

**As Introduced**

**135th General Assembly**

**Regular Session**

**2023-2024**

**H. B. No. 127**

**Representative Fowler Arthur**

**Cosponsors: Representatives Claggett, Click, Dean, Ferguson, Gross, Holmes,  
Johnson, Lear, Mathews, McClain, Seitz, Stoltzfus, Wiggam, Willis**

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**A BILL**

To amend sections 2151.011, 3301.0712, 3310.70, 1  
3313.5312, 3313.5314, 3313.618, 3313.6110, 2  
3313.6114, 3314.041, 3321.03, 3321.04, 3321.13, 3  
3331.02, 3331.04, 3333.31, 3333.86, 3345.06, 4  
3365.01, 3365.02, 3365.03, 3365.033, 3365.034, 5  
3365.035, 3365.07, 3365.071, 5103.55, 5107.281, 6  
5709.07, and 5747.72 and to enact section 7  
3321.042 of the Revised Code to revise the law 8  
regarding the home education of children. 9

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

**Section 1.** That sections 2151.011, 3301.0712, 3310.70, 10  
3313.5312, 3313.5314, 3313.618, 3313.6110, 3313.6114, 3314.041, 11  
3321.03, 3321.04, 3321.13, 3331.02, 3331.04, 3333.31, 3333.86, 12  
3345.06, 3365.01, 3365.02, 3365.03, 3365.033, 3365.034, 13  
3365.035, 3365.07, 3365.071, 5103.55, 5107.281, 5709.07, and 14  
5747.72 be amended and section 3321.042 of the Revised Code be 15  
enacted to read as follows: 16

**Sec. 2151.011.** (A) As used in the Revised Code: 17

(1) "Juvenile court" means whichever of the following is applicable that has jurisdiction under this chapter and Chapter 2152. of the Revised Code:

(a) The division of the court of common pleas specified in section 2101.022 or 2301.03 of the Revised Code as having jurisdiction under this chapter and Chapter 2152. of the Revised Code or as being the juvenile division or the juvenile division combined with one or more other divisions;

(b) The juvenile court of Cuyahoga county or Hamilton county that is separately and independently created by section 2151.08 or Chapter 2153. of the Revised Code and that has jurisdiction under this chapter and Chapter 2152. of the Revised Code;

(c) If division (A) (1) (a) or (b) of this section does not apply, the probate division of the court of common pleas.

(2) "Juvenile judge" means a judge of a court having jurisdiction under this chapter.

(3) "Private child placing agency" means any association, as defined in section 5103.02 of the Revised Code, that is certified under section 5103.03 of the Revised Code to accept temporary, permanent, or legal custody of children and place the children for either foster care or adoption.

(4) "Private noncustodial agency" means any person, organization, association, or society certified by the department of job and family services that does not accept temporary or permanent legal custody of children, that is privately operated in this state, and that does one or more of the following:

(a) Receives and cares for children for two or more

consecutive weeks;	47
(b) Participates in the placement of children in certified foster homes;	48 49
(c) Provides adoption services in conjunction with a public children services agency or private child placing agency.	50 51
(B) As used in this chapter:	52
(1) "Adequate parental care" means the provision by a child's parent or parents, guardian, or custodian of adequate food, clothing, and shelter to ensure the child's health and physical safety and the provision by a child's parent or parents of specialized services warranted by the child's physical or mental needs.	53 54 55 56 57 58
(2) "Adult" means an individual who is eighteen years of age or older.	59 60
(3) "Agreement for temporary custody" means a voluntary agreement authorized by section 5103.15 of the Revised Code that transfers the temporary custody of a child to a public children services agency or a private child placing agency.	61 62 63 64
(4) "Alternative response" means the public children services agency's response to a report of child abuse or neglect that engages the family in a comprehensive evaluation of child safety, risk of subsequent harm, and family strengths and needs and that does not include a determination as to whether child abuse or neglect occurred.	65 66 67 68 69 70
(5) "Certified foster home" means a foster home, as defined in section 5103.02 of the Revised Code, certified under section 5103.03 of the Revised Code.	71 72 73
(6) "Child" means a person who is under eighteen years of	74

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

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

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

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

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

(a) General counseling services performed by a public 100  
children services agency or shelter for victims of domestic 101  
violence to assist a child, a child's parents, and a child's 102  
siblings in alleviating identified problems that may cause or 103

have caused the child to be an abused, neglected, or dependent child.	104 105
(b) Psychiatric or psychological therapeutic counseling services provided to correct or alleviate any mental or emotional illness or disorder and performed by a licensed psychiatrist, licensed psychologist, or a person licensed under Chapter 4757. of the Revised Code to engage in social work or professional counseling.	106 107 108 109 110 111
(11) "Custodian" means a person who has legal custody of a child or a public children services agency or private child placing agency that has permanent, temporary, or legal custody of a child.	112 113 114 115
(12) "Delinquent child" has the same meaning as in section 2152.02 of the Revised Code.	116 117
(13) "Detention" means the temporary care of children pending court adjudication or disposition, or execution of a court order, in a public or private facility designed to physically restrict the movement and activities of children.	118 119 120 121
(14) "Developmental disability" has the same meaning as in section 5123.01 of the Revised Code.	122 123
(15) "Differential response approach" means an approach that a public children services agency may use to respond to accepted reports of child abuse or neglect with either an alternative response or a traditional response.	124 125 126 127
(16) "Foster caregiver" has the same meaning as in section 5103.02 of the Revised Code.	128 129
(17) "Guardian" means a person, association, or corporation that is granted authority by a probate court	130 131

pursuant to Chapter 2111. of the Revised Code to exercise 132  
parental rights over a child to the extent provided in the 133  
court's order and subject to the residual parental rights of the 134  
child's parents. 135

(18) "Habitual truant" means any child of compulsory 136  
school age who is absent without legitimate excuse for absence 137  
from the public school the child is supposed to attend for 138  
thirty or more consecutive hours, forty-two or more hours in one 139  
school month, or seventy-two or more hours in a school year. 140

(19) "Intellectual disability" has the same meaning as in 141  
section 5123.01 of the Revised Code. 142

(20) "Juvenile traffic offender" has the same meaning as 143  
in section 2152.02 of the Revised Code. 144

(21) "Legal custody" means a legal status that vests in 145  
the custodian the right to have physical care and control of the 146  
child and to determine where and with whom the child shall live, 147  
and the right and duty to protect, train, and discipline the 148  
child and to provide the child with food, shelter, education, 149  
and medical care, all subject to any residual parental rights, 150  
privileges, and responsibilities. An individual granted legal 151  
custody shall exercise the rights and responsibilities 152  
personally unless otherwise authorized by any section of the 153  
Revised Code or by the court. 154

(22) A "legitimate excuse for absence from the public 155  
school the child is supposed to attend" includes, but is not 156  
limited to, any of the following: 157

(a) The fact that the child in question has enrolled in 158  
and is attending another public or nonpublic school in this or 159  
another state; 160

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

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

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

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

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

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

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

(28) "Out-of-home care" means detention facilities, shelter facilities, certified children's crisis care facilities, certified foster homes, placement in a prospective adoptive home

prior to the issuance of a final decree of adoption,	190
organizations, certified organizations, child day-care centers,	191
type A family day-care homes, type B family day-care homes,	192
child care provided by in-home aides, group home providers,	193
group homes, institutions, state institutions, residential	194
facilities, residential care facilities, residential camps, day	195
camps, private, nonprofit therapeutic wilderness camps, public	196
schools, chartered nonpublic schools, educational service	197
centers, hospitals, and medical clinics that are responsible for	198
the care, physical custody, or control of children.	199
(29) "Out-of-home care child abuse" means any of the	200
following when committed by a person responsible for the care of	201
a child in out-of-home care:	202
(a) Engaging in sexual activity with a child in the	203
person's care;	204
(b) Denial to a child, as a means of punishment, of proper	205
or necessary subsistence, education, medical care, or other care	206
necessary for a child's health;	207
(c) Use of restraint procedures on a child that cause	208
injury or pain;	209
(d) Administration of prescription drugs or psychotropic	210
medication to the child without the written approval and ongoing	211
supervision of a licensed physician;	212
(e) Commission of any act, other than by accidental means,	213
that results in any injury to or death of the child in out-of-	214
home care or commission of any act by accidental means that	215
results in an injury to or death of a child in out-of-home care	216
and that is at variance with the history given of the injury or	217
death.	218



(30) "Out-of-home care child neglect" means any of the	219
following when committed by a person responsible for the care of	220
a child in out-of-home care:	221
(a) Failure to provide reasonable supervision according to	222
the standards of care appropriate to the age, mental and	223
physical condition, or other special needs of the child;	224
(b) Failure to provide reasonable supervision according to	225
the standards of care appropriate to the age, mental and	226
physical condition, or other special needs of the child, that	227
results in sexual or physical abuse of the child by any person;	228
(c) Failure to develop a process for all of the following:	229
(i) Administration of prescription drugs or psychotropic	230
drugs for the child;	231
(ii) Assuring that the instructions of the licensed	232
physician who prescribed a drug for the child are followed;	233
(iii) Reporting to the licensed physician who prescribed	234
the drug all unfavorable or dangerous side effects from the use	235
of the drug.	236
(d) Failure to provide proper or necessary subsistence,	237
education, medical care, or other individualized care necessary	238
for the health or well-being of the child;	239
(e) Confinement of the child to a locked room without	240
monitoring by staff;	241
(f) Failure to provide ongoing security for all	242
prescription and nonprescription medication;	243
(g) Isolation of a child for a period of time when there	244
is substantial risk that the isolation, if continued, will	245

impair or retard the mental health or physical well-being of the 246  
child. 247

