the use of these funds in the 6676
district's three-year continuous improvement plan as described 6677
in section 3302.04 of the Revised Code in a manner approved by 6678
the Department. 6679

Of the foregoing appropriation item 200550, Foundation 6680
Funding - All Students, up to \$3,000,000 in each fiscal year may 6681
be used for payment of the College Credit Plus Program for 6682
students instructed at home pursuant to section 3321.04 of the 6683
Revised Code. 6684

Of the foregoing appropriation item 200550, Foundation 6685
Funding - All Students, an amount shall be available in each 6686
fiscal year to be paid to joint vocational school districts in 6687
accordance with sections 3317.16 and 3317.162 of the Revised 6688
Code and the section of ~~this act~~ H.B. 33 of the 135th General 6689
Assembly entitled "FORMULA TRANSITION SUPPLEMENT." 6690

Of the foregoing appropriation item 200550, Foundation 6691
Funding - All Students, up to \$700,000 in each fiscal year shall 6692
be used by the Department for a program to pay for educational 6693
services for youth who have been assigned by a juvenile court or 6694
other authorized agency to any of the facilities described in 6695
division (A) of the section of ~~this act~~ H.B. 33 of the 135th 6696
General Assembly entitled "PRIVATE TREATMENT FACILITY PROJECT." 6697

Of the foregoing appropriation item 200550, Foundation 6698
Funding - All Students, a portion may be used to pay college- 6699
preparatory boarding schools the per pupil boarding amount 6700
pursuant to section 3328.34 of the Revised Code. 6701

Of the foregoing appropriation item 200550, Foundation 6702
Funding - All Students, up to \$1,760,000 in each fiscal year may 6703
be used by the Department for duties and activities related to 6704
the establishment of academic distress commissions under section 6705
3302.10 of the Revised Code, to provide support and assistance 6706
to academic distress commissions to further their duties under 6707
Chapter 3302. of the Revised Code, and to provide technical 6708
assistance and tools to support districts subject to academic 6709
distress commissions. 6710

Of the foregoing appropriation item 200550, Foundation 6711
Funding - All Students, up to \$1,500,000 in each fiscal year 6712
shall be distributed to the Ohio STEM Learning Network to 6713
support the expansion of free STEM programming aligned to Ohio's 6714
STEM priorities, to create regional STEM supports targeting 6715
underserved student populations, and to support the Ohio STEM 6716
Committee's STEM school designation process. 6717

Of the foregoing appropriation item 200550, Foundation 6718
Funding - All Students, up to \$4,500,000 in each fiscal year 6719
shall be used to make supplemental payments under section 6720

3317.22 of the Revised Code. If the amount appropriated is 6721
insufficient, the ~~Department shall prorate the payments so~~ 6722
Director of Education and Workforce may reallocate excess funds 6723
for other purposes supported by this appropriation item in order 6724
to fully pay the amounts required by that section, provided that 6725
the aggregate amount appropriated in ~~this section appropriation~~ 6726
item 200550, Foundation Funding - All Students, is not exceeded. 6727

The remainder of the foregoing appropriation item 200550, 6728
Foundation Funding - All Students, shall be used to distribute 6729
the amounts calculated for formula aid under division (A) (1) of 6730
section 3317.019, section 3317.022 of the Revised Code, and the 6731
sections of ~~this act~~ H.B. 33 of the 135th General Assembly 6732
entitled "COMMUNITY SCHOOL EQUITY SUPPLEMENT" and "FORMULA 6733
TRANSITION SUPPLEMENT." 6734