(31) "Permanent custody" means a legal status that vests 248  
in a public children services agency or a private child placing 249  
agency, all parental rights, duties, and obligations, including 250  
the right to consent to adoption, and divests the natural 251  
parents or adoptive parents of all parental rights, privileges, 252  
and obligations, including all residual rights and obligations. 253

(32) "Permanent surrender" means the act of the parents 254  
or, if a child has only one parent, of the parent of a child, by 255  
a voluntary agreement authorized by section 5103.15 of the 256  
Revised Code, to transfer the permanent custody of the child to 257  
a public children services agency or a private child placing 258  
agency. 259

(33) "Person" means an individual, association, 260  
corporation, or partnership and the state or any of its 261  
political subdivisions, departments, or agencies. 262

(34) "Person responsible for a child's care in out-of-home 263  
care" means any of the following: 264

(a) Any foster caregiver, in-home aide, or provider; 265

(b) Any administrator, employee, or agent of any of the 266  
following: a public or private detention facility; shelter 267  
facility; certified children's crisis care facility; 268  
organization; certified organization; child day-care center; 269  
type A family day-care home; licensed type B family day-care 270  
home; group home; institution; state institution; residential 271  
facility; residential care facility; residential camp; day camp; 272  
school district; community school; chartered nonpublic school; 273  
educational service center; hospital; or medical clinic; 274

(c) Any person who supervises or coaches children as part of an extracurricular activity sponsored by a school district, public school, or chartered nonpublic school;

(d) Any other person who performs a similar function with respect to, or has a similar relationship to, children.

(35) "Physical impairment" means having one or more of the following conditions that substantially limit one or more of an individual's major life activities, including self-care, receptive and expressive language, learning, mobility, and self-direction:

(a) A substantial impairment of vision, speech, or hearing;

(b) A congenital orthopedic impairment;

(c) An orthopedic impairment caused by disease, rheumatic fever or any other similar chronic or acute health problem, or amputation or another similar cause.

(36) "Placement for adoption" means the arrangement by a public children services agency or a private child placing agency with a person for the care and adoption by that person of a child of whom the agency has permanent custody.

(37) "Placement in foster care" means the arrangement by a public children services agency or a private child placing agency for the out-of-home care of a child of whom the agency has temporary custody or permanent custody.

(38) "Planned permanent living arrangement" means an order of a juvenile court pursuant to which both of the following apply:

(a) The court gives legal custody of a child to a public

children services agency or a private child placing agency	303
without the termination of parental rights.	304
(b) The order permits the agency to make an appropriate	305
placement of the child and to enter into a written agreement	306
with a foster care provider or with another person or agency	307
with whom the child is placed.	308
(39) "Practice of social work" and "practice of	309
professional counseling" have the same meanings as in section	310
4757.01 of the Revised Code.	311
(40) "Private, nonprofit therapeutic wilderness camp" has	312
the same meaning as in section 5103.02 of the Revised Code.	313
(41) "Sanction, service, or condition" means a sanction,	314
service, or condition created by court order following an	315
adjudication that a child is an unruly child that is described	316
in division (A) (4) of section 2152.19 of the Revised Code.	317
(42) "Protective supervision" means an order of	318
disposition pursuant to which the court permits an abused,	319
neglected, dependent, or unruly child to remain in the custody	320
of the child's parents, guardian, or custodian and stay in the	321
child's home, subject to any conditions and limitations upon the	322
child, the child's parents, guardian, or custodian, or any other	323
person that the court prescribes, including supervision as	324
directed by the court for the protection of the child.	325
(43) "Psychiatrist" has the same meaning as in section	326
5122.01 of the Revised Code.	327
(44) "Psychologist" has the same meaning as in section	328
4732.01 of the Revised Code.	329
(45) "Resource caregiver" has the same meaning as in	330

section 5103.02 of the Revised Code.	331
(46) "Resource family" has the same meaning as in section 5103.02 of the Revised Code.	332 333
(47) "Residential camp" means a program in which the care, physical custody, or control of children is accepted overnight for recreational or recreational and educational purposes.	334 335 336
(48) "Residential care facility" means an institution, residence, or facility that is licensed by the department of mental health and addiction services under section 5119.34 of the Revised Code and that provides care for a child.	337 338 339 340
(49) "Residential facility" means a home or facility that is licensed by the department of developmental disabilities under section 5123.19 of the Revised Code and in which a child with a developmental disability resides.	341 342 343 344
(50) "Residual parental rights, privileges, and responsibilities" means those rights, privileges, and responsibilities remaining with the natural parent after the transfer of legal custody of the child, including, but not necessarily limited to, the privilege of reasonable visitation, consent to adoption, the privilege to determine the child's religious affiliation, and the responsibility for support.	345 346 347 348 349 350 351
(51) "School day" means the school day established by the board of education of the applicable school district pursuant to section 3313.481 of the Revised Code.	352 353 354
(52) "School year" has the same meaning as in section 3313.62 of the Revised Code.	355 356
(53) "Secure correctional facility" means a facility under the direction of the department of youth services that is	357 358

designed to physically restrict the movement and activities of 359  
children and used for the placement of children after 360  
adjudication and disposition. 361

(54) "Sexual activity" has the same meaning as in section 362  
2907.01 of the Revised Code. 363

(55) "Shelter" means the temporary care of children in 364  
physically unrestricted facilities pending court adjudication or 365  
disposition. 366

(56) "Shelter for victims of domestic violence" has the 367  
same meaning as in section 3113.33 of the Revised Code. 368

(57) "Temporary custody" means legal custody of a child 369  
who is removed from the child's home, which custody may be 370  
terminated at any time at the discretion of the court or, if the 371  
legal custody is granted in an agreement for temporary custody, 372  
by the person who executed the agreement. 373

(58) "Traditional response" means a public children 374  
services agency's response to a report of child abuse or neglect 375  
that encourages engagement of the family in a comprehensive 376  
evaluation of the child's current and future safety needs and a 377  
fact-finding process to determine whether child abuse or neglect 378  
occurred and the circumstances surrounding the alleged harm or 379  
risk of harm. 380

(C) For the purposes of this chapter, a child shall be 381  
presumed abandoned when the parents of the child have failed to 382  
visit or maintain contact with the child for more than ninety 383  
days, regardless of whether the parents resume contact with the 384  
child after that period of ninety days. 385

**Sec. 3301.0712.** (A) The state board of education, the 386  
superintendent of public instruction, and the chancellor of 387

higher education shall develop a system of college and work 388  
ready assessments as described in division (B) of this section 389  
to assess whether each student upon graduating from high school 390  
is ready to enter college or the workforce. Beginning with 391  
students who enter the ninth grade for the first time on or 392  
after July 1, 2014, the system shall replace the Ohio graduation 393  
tests prescribed in division (B)(1) of section 3301.0710 of the 394  
Revised Code as a measure of student academic performance and 395  
one determinant of eligibility for a high school diploma in the 396  
manner prescribed by rule of the state board adopted under 397  
division (D) of this section. 398

(B) The college and work ready assessment system shall 399  
consist of the following: 400

(1) (a) Except as provided in division (B)(1)(b) of this 401  
section, nationally standardized assessments that measure 402  
college and career readiness and are used for college admission. 403  
The assessments shall be selected jointly by the state 404  
superintendent and the chancellor, and one of which shall be 405  
selected by each school district or school to administer to its 406  
students. The assessments prescribed under division (B)(1) of 407  
this section shall be administered to all eleventh-grade 408  
students in the spring of the school year. 409

(b) Beginning with students who enter the ninth grade for 410  
the first time on or after ~~the first day of July immediately~~ 411  
~~following the effective date of this amendment~~ 1, 2022, the 412  
parent or guardian of a student may elect not to have a 413  
nationally standardized assessment administered to that student. 414  
In that event, the student's school district or school shall not 415  
administer the nationally standardized assessment to that 416  
student. 417

(2) (a) Except as provided in division (B) (2) (b) of this 418  
section, seven end-of-course examinations, one in each of the 419  
areas of English language arts I, English language arts II, 420  
science, Algebra I, geometry, American history, and American 421  
government. The end-of-course examinations shall be selected 422  
jointly by the state superintendent and the chancellor in 423  
consultation with faculty in the appropriate subject areas at 424  
institutions of higher education of the university system of 425  
Ohio. Advanced placement examinations and international 426  
baccalaureate examinations, as prescribed under section 427  
3313.6013 of the Revised Code, in the areas of science, American 428  
history, and American government may be used as end-of-course 429  
examinations in accordance with division (B) (4) (a) (i) of this 430  
section. Final course grades for courses taken under any other 431  
advanced standing program, as prescribed under section 3313.6013 432  
of the Revised Code, in the areas of science, American history, 433  
and American government may be used in lieu of end-of-course 434  
examinations in accordance with division (B) (4) (a) (ii) of this 435  
section. 436

(b) Beginning with students who enter ninth grade for the 437  
first time on or after July 1, 2019, five end-of-course 438  
examinations, one in each areas of English language arts II, 439  
science, Algebra I, American history, and American government. 440  
However, only the end-of-course examinations in English language 441  
arts II and Algebra I shall be required for graduation. 442

The department of education shall, as necessary to 443  
implement division (B) (2) (b) of this section, seek a waiver from 444  
the United States secretary of education for testing 445  
requirements prescribed under federal law to allow for the use 446  
and implementation of Algebra I as the primary assessment of 447  
high school mathematics. If the department does not receive a 448



waiver under this division, the end-of-course examinations for 449  
students described in division (B) (2) (b) of this section also 450  
shall include an end-of-course examination in the area of 451  
geometry. However, the geometry end-of-course examination shall 452  
not be required for graduation. 453

~~(3) (a) Not later than July 1, 2013, each school district 454  
board of education shall adopt interim end of course 455  
examinations that comply with the requirements of divisions (B) 456  
(3) (b) (i) and (ii) of this section to assess mastery of American 457  
history and American government standards adopted under division 458  
(A) (1) (b) of section 3301.079 of the Revised Code and the topics 459  
required under division (M) of section 3313.603 of the Revised 460  
Code. Each high school of the district shall use the interim 461  
examinations until the state superintendent and chancellor 462  
select end of course examinations in American history and 463  
American government under division (B) (2) of this section. 464~~

~~(b) Not later than July 1, 2014, the state superintendent 465  
and the chancellor shall select the end of course examinations 466  
in American history and American government. 467~~

~~(i) (3) The end-of-course examinations in American history 468  
and American government shall require demonstration of mastery 469  
of the American history and American government content for 470  
social studies standards adopted under division (A) (1) (b) of 471  
section 3301.079 of the Revised Code and the topics required 472  
under division (M) of section 3313.603 of the Revised Code. 473~~

~~(ii) At least twenty per cent of the end-of-course 474  
examination in American government shall address the topics on 475  
American history and American government described in division 476  
(M) of section 3313.603 of the Revised Code. 477~~

(4) (a) Notwithstanding anything to the contrary in this 478  
section, ~~beginning with the 2014-2015 school year,~~ both of the 479  
following shall apply: 480

(i) If a student is enrolled in an appropriate advanced 481  
placement or international baccalaureate course, that student 482  
shall take the advanced placement or international baccalaureate 483  
examination in lieu of the science, American history, or 484  
American government end-of-course examinations prescribed under 485  
division (B) (2) of this section. The state board shall specify 486  
the score levels for each advanced placement examination and 487  
international baccalaureate examination for purposes of 488  
calculating the minimum cumulative performance score that 489  
demonstrates the level of academic achievement necessary to earn 490  
a high school diploma. 491

(ii) If a student is enrolled in an appropriate course 492  
under any other advanced standing program, as described in 493  
section 3313.6013 of the Revised Code, that student shall not be 494  
required to take the science, American history, or American 495  
government end-of-course examination, whichever is applicable, 496  
prescribed under division (B) (2) of this section. Instead, that 497  
student's final course grade shall be used in lieu of the 498  
applicable end-of-course examination prescribed under that 499  
section. The state superintendent, in consultation with the 500  
chancellor, shall adopt guidelines for purposes of calculating 501  
the corresponding final course grades that demonstrate the level 502  
of academic achievement necessary to earn a high school diploma. 503

Division (B) (4) (a) (ii) of this section shall apply only to 504  
courses for which students receive transcribed credit, as 505  
defined in section 3365.01 of the Revised Code. It shall not 506  
apply to remedial or developmental courses. 507

(b) No student shall take a substitute examination or 508  
examination prescribed under division (B) (4) (a) of this section 509  
in place of the end-of-course examinations in English language 510  
arts I, English language arts II, Algebra I, or geometry 511  
prescribed under division (B) (2) of this section. 512

(c) The state board shall consider additional assessments 513  
that may be used, ~~beginning with the 2016-2017 school year,~~ as 514  
substitute examinations in lieu of the end-of-course 515  
examinations prescribed under division (B) (2) of this section. 516

(5) The state board shall do all of the following: 517

(a) Determine and designate at least five ranges of scores 518  
on each of the end-of-course examinations prescribed under 519  
division (B) (2) of this section, and substitute examinations 520  
prescribed under division (B) (4) of this section. Not later than 521  
sixty days after the designation of ranges of scores, the state 522  
superintendent, or the state superintendent's designee, shall 523  
conduct a public presentation before the standing committees of 524  
the house of representatives and the senate that consider 525  
primary and secondary education legislation regarding the 526  
designated range of scores. Each range of scores shall be 527  
considered to demonstrate a level of achievement so that any 528  
student attaining a score within such range has achieved one of 529  
the following: 530

(i) An advanced level of skill; 531

(ii) An accomplished level of skill; 532

(iii) A proficient level of skill; 533

(iv) A basic level of skill; 534

(v) A limited level of skill. 535

(b) Determine a method by which to calculate a cumulative performance score based on the results of a student's end-of-course examinations or substitute examinations;

(c) Determine the minimum cumulative performance score that demonstrates the level of academic achievement necessary to earn a high school diploma under division (A) (2) of section 3313.618 of the Revised Code. However, the state board shall not determine a new minimum cumulative performance score after October 17, 2019.

(d) Develop a table of corresponding score equivalents for the end-of-course examinations and substitute examinations in order to calculate student performance consistently across the different examinations.

A score of two on an advanced placement examination or a score of two or three on an international baccalaureate examination shall be considered equivalent to a proficient level of skill as specified under division (B) (5) (a) (iii) of this section.

(6) (a) A student who meets both of the following conditions shall not be required to take an end-of-course examination:

(i) The student received high school credit prior to July 1, 2015, for a course for which the end-of-course examination is prescribed.

(ii) The examination was not available for administration prior to July 1, 2015.

Receipt of credit for the course described in division (B) (6) (a) (i) of this section shall satisfy the requirement to take the end-of-course examination. A student exempted under division

(B) (6) (a) of this section may take the applicable end-of-course examination at a later date. 565  
566

(b) For purposes of determining whether a student who is exempt from taking an end-of-course examination under division (B) (6) (a) of this section has attained the cumulative score prescribed by division (B) (5) (c) of this section, such student shall select either of the following: 567  
568  
569  
570  
571

(i) The student is considered to have attained a proficient score on the end-of-course examination from which the student is exempt; 572  
573  
574

(ii) The student's final course grade shall be used in lieu of a score on the end-of-course examination from which the student is exempt. 575  
576  
577

The state superintendent, in consultation with the chancellor, shall adopt guidelines for purposes of calculating the corresponding final course grades and the minimum cumulative performance score that demonstrates the level of academic achievement necessary to earn a high school diploma. 578  
579  
580  
581  
582

(7) (a) Notwithstanding anything to the contrary in this section, the state board may replace the algebra I end-of-course examination prescribed under division (B) (2) of this section with an algebra II end-of-course examination, beginning with the 2016-2017 school year for students who enter ninth grade on or after July 1, 2016. 583  
584  
585  
586  
587  
588

(b) If the state board replaces the algebra I end-of-course examination with an algebra II end-of-course examination as authorized under division (B) (7) (a) of this section, both of the following shall apply: 589  
590  
591  
592

(i) A student who is enrolled in an advanced placement or 593

international baccalaureate course in algebra II shall take the 594  
advanced placement or international baccalaureate examination in 595  
lieu of the algebra II end-of-course examination. 596

(ii) A student who is enrolled in an algebra II course 597  
under any other advanced standing program, as described in 598  
section 3313.6013 of the Revised Code, shall not be required to 599  
take the algebra II end-of-course examination. Instead, that 600  
student's final course grade shall be used in lieu of the 601  
examination. 602

(c) If a school district or school utilizes an integrated 603  
approach to mathematics instruction, the district or school may 604  
do either or both of the following: 605

(i) Administer an integrated mathematics I end-of-course 606  
examination in lieu of the prescribed algebra I end-of-course 607  
examination; 608

(ii) Administer an integrated mathematics II end-of-course 609  
examination in lieu of the prescribed geometry end-of-course 610  
examination. 611

(8) (a) For students entering the ninth grade for the first 612  
time on or after July 1, 2014, but prior to July 1, 2015, the 613  
assessment in the area of science shall be physical science or 614  
biology. For students entering the ninth grade for the first 615  
time on or after July 1, 2015, the assessment in the area of 616  
science shall be biology. 617

(b) Until July 1, 2019, the department shall make 618  
available the end-of-course examination in physical science for 619  
students who entered the ninth grade for the first time on or 620  
after July 1, 2014, but prior to July 1, 2015, and who wish to 621  
retake the examination. 622