Appropriation items 200502, Pupil Transportation, and 6735
200550, Foundation Funding - All Students, other than specific 6736
set-asides, are collectively used in each fiscal year to pay 6737
state formula aid obligations for school districts, community 6738
schools, STEM schools, college preparatory boarding schools, 6739
joint vocational school districts, and state scholarship 6740
programs under ~~this act~~ H.B. 33 of the 135th General Assembly. 6741
The first priority of these appropriation items, with the 6742
exception of specific set-asides, is to fund state formula aid 6743
obligations. It may be necessary to reallocate funds among these 6744
appropriation items or use excess funds from other General 6745
Revenue Fund appropriation items in the Department of Education 6746
and Workforce's budget, including appropriation item 200903, 6747
Property Tax Reimbursement - Education, in each fiscal year in 6748
order to meet state formula aid obligations. If it is determined 6749
that it is necessary to transfer funds among these appropriation 6750
items or to transfer funds from other General Revenue Fund 6751

appropriations in the Department's budget to meet state formula 6752
aid obligations, the Director of Education and Workforce shall 6753
seek approval from the Director of Budget and Management to 6754
transfer funds as needed. 6755

The Director of Education and Workforce may use a portion 6756
of the funds encumbered in fiscal year 2023 and any unexpended 6757
and unencumbered balance from fiscal year 2024 from 6758
appropriation item 200550, Foundation Funding - All Students, to 6759
comply with Title II, Sec. 2004(b) of the federal "American 6760
Rescue Plan Act of 2021," Pub. L. No. 117-2. 6761

The Director of Education and Workforce shall make 6762
payments, transfers, and deductions, as authorized by Title 6763
XXXVIII of the Revised Code in amounts substantially equal to 6764
those made in the prior year, or otherwise, at the discretion of 6765
the Director, until at least the effective date of the 6766
amendments and enactments made to Title XXXVIII of the Revised 6767
Code by ~~this act~~ H.B. 33 of the 135th General Assembly. Any 6768
funds paid to districts or schools under this section shall be 6769
credited toward the annual funds calculated for the district or 6770
school after the changes made to Title XXXVIII of the Revised 6771
Code in ~~this act~~ H.B. 33 of the 135th General Assembly are 6772
effective. Upon the effective date of changes made to Title 6773
XXXVIII of the Revised Code in ~~this act~~ H.B. 33 of the 135th 6774
General Assembly, funds shall be calculated as an annual amount. 6775

Section 12. That existing Section 265.270 of H.B. 33 of 6776
the 135th General Assembly is hereby repealed. 6777

Section 13. (A) As used in this section: 6778

(1) "Internet- or computer-based community school" has the 6779
same meaning as in section 3314.02 of the Revised Code. 6780

(2) "State assessment" means statewide achievement and diagnostic assessments prescribed under sections 3301.079, 3301.0710, 3301.0712, and 3301.0715 of the Revised Code.

(B) The Department of Education and Workforce shall establish a pilot program for the 2024-2025 school year based on state assessments to test the feasibility of remotely administered and proctored assessments.

(C) The Department shall develop standards, requirements, and methodology for how the pilot program will be administered and operated, including all of the following:

(1) Selection of internet- or computer-based community schools to participate in the pilot program;

(2) Selection of which assessments to administer remotely and when assessments shall be administered;

(3) The logistics of how assessments will be administered, including timing, location, and technology required to administer assessments remotely.

(D) The Department shall endeavor to include a variety of schools in the pilot program, including at least one statewide internet- or computer-based community school with a total enrollment of at least five thousand students.

(E) Each student who takes a remotely administered and proctored achievement assessment or diagnostic assessment under the pilot program shall take the assessment in the manner otherwise required pursuant to sections 3301.079, 3301.0710, 3301.0712, and 3301.0715 of the Revised Code.

(F) Not later than September 1, 2025, the Department shall submit a report to the General Assembly under section 101.68 of

the Revised Code detailing the findings of the pilot program. 6809

Section 14. Notwithstanding any provision of law to the 6810
contrary, during the biennium ending June 30, 2025, the Director 6811
of Education and Workforce shall request the Director of Budget 6812
and Management to transfer up to \$1,500,000 cash from the 6813
General Revenue Fund to the High School Financial Literacy Fund. 6814
The Director of Budget and Management shall transfer the funds 6815
at the time requested by the Director of Education and 6816
Workforce. 6817