(c) Not later than July 1, 2016, the state board shall 623  
adopt rules prescribing the requirements for the end-of-course 624  
examination in science for students who entered the ninth grade 625  
for the first time on or after July 1, 2014, but prior to July 626  
1, 2015, and who have not met the requirement prescribed by 627  
section 3313.618 of the Revised Code by July 1, 2019, due to a 628  
student's failure to satisfy division (A) (2) of section 3313.618 629  
of the Revised Code. 630

(9) Neither the state board nor the department of 631  
education shall develop or administer an end-of-course 632  
examination in the area of world history. 633

~~(10) Not later than March 1, 2020, the~~ The department, in 634  
consultation with the chancellor and the governor's office of 635  
workforce transformation, shall determine a competency score for 636  
both of the Algebra I and English language arts II end-of-course 637  
examinations for the purpose of graduation eligibility. 638

(C) The state board shall convene a group of national 639  
experts, state experts, and local practitioners to provide 640  
advice, guidance, and recommendations for the alignment of 641  
standards and model curricula to the assessments and in the 642  
design of the end-of-course examinations prescribed by this 643  
section. 644

(D) Upon completion of the development of the assessment 645  
system, the state board shall adopt rules prescribing all of the 646  
following: 647

(1) A timeline and plan for implementation of the 648  
assessment system, including a phased implementation if the 649  
state board determines such a phase-in is warranted; 650

(2) The date after which a person shall meet the 651

requirements of the entire assessment system as a prerequisite 652  
for a diploma of adult education under section 3313.611 of the 653  
Revised Code; 654

(3) Whether and the extent to which a person may be 655  
excused from an American history end-of-course examination and 656  
an American government end-of-course examination under division 657  
(H) of section 3313.61 and division (B) (3) of section 3313.612 658  
of the Revised Code; 659

(4) The date after which a person who has fulfilled the 660  
curriculum requirement for a diploma but has not passed one or 661  
more of the required assessments at the time the person 662  
fulfilled the curriculum requirement shall meet the requirements 663  
of the entire assessment system as a prerequisite for a high 664  
school diploma under division (B) of section 3313.614 of the 665  
Revised Code; 666

(5) The extent to which the assessment system applies to 667  
students enrolled in a dropout recovery and prevention program 668  
for purposes of division (F) of section 3313.603 and section 669  
3314.36 of the Revised Code. 670

~~(E) Not later than forty five days prior to the state 671  
board's adoption of a resolution directing the department to 672  
file the rules prescribed by division (D) of this section in 673  
final form under section 119.04 of the Revised Code, the 674  
superintendent of public instruction shall present the 675  
assessment system developed under this section to the respective 676  
committees of the house of representatives and senate that 677  
consider education legislation. 678~~

~~(F) (1)~~ (E) (1) Any person enrolled in a nonchartered 679  
nonpublic school or any person who ~~has been excused~~ is exempt 680



from attendance at school for the purpose of home ~~instruction~~ 681  
education under section ~~3321.04~~3321.042 of the Revised Code may 682  
choose to participate in the system of assessments administered 683  
under divisions (B) (1) and (2) of this section. However, no such 684  
person shall be required to participate in the system of 685  
assessments. 686

(2) The department shall adopt rules for the 687  
administration and scoring of any assessments under division ~~(F)~~ 688  
~~(1)~~ (E) (1) of this section. 689

~~(G) Not later than December 31, 2014, the~~ (F) The state 690  
board shall select at least one nationally recognized job skills 691  
assessment. Each school district shall administer that 692  
assessment to those students who opt to take it. The state shall 693  
reimburse a school district for the costs of administering that 694  
assessment. The state board shall establish the minimum score a 695  
student must attain on the job skills assessment in order to 696  
demonstrate a student's workforce readiness and employability. 697  
The administration of the job skills assessment to a student 698  
under this division shall not exempt a school district from 699  
administering the assessments prescribed in division (B) of this 700  
section to that student. 701

**Sec. 3310.70.** (A) A student is an "eligible student" for 702  
purposes of this section if the student is at least six but no 703  
more than eighteen years old and the student's family income is 704  
at or below three hundred per cent of the federal poverty 705  
guidelines, as defined in section 5101.46 of the Revised Code. 706

(B) (1) There is hereby established the afterschool child 707  
enrichment (ACE) educational savings account program. The 708  
department of education shall adopt rules under Chapter 119. of 709  
the Revised Code that prescribe procedures for the establishment 710

of these accounts in fiscal years 2022 and 2023 upon the request 711  
of the parent or guardian of an eligible student enrolled in a 712  
public or nonpublic school or an eligible student who ~~has been~~ 713  
~~excused~~ is exempt from the compulsory attendance law for the 714  
purpose of home ~~instruction~~ education under section ~~3321.04~~ 715  
3321.042 of the Revised Code. Accounts shall be established on a 716  
first-come, first-served basis according to the availability of 717  
funds appropriated for purposes of this section. 718

Accounts shall be used in accordance with division (E) of 719  
this section. Any balance remaining in a student's account after 720  
fiscal year 2023 shall remain in that account for use as 721  
prescribed in division (D) (3) of this section. 722

(2) The department shall create an online form for parents 723  
and guardians to request the establishment of an account under 724  
this section. 725

(C) (1) The department shall contract with a vendor for 726  
purposes of administering the provisions of this section and may 727  
contract with the treasurer of state for technical assistance. 728  
In selecting a vendor, the department shall give preference to 729  
those vendors who use a smart phone application that is free for 730  
parents or guardians to use, is capable of scanning receipts, 731  
allows users to provide program feedback, and includes customer 732  
service contact information for parents and guardians who 733  
experience technical issues with the application. For each 734  
fiscal year in which the program operates, the department shall 735  
pay the vendor not more than three per cent of the amount 736  
appropriated for that fiscal year for purposes of this section. 737

(2) The vendor selected by the department under division 738  
(C) (2) of this section shall do both of the following: 739

(a) Monitor how accounts are used by parents or guardians 740  
and recoup moneys that are used for purposes that are not 741  
authorized by this section as determined by the vendor; 742

(b) Provide the department with a comprehensive list of 743  
purchases made with accounts. 744

(3) At no time shall the vendor authorize parents or 745  
guardians to use moneys for purposes that are not authorized by 746  
this section as determined by the vendor. If the vendor 747  
authorizes parents or guardians to use moneys for a specified 748  
purpose and later determines that purpose is not authorized by 749  
this section, the vendor may recoup that money. 750

(D) (1) If a parent or guardian makes a request under 751  
division (B) of this section during fiscal year 2022, five 752  
hundred dollars shall be credited to the account established 753  
pursuant to the parent's or guardian's request within fourteen 754  
days of the parent's or guardian's request, and that amount 755  
shall be disbursed upon request to the parent or guardian not 756  
later than June 30, 2022, for use in accordance with division 757  
(E) of this section. Any amount remaining in an account at the 758  
end of fiscal year 2022 shall remain in that account for fiscal 759  
year 2023 for use in accordance with division (E) of this 760  
section. 761

(2) If a parent or guardian makes a request under division 762  
(B) of this section during fiscal year 2023, five hundred 763  
dollars shall be credited to the account established pursuant to 764  
the parent's or guardian's request within fourteen days of the 765  
parent's or guardian's request, and that amount shall be 766  
disbursed upon request to the parent or guardian not later than 767  
June 30, 2023, for use in accordance with division (E) of this 768  
section. If a parent or guardian had an account established for 769

fiscal year 2022, that amount shall be credited and distributed 770  
to that account for use in accordance with division (E) of this 771  
section. 772

(3) Any amount remaining in an account established under 773  
division (B) of this section at the end of fiscal year 2023 774  
shall remain in that account for use in accordance with division 775  
(E) of this section in future fiscal years until either the full 776  
amount has been spent or the student graduates from high school. 777  
Any amount remaining in the account of a student who graduates 778  
from high school shall be returned to the department. 779

(E) Subject to division (F) of this section, moneys 780  
credited to an education savings account established under 781  
division (B) of this section shall be used by an eligible 782  
student's parent or guardian for any of the following purposes, 783  
whether secular or nonsecular: 784

(1) Before- or after-school educational programs; 785

(2) Day camps, including camps for academics, music, and 786  
arts; 787

(3) Tuition at learning extension centers; 788

(4) Tuition for learning pods; 789

(5) If the student ~~has been excused~~ is exempt from the 790  
compulsory attendance law for the purpose of home ~~instruction~~ 791  
education under section ~~3321.04~~ 3321.042 of the Revised Code, 792  
purchase of curriculum and materials; 793

(6) Educational, learning, or study skills services; 794

(7) Field trips to historical landmarks, museums, science 795  
centers, and theaters, including admission, exhibit, and program 796  
fees; 797

(8) Language classes;	798
(9) Instrument lessons;	799
(10) Tutoring.	800
(F) At no time shall moneys credited to an account established under division (B) of this section be used for the purchase of electronic devices.	801 802 803
(G) The department shall make available to parents and guardians a list of the purposes for which moneys credited to an account established under division (B) of this section may be spent in accordance with division (E) of this section.	804 805 806 807
(H) Not later than December 31, 2023, the department shall prepare a report regarding the administration of this section, including feedback from a random sampling of parents and guardians who participate in the program for fiscal year 2022, fiscal year 2023, or both and submit the report to the general assembly in accordance with section 101.68 of the Revised Code.	808 809 810 811 812 813
<b>Sec. 3313.5312.</b> (A) A student who is receiving home <del>instruction education</del> in accordance with <del>division (A) (2) of</del> section <del>3321.04</del> <u>3321.042</u> of the Revised Code shall be afforded, by the superintendent of the school district in which the student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code, the opportunity to participate in any extracurricular activity offered at the district school to which the student otherwise would be assigned during that school year. If more than one school operated by the school district serves the student's grade level, as determined by the district superintendent based on the student's age and academic performance, the student shall be afforded the opportunity to participate in extracurricular activities at the school to which	814 815 816 817 818 819 820 821 822 823 824 825 826

the student would be assigned by the superintendent under 827  
section 3319.01 of the Revised Code. If a student who is 828  
afforded the opportunity to participate in extracurricular 829  
activities under division (A) of this section wishes to 830  
participate in an activity that is offered by the district, the 831  
student shall not participate in that activity at another school 832  
or school district to which the student is not entitled to 833  
attend. 834

(B) The superintendent of any school district may afford 835  
any student who receives home ~~instruction~~ education under 836  
~~division (A) (2) of section 3321.04~~ 3321.042 of the Revised Code, 837  
and who is not entitled to attend school in the district under 838  
section 3313.64 or 3313.65 of the Revised Code, the opportunity 839  
to participate in any extracurricular activity offered by a 840  
school of the district, if the district to which the student is 841  
entitled to attend does not offer that extracurricular activity. 842

(C) In order to participate in an extracurricular activity 843  
under this section, the student shall be of the appropriate age 844  
and grade level, as determined by the superintendent of the 845  
district, for the school that offers the extracurricular 846  
activity, and shall fulfill the same nonacademic and financial 847  
requirements as any other participant, ~~and shall fulfill either~~ 848  
~~of the following academic requirements:~~ 849

~~(1) If the student received home instruction in the~~ 850  
~~preceding grading period, the student shall meet any academic~~ 851  
~~requirements established by the state board of education for the~~ 852  
~~continuation of home instruction.~~ 853

~~(2) .~~ If the student did not receive home ~~instruction~~ 854  
education in the preceding grading period, the student's 855  
academic performance during the preceding grading period shall 856

have met any academic standards for eligibility to participate 857  
in the program established by the school district. 858

(D) Eligibility for a student who leaves a school district 859  
mid-year for home ~~instruction-education~~ shall be determined 860  
based on an interim academic assessment issued by the district 861  
in which the student was enrolled based on the student's work 862  
while enrolled in that district. 863

(E) Any student who commences home ~~instruction-education~~ 864  
after the beginning of a school year and who is, at the time 865  
home ~~instruction-education~~ commences, ineligible to participate 866  
in an extracurricular activity due to failure to meet academic 867  
standards or any other requirements of the district shall not 868  
participate in the extracurricular activity under this section 869  
until the student meets the applicable academic requirements 870  
~~established by the state board of education for continuation of~~ 871  
~~home instruction~~ as verified by the superintendent of the 872  
district. No student under this section shall be eligible to 873  
participate in the same semester in which the student was 874  
determined ineligible. 875

(F) No school district shall impose additional rules on a 876  
student to participate under this section that do not apply to 877  
other students participating in the same extracurricular 878  
activity. No district shall impose fees for a student to 879  
participate under this section that exceed any fees charged to 880  
other students participating in the same extracurricular 881  
activity. 882

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

meet eligibility requirements that conflict with this section. 887

**Sec. 3313.5314.** No student who is enrolled in a public or 888  
nonpublic school shall be denied the opportunity to participate 889  
in interscholastic athletics offered by that school solely 890  
because the student is participating or has participated in the 891  
college credit plus program under Chapter 3365. of the Revised 892  
Code, so long as the student fulfills all other academic, 893  
nonacademic, and financial requirements that are not related to 894  
participation in the program. 895

Additionally, no student who is enrolled in a community 896  
school, STEM school, or nonpublic school or who is receiving 897  
home ~~instruction~~education shall be denied the opportunity to 898  
participate in interscholastic athletics at the school in which 899  
the student is entitled to attend school under section 3313.64 900  
or 3313.65 of the Revised Code solely because of participation 901  
in the college credit plus program, so long as the student meets 902  
the applicable requirements under section 3313.537, 3313.5311, 903  
or 3313.5312 of the Revised Code and fulfills all other 904  
academic, nonacademic, and financial requirements that are not 905  
related to participation in the program. 906

As used in this section, "community school" means a 907  
community school established under Chapter 3314. of the Revised 908  
Code, and "STEM school" means a science, technology, 909  
engineering, and mathematics school established under Chapter 910  
3326. of the Revised Code. 911

**Sec. 3313.618.** (A) In addition to the curriculum 912  
requirements specified by the board of education of a school 913  
district or governing authority of a chartered nonpublic school, 914  
each student entering ninth grade for the first time on or after 915  
July 1, 2014, but prior to July 1, 2019, shall satisfy at least 916



one of the following conditions or the conditions prescribed 917  
under division (B) of this section in order to qualify for a 918  
high school diploma: 919

(1) Be remediation-free, in accordance with standards 920  
adopted under division (F) of section 3345.061 of the Revised 921  
Code, on each of the nationally standardized assessments in 922  
English, mathematics, and reading; 923

(2) Attain a score specified under division (B) (5) (c) of 924  
section 3301.0712 of the Revised Code on the end-of-course 925  
examinations prescribed under division (B) of section 3301.0712 926  
of the Revised Code. 927

(3) Attain a score that demonstrates workforce readiness 928  
and employability on a nationally recognized job skills 929  
assessment selected by the state board of education under 930  
division ~~(G)~~ (F) of section 3301.0712 of the Revised Code and 931  
obtain either an industry-recognized credential or a license 932  
issued by a state agency or board for practice in a vocation 933  
that requires an examination for issuance of that license. 934

For the purposes of this division, the industry-recognized 935  
credentials and licenses shall be as approved under section 936  
3313.6113 of the Revised Code. 937

A student may choose to qualify for a high school diploma 938  
by satisfying any of the separate requirements prescribed by 939  
divisions (A) (1) to (3) of this section. If the student's school 940  
district or school does not administer the examination 941  
prescribed by one of those divisions that the student chooses to 942  
take to satisfy the requirements of this section, the school 943  
district or school may require that student to arrange for the 944  
applicable scores to be sent directly to the district or school 945

by the company or organization that administers the examination. 946

(B) In addition to the curriculum requirements specified 947  
by the district board or school governing authority, each 948  
student entering ninth grade for the first time on or after July 949  
1, 2019, shall satisfy the following conditions in order to 950  
qualify for a high school diploma: 951

(1) Attain a competency score as determined under division 952  
(B)(10) of section 3301.0712 of the Revised Code on each of the 953  
Algebra I and English language arts II end-of-course 954  
examinations prescribed under division (B)(2) of section 955  
3301.0712 of the Revised Code. 956

School districts and chartered nonpublic schools shall 957  
offer remedial support to any student who fails to attain a 958  
competency score on one or both of the Algebra I and English 959  
language arts II end-of-course examinations. 960

Following the first administration of the exam, if a 961  
student fails to attain a competency score on one or both of the 962  
Algebra I and English language arts II end-of-course 963  
examinations that student must retake the respective examination 964  
at least once. 965

If a student fails to attain a competency score on a 966  
retake examination, the student may demonstrate competency in 967  
the failed subject area through one of the following options: 968

(a) Earn course credit taken through the college credit 969  
plus program established under Chapter 3365. of the Revised Code 970  
in the failed subject area; 971

(b) Complete two of the following options, one of which 972  
must be foundational: 973

(i) Foundational options to demonstrate competency, which	974
include earning a cumulative score of proficient or higher on	975
three or more state technical assessments aligned with section	976
3313.903 of the Revised Code in a single career pathway,	977
obtaining an industry-recognized credential, or group of	978
credentials, approved under section 3313.6113 of the Revised	979
Code that is at least equal to the total number of points	980
established under that section to qualify for a high school	981
diploma, obtaining a license approved under section 3313.6113 of	982
the Revised Code that is issued by a state agency or board for	983
practice in a vocation that requires an examination for issuance	984
of that license, completing a pre-apprenticeship aligned with	985
options established under section 3313.904 of the Revised Code	986
in the student's chosen career field, completing an	987
apprenticeship registered with the apprenticeship council	988
established under section 4139.02 of the Revised Code in the	989
student's chosen career field, or providing evidence of	990
acceptance into an apprenticeship program after high school that	991
is restricted to participants eighteen years of age or older;	992
(ii) Supporting options to demonstrate competency, which	993
include completing two hundred fifty hours of a work-based	994
learning experience with evidence of positive evaluations,	995
obtaining an OhioMeansJobs-readiness seal under section	996
3313.6112 of the Revised Code, or attaining a workforce	997
readiness score, as determined by the department of education,	998
on the nationally recognized job skills assessment selected by	999
the state board under division <del>(G)</del> <u>(F)</u> of section 3301.0712 of	1000
the Revised Code.	1001
(c) Provide evidence that the student has enlisted in a	1002
branch of the armed services of the United States as defined in	1003
section 5910.01 of the Revised Code.	1004

(d) Be remediation-free, in accordance with standards 1005  
adopted under division (F) of section 3345.061 of the Revised 1006  
Code, in the failed subject area on a nationally standardized 1007  
assessment prescribed under division (B) (1) of section 3301.0712 1008  
of the Revised Code. For English language arts II, a student 1009  
must be remediation-free in the subjects of English and reading 1010  
on the nationally standardized assessment. 1011

Subject to division (L) (2) of section 3313.61 of the 1012  
Revised Code, for any students receiving special education and 1013  
related services under Chapter 3323. of the Revised Code, the 1014  
individualized education program developed for the student under 1015  
that chapter shall specify the manner in which the student will 1016  
participate in the assessments administered under this division 1017  
or an alternate assessment in accordance with division (C) (1) of 1018  
section 3301.0711 of the Revised Code. 1019

(2) Earn at least two of the state diploma seals 1020  
prescribed under division (A) of section 3313.6114 of the 1021  
Revised Code, at least one of which shall be any of the 1022  
following: 1023

(a) The state seal of biliteracy established under section 1024  
3313.6111 of the Revised Code; 1025

(b) The OhioMeansJobs-readiness seal established under 1026  
section 3313.6112 of the Revised Code; 1027

(c) One of the state diploma seals established under 1028  
divisions (C) (1) to (7) of section 3313.6114 of the Revised 1029  
Code. 1030

(C) (1) A student who transfers into an Ohio public or 1031  
chartered nonpublic high school from another state or enrolls in 1032  
such a high school after receiving home ~~instruction~~ education or 1033

attending a nonchartered, nontax-supported school in the 1034  
previous school year shall meet the requirements of division (B) 1035  
or (D) of this section, as applicable, in order to qualify for a 1036  
high school diploma. However, any student subject to division 1037  
(B) of this section who transfers or enrolls after the start of 1038  
the student's twelfth grade year and fails to attain a 1039  
competency score on the Algebra I or English language arts II 1040  
end-of-course examination shall not be required to retake the 1041  
applicable examination prior to demonstrating competency in the 1042  
failed subject area under the options prescribed in divisions 1043  
(B) (1) (a) to (d) of this section. 1044

(2) The department shall prescribe standards that allow a 1045  
transfer student who, prior to the student's transfer, took an 1046  
assessment described in division (B) (1) or (2) of section 1047  
3301.0712 or section 3313.619 of the Revised Code to apply the 1048  
score from that assessment towards graduation requirements at 1049  
the student's new public or chartered nonpublic school. 1050

(D) Notwithstanding division (B) of this section, in 1051  
addition to the curriculum requirements specified by the school 1052  
governing authority, a chartered nonpublic school student 1053  
subject to division (L) (3) (a) (ii) of section 3301.0711 of the 1054  
Revised Code entering ninth grade for the first time on or after 1055  
July 1, 2019, shall qualify for a high school diploma if the 1056  
student earns a remediation-free score in the areas of English, 1057  
mathematics, and reading, in accordance with standards adopted 1058  
under division (F) of section 3345.061 of the Revised Code, on a 1059  
nationally standardized assessment prescribed under division (B) 1060  
(1) of section 3301.0712 of the Revised Code. No such student 1061  
shall be required to take the Algebra I or English language arts 1062  
II end-of-course examination or earn diploma seals under this 1063  
section. 1064

(E) The state board of education shall not create or 1065  
require any additional assessment for the granting of any type 1066  
of high school diploma other than as prescribed by this section. 1067  
Except as provided in sections 3313.6111, 3313.6112, and 1068  
3313.6114 of the Revised Code, the state board or the 1069  
superintendent of public instruction shall not create any 1070  
endorsement or designation that may be affiliated with a high 1071  
school diploma. 1072

**Sec. 3313.6110.** (A) A person who has completed the final 1073  
year of ~~instruction-education~~ at home, as authorized under 1074  
section ~~3321.04~~ 3321.042 of the Revised Code, and has 1075  
successfully fulfilled the high school curriculum applicable to 1076  
that person may be granted a high school diploma by the person's 1077  
parent, guardian, or other person having charge or care of a 1078  
child, as defined in division (A)(1) of section 3321.01 of the 1079  
Revised Code. 1080

~~(B) Beginning with diplomas issued on or after July 1, 1081  
2015, each diploma granted under division (A) of this section 1082  
shall be accompanied by the official letter of excuse issued by 1083  
the district superintendent for the student's final year of home 1084  
education. 1085~~

~~(C)~~ A person who has graduated from a nonchartered 1086  
nonpublic school in Ohio and who has successfully fulfilled that 1087  
school's high school curriculum may be granted a high school 1088  
diploma by the governing authority of that school. 1089

~~(D)~~ (C) Notwithstanding anything in the Revised Code to 1090  
the contrary, a diploma granted under this section shall serve 1091  
as proof of the successful completion of that person's 1092  
applicable high school curriculum and satisfactory to fulfill 1093  
any legal requirement to show such proof. 1094

~~(E)~~ (D) For the purposes of an application for employment, 1095  
a diploma granted under this section shall be considered proof 1096  
of completion of a high school education, regardless of whether 1097  
the person to which the diploma was granted participated in the 1098  
assessments prescribed by division (A) (1) or (B) (1) or (2) of 1099  
section 3301.0710 and section 3301.0712 of the Revised Code. 1100

~~(F)~~ (E) A diploma granted under division (A) of this 1101  
section may include a state seal of biliteracy, an 1102  
OhioMeansJobs-readiness seal, or a state diploma seal that may 1103  
be assigned to the student's diploma, by the parent, guardian, 1104  
or other person having charge or care of the student, in the 1105  
same manner as prescribed for diplomas and transcripts issued by 1106  
school districts and chartered nonpublic schools under sections 1107  
3313.6111, 3113.6112, and 3313.6114 of the Revised Code. 1108

**Sec. 3313.6114.** (A) The state board of education shall 1109  
establish a system of state diploma seals for the purposes of 1110  
allowing a student to qualify for graduation under section 1111  
3313.618 of the Revised Code. State diploma seals may be 1112  
attached or affixed to the high school diploma of a student 1113  
enrolled in a public or chartered nonpublic school. The system 1114  
of state diploma seals shall consist of all of the following: 1115

(1) The state seal of biliteracy established under section 1116  
3313.6111 of the Revised Code; 1117

(2) The OhioMeansJobs-readiness seal established under 1118  
section 3313.6112 of the Revised Code; 1119

(3) The state diploma seals prescribed under division (C) 1120  
of this section. 1121

(B) A school district, community school established under 1122  
Chapter 3314. of the Revised Code, STEM school established under 1123

Chapter 3326. of the Revised Code, college-preparatory boarding 1124  
school established under Chapter 3328. of the Revised Code, or 1125  
chartered nonpublic school shall attach or affix the state seals 1126  
prescribed under division (C) of this section to the diploma and 1127  
transcript of a student enrolled in the district or school who 1128  
meets the requirements established under that division. 1129

(C) The state board shall establish all of the following 1130  
state diploma seals: 1131

(1) An industry-recognized credential seal. A student 1132  
shall meet the requirement for this seal by doing either of the 1133  
following: 1134

(a) Earning an industry-recognized credential, or group of 1135  
credentials, approved under section 3313.6113 of the Revised 1136  
Code that is both of the following: 1137

(i) At least equal to the total number of points 1138  
established under section 3313.6113 of the Revised Code to 1139  
qualify for a high school diploma; 1140

(ii) Aligned to a job that is determined to be in demand 1141  
in this state and its regions under section 6301.11 of the 1142  
Revised Code. 1143

(b) Obtaining a license approved under section 3313.6113 1144  
of the Revised Code that is issued by a state agency or board 1145  
for practice in a vocation that requires an examination for 1146  
issuance of that license. 1147

(2) A college-ready seal. A student shall meet the 1148  
requirement for this seal by attaining a score that is 1149  
remediation-free, in accordance with standards adopted under 1150  
division (F) of section 3345.061 of the Revised Code, on a 1151  
nationally standardized assessment prescribed under division (B) 1152



- (1) of section 3301.0712 of the Revised Code. 1153
- (3) A military enlistment seal. A student shall meet the 1154  
requirement for this seal by doing either of the following: 1155
- (a) Providing evidence that the student has enlisted in a 1156  
branch of the armed services of the United States as defined in 1157  
section 5910.01 of the Revised Code; 1158
- (b) Participating in a junior reserve officer training 1159  
program approved by the congress of the United States under 1160  
title 10 of the United States Code. 1161
- (4) A citizenship seal. A student shall meet the 1162  
requirement for this seal by doing any of the following: 1163
- (a) Demonstrating at least a proficient level of skill as 1164  
prescribed under division (B) (5) (a) of section 3301.0712 of the 1165  
Revised Code on both the American history and American 1166  
government end-of-course examinations prescribed under division 1167  
(B) (2) of section 3301.0712 of the Revised Code; 1168
- (b) Attaining a score level prescribed under division (B) 1169  
(5) (d) of section 3301.0712 of the Revised Code that is at least 1170  
the equivalent of a proficient level of skill in appropriate 1171  
advanced placement or international baccalaureate examinations 1172  
in lieu of the American history and American government end-of- 1173  
course examinations; 1174
- (c) In lieu of the American history and American 1175  
government end-of-course examinations, attaining a final course 1176  
grade that is the equivalent of a "B" or higher in either: 1177
- (i) An American history course and an American government 1178  
course that are offered by the student's high school; 1179
- (ii) Appropriate courses taken through the college credit 1180

plus program established under Chapter 3365. of the Revised 1181  
Code. 1182

(d) In the case of a student who takes an alternate 1183  
assessment in accordance with division (C)(1) of section 1184  
3301.0711 of the Revised Code, attaining a score established by 1185  
the state board on the alternate assessment in social studies; 1186

(e) In the case of a student who transfers into an Ohio 1187  
public or chartered nonpublic high school from another state or 1188  
who enrolls in an Ohio public or chartered nonpublic high school 1189  
after receiving home ~~instruction-education~~ or attending a 1190  
nonchartered, nontax-supported school in the previous school 1191  
year, attaining a final course grade that is the equivalent of a 1192  
"B" or higher in courses that correspond with the American 1193  
history and American government end-of-course examinations and 1194  
that the student completed in the state from which the student 1195  
transferred or completed while receiving home ~~instruction-~~ 1196  
education or attending a nonchartered, nontax-supported school. 1197  
Division (C)(4)(e) of this section does not apply to any such 1198  
student with respect to an American history or American 1199  
government course for which an end-of-course examination is 1200  
associated that the student takes after enrolling in the high 1201  
school. 1202

(5) A science seal. A student shall meet the requirement 1203  
for this seal by doing any of the following: 1204

(a) Demonstrating at least a proficient level of skill as 1205  
prescribed under division (B)(5)(a) of section 3301.0712 of the 1206  
Revised Code on the science end-of-course examination prescribed 1207  
under division (B)(2) of section 3301.0712 of the Revised Code; 1208

(b) Attaining a score level prescribed under division (B) 1209

(5) (d) of section 3301.0712 of the Revised Code that is at least 1210  
the equivalent of a proficient level of skill in an appropriate 1211  
advanced placement or international baccalaureate examination in 1212  
lieu of the science end-of-course examination; 1213

(c) In lieu of the science end-of-course examination, 1214  
attaining a final course grade that is the equivalent of a "B" 1215  
or higher in either: 1216

(i) A science course listed in divisions (C) (5) (c) (i) to 1217  
(iii) of section 3313.603 of the Revised Code that is offered by 1218  
the student's high school; 1219

(ii) An appropriate course taken through the college 1220  
credit plus program established under Chapter 3365. of the 1221  
Revised Code. 1222

(d) In the case of a student who takes an alternate 1223  
assessment in accordance with division (C) (1) of section 1224  
3301.0711 of the Revised Code, attaining a score established by 1225  
the state board on the alternate assessment in science; 1226

(e) In the case of a student who transfers into an Ohio 1227  
public or chartered nonpublic high school from another state or 1228  
enrolls in an Ohio public or chartered nonpublic high school 1229  
after receiving home ~~instruction-education~~ or attending a 1230  
nonchartered, nontax-supported school in the previous school 1231  
year, attaining a final course grade that is the equivalent of a 1232  
"B" or higher in a course that corresponds with the science end- 1233  
of-course examination and that the student completed in the 1234  
state from which the student transferred or completed while 1235  
receiving home ~~instruction-education~~ or attending a 1236  
nonchartered, nontax-supported school. Division (C) (5) (e) of 1237  
this section does not apply to any such student who takes a 1238

science course for which an end-of-course examination is 1239  
associated after enrolling in the high school. 1240

(6) An honors diploma seal. A student shall meet the 1241  
requirement for this seal by meeting the additional criteria for 1242  
an honors diploma under division (B) of section 3313.61 of the 1243  
Revised Code. 1244

(7) A technology seal. A student shall meet the 1245  
requirement for this seal by doing any of the following: 1246

(a) Subject to division (B) (5) (d) of section 3301.0712 of 1247  
the Revised Code, attaining a score level that is at least the 1248  
equivalent of a proficient level of skill in an appropriate 1249  
advanced placement or international baccalaureate examination; 1250

(b) Attaining a final course grade that is the equivalent 1251  
of a "B" or higher in an appropriate course taken through the 1252  
college credit plus program established under Chapter 3365. of 1253  
the Revised Code; 1254

(c) Completing a course offered through the student's 1255  
district or school that meets guidelines developed by the 1256  
department of education. However, a district or school shall not 1257  
be required to offer a course that meets guidelines developed by 1258  
the department. 1259

(d) In the case of a student who transfers into an Ohio 1260  
public or chartered nonpublic high school from another state or 1261  
enrolls in an Ohio public or chartered nonpublic high school 1262  
after receiving home ~~instruction-education~~ or attending a 1263  
nonchartered, nontax-supported school in the previous school 1264  
year, attaining a final course grade that is the equivalent of a 1265  
"B" or higher in an appropriate course, as determined by the 1266  
district or school, that the student completed in the state from 1267

which the student transferred or completed while receiving home 1268  
~~instruction-education~~ or attending a nonchartered, nontax- 1269  
supported school. 1270

(8) A community service seal. A student shall meet the 1271  
requirement for this seal by completing a community service 1272  
project that is aligned with guidelines adopted by the student's 1273  
district board or school governing authority. 1274

(9) A fine and performing arts seal. A student shall meet 1275  
the requirement for this seal by demonstrating skill in the fine 1276  
or performing arts according to an evaluation that is aligned 1277  
with guidelines adopted by the student's district board or 1278  
school governing authority. 1279

(10) A student engagement seal. A student shall meet the 1280  
requirement for this seal by participating in extracurricular 1281  
activities such as athletics, clubs, or student government to a 1282  
meaningful extent, as determined by guidelines adopted by the 1283  
student's district board or school governing authority. 1284

(D) (1) Each district or school shall develop guidelines 1285  
for at least one of the state seals prescribed under divisions 1286  
(C) (8) to (10) of this section. 1287

(2) For the purposes of determining whether a student who 1288  
transfers to a district or school has satisfied the state 1289  
diploma seal requirement under division (B) (2) of section 1290  
3313.618 of the Revised Code, each district or school shall 1291  
recognize a state diploma seal prescribed under divisions (C) (8) 1292  
to (10) of this section and earned by a student at another 1293  
district or a different public or chartered nonpublic school 1294  
regardless of whether the district or school to which the 1295  
student transfers has developed guidelines under this section 1296

for that state seal. 1297

(3) In guidelines developed for a state diploma seal 1298  
prescribed under divisions (C) (8) to (10) of this section, each 1299  
district or school shall include a method to give, to the extent 1300  
feasible, a student who transfers into the district or school a 1301  
proportional amount of credit for any progress the student was 1302  
making toward earning that state seal at the school district or 1303  
different public or chartered nonpublic school from which the 1304  
student transfers. 1305

(E) Each district or school shall maintain appropriate 1306  
records to identify students who have met the requirements 1307  
prescribed under division (C) of this section for earning the 1308  
state seals established under that division. 1309

(F) The department shall prepare and deliver to each 1310  
district or school an appropriate mechanism for assigning a 1311  
state diploma seal established under division (C) of this 1312  
section. 1313

(G) A student shall not be charged a fee to be assigned a 1314  
state seal prescribed under division (C) of this section on the 1315  
student's diploma and transcript. 1316

**Sec. 3314.041.** The governing authority of each community 1317  
school and any operator of such school shall distribute to 1318  
parents of students of the school upon their enrollment in the 1319  
school the following statement in writing: 1320

"The \_\_\_\_\_ (here fill in name of the school) 1321  
school is a community school established under Chapter 3314. of 1322  
the Revised Code. The school is a public school and students 1323  
enrolled in and attending the school are required to take 1324  
proficiency tests and other examinations prescribed by law. In 1325

addition, there may be other requirements for students at the 1326  
school that are prescribed by law. Students who ~~have been~~ 1327  
~~excused~~ are exempt from the compulsory attendance law for the 1328  
purpose of home education ~~as defined by the Administrative Code~~ 1329  
under section 3321.042 of the Revised Code shall no longer be 1330  
~~excused~~ exempt for that purpose upon their enrollment in a 1331  
community school. For more information about this matter contact 1332  
the school administration or the Ohio Department of Education." 1333

**Sec. 3321.03.** As used in this section and section 3321.04 1334  
of the Revised Code, "special education program" means a school 1335  
or the educational agency that provides special education and 1336  
related services to children with disabilities in accordance 1337  
with Chapter 3323. of the Revised Code. 1338

Except as provided in this section, the parent of a child 1339  
of compulsory school age shall cause such child to attend a 1340  
school in the school district in which the child is entitled to 1341  
attend school under division (B) or (F) of section 3313.64 or 1342  
section 3313.65 of the Revised Code, to participate in a special 1343  
education program under Chapter 3323. of the Revised Code, or to 1344  
otherwise cause the child to be instructed in accordance with 1345  
law. Every child of compulsory school age shall attend a school 1346  
or participate in a special education program that conforms to 1347  
the minimum standards prescribed by the state board of education 1348  
until the child: 1349

(A) Receives a diploma granted by the board of education 1350  
or other governing authority, successfully completes the 1351  
curriculum of any high school, or successfully completes the 1352  
individualized education program developed for the student by 1353  
any high school pursuant to Chapter 3323. of the Revised Code; 1354

(B) Receives an age and schooling certificate as provided 1355

in section 3331.01 of the Revised Code; or 1356

(C) Is excused from school under standards adopted by the 1357  
state board of education pursuant to section 3321.04 or exempt 1358  
under section 3321.042 of the Revised Code, or if in need of 1359  
special education, the child is excused from such programs 1360  
pursuant to section 3321.04 of the Revised Code. 1361

**Sec. 3321.04.** Notwithstanding division (D) of section 1362  
3311.19 and division (D) of section 3311.52 of the Revised Code, 1363  
this section does not apply to any joint vocational or 1364  
cooperative education school district or its superintendent. 1365

Every parent of any child of compulsory school age who is 1366  
not employed under an age and schooling certificate or exempt 1367  
under section 3321.042 of the Revised Code must send such child 1368  
to a school or a special education program that conforms to the 1369  
minimum standards prescribed by the state board of education, 1370  
for the full time the school or program attended is in session, 1371  
which shall not be for less than thirty-two weeks per school 1372  
year. Such attendance must begin within the first week of the 1373  
school term or program or within one week of the date on which 1374  
the child begins to reside in the district or within one week 1375  
after the child's withdrawal from employment. 1376

For the purpose of operating a school or program on a 1377  
trimester plan, "full time the school attended is in session," 1378  
as used in this section means the two trimesters to which the 1379  
child is assigned by the board of education. For the purpose of 1380  
operating a school or program on a quarterly plan, "full time 1381  
the school attended is in session," as used in this section, 1382  
means the three quarters to which the child is assigned by the 1383  
board of education. For the purpose of operating a school or 1384  
program on a pentamester plan, "full time the school is in 1385



session," as used in this section, means the four pentamesters 1386  
to which the child is assigned by the board of education. 1387

Excuses from future attendance at or past absence from 1388  
school or a special education program may be granted for the 1389  
causes, by the authorities, and under the following conditions: 1390

(A) The superintendent of the school district in which the 1391  
child resides may excuse the child from attendance for any part 1392  
of the remainder of the current school year upon a satisfactory 1393  
~~showing of either of the following facts:~~ 1394

~~(1) That that the child's bodily or mental condition does 1395  
not permit attendance at school or a special education program 1396  
during such period; this fact is certified in writing by a 1397  
licensed physician or, in the case of a mental condition, by a 1398  
licensed physician, a licensed psychologist, licensed school 1399  
psychologist or a certificated school psychologist; and 1400  
provision is made for appropriate instruction of the child, in 1401  
accordance with Chapter 3323. of the Revised Code;~~ 1402

~~(2) That the child is being instructed at home by a person 1403  
qualified to teach the branches in which instruction is 1404  
required, and such additional branches, as the advancement and 1405  
needs of the child may, in the opinion of such superintendent, 1406  
require. In each such case the . The issuing superintendent 1407  
shall file in the superintendent's office, with a copy of the 1408  
excuse, papers showing how the inability of the child to attend 1409  
school or a special education program ~~or the qualifications of~~ 1410  
~~the person instructing the child at home were determined.~~ All 1411  
such excuses shall become void and subject to recall upon the 1412  
removal of the disability of the child ~~or the cessation of~~ 1413  
~~proper home instruction;~~ and thereupon the child or the child's 1414  
parents may be proceeded against after due notice whether such 1415~~

excuse be recalled or not. 1416

(B) The state board of education may adopt rules 1417  
authorizing the superintendent of schools of the district in 1418  
which the child resides to excuse a child over fourteen years of 1419  
age from attendance for a future limited period for the purpose 1420  
of performing necessary work directly and exclusively for the 1421  
child's parents or legal guardians. 1422

All excuses provided for in divisions (A) and (B) of this 1423  
section shall be in writing and shall show the reason for 1424  
excusing the child. A copy thereof shall be sent to the person 1425  
in charge of the child. 1426

(C) The board of education of the school district or the 1427  
governing authorities of a private or parochial school may in 1428  
the rules governing the discipline in such schools, prescribe 1429  
the authority by which and the manner in which any child may be 1430  
excused for absence from such school for good and sufficient 1431  
reasons. 1432

The state board of education may by rule prescribe 1433  
conditions governing the issuance of excuses, which shall be 1434  
binding upon the authorities empowered to issue them. 1435

Sec. 3321.042. (A) As used in this section, "home 1436  
education" means the education of a child, between the ages of 1437  
six and eighteen years of age, that is directed by the child's 1438  
parent. "Home education" does not include education provided to 1439  
a child who is enrolled full time in a public or chartered 1440  
nonpublic school. 1441

(B) A child receiving home education in the subject areas 1442  
of English language arts, mathematics, science, history, 1443  
government, and social studies is exempt from section 3321.04 of 1444

the Revised Code. 1445

(C) Within five calendar days after commencing home 1446  
education, moving into a new district, or withdrawing from a 1447  
public or nonpublic school, and by the thirtieth day of August 1448  
each year thereafter, the parent or guardian of a child 1449  
receiving a home education shall transmit a notice to the 1450  
superintendent of the child's school district of residence. The 1451  
notice shall provide the parent's name and address, the child's 1452  
name, and an assurance that the child will receive education in 1453  
the subject areas required under this section. The child's 1454  
exemption under this section is effective immediately upon 1455  
receipt of notice. The district superintendent shall provide a 1456  
written acknowledgement of the superintendent's receipt of the 1457  
notice to the parent or guardian not later than fourteen 1458  
calendar days after receiving the notice. A child exempt under 1459  
this section shall not be required to be excused under section 1460  
3321.04 of the Revised Code. 1461

(D) A child that is being enrolled in a public school 1462  
following any period of home education shall be placed in the 1463  
appropriate grade level, without discrimination or prejudice, 1464  
based on the policies of the child's district of residence. 1465

(E) This section shall not be subject to any rules adopted 1466  
by the state board of education or the superintendent of public 1467  
instruction. 1468

(F) The state board of education shall rescind any rules 1469  
regarding the issuance of excuses from compulsory attendance for 1470  
the purposes of home education under division (A)(2) of section 1471  
3321.04 of the Revised Code, as it existed prior to the 1472  
effective date of this section. 1473

**Sec. 3321.13.** (A) Whenever any child of compulsory school 1474  
age withdraws from school the teacher of that child shall 1475  
ascertain the reason for withdrawal. The fact of the withdrawal 1476  
and the reason for it shall be immediately transmitted by the 1477  
teacher to the superintendent of the city, local, or exempted 1478  
village school district. If the child who has withdrawn from 1479  
school has done so because of change of residence, the next 1480  
residence shall be ascertained and shall be included in the 1481  
notice thus transmitted. The superintendent shall thereupon 1482  
forward a card showing the essential facts regarding the child 1483  
and stating the place of the child's new residence to the 1484  
superintendent of schools of the district to which the child has 1485  
moved. 1486

The superintendent of public instruction may prescribe the 1487  
forms to be used in the operation of this division. 1488

(B) (1) Upon receipt of information that a child of 1489  
compulsory school age has withdrawn from school for a reason 1490  
other than because of change of residence or for the purposes of 1491  
home education under section 3321.042 of the Revised Code, and 1492  
is not enrolled in and attending in accordance with school 1493  
policy an approved program to obtain a diploma or its 1494  
equivalent, the district superintendent shall notify the 1495  
registrar of motor vehicles and the juvenile judge of the county 1496  
in which the district is located of the withdrawal and failure 1497  
to enroll in and attend an approved program to obtain a diploma 1498  
or its equivalent. A notification to the registrar required by 1499  
this division shall be given in the manner the registrar by rule 1500  
requires and a notification to the juvenile judge required by 1501  
this division shall be given in writing. Each notification shall 1502  
be given within two weeks after the withdrawal and failure to 1503  
enroll in and attend an approved program or its equivalent. 1504

(2) The board of education of a school district may adopt 1505  
a resolution providing that the provisions of division (B) (2) of 1506  
this section apply within the district. The provisions of 1507  
division (B) (2) of this section do not apply within any school 1508  
district, and no superintendent of a school district shall send 1509  
a notification of the type described in division (B) (2) of this 1510  
section to the registrar of motor vehicles or the juvenile judge 1511  
of the county in which the district is located, unless the board 1512  
of education of the district has adopted such a resolution. If 1513  
the board of education of a school district adopts a resolution 1514  
providing that the provisions of division (B) (2) of this section 1515  
apply within the district, and if the superintendent of schools 1516  
of that district receives information that, during any semester 1517  
or term, a child of compulsory school age has been absent 1518  
without legitimate excuse from the school the child is supposed 1519  
to attend for more than sixty consecutive hours in a single 1520  
month or for at least ninety hours in a school year, the 1521  
superintendent shall notify the child and the child's parent, 1522  
guardian, or custodian, in writing, that the information has 1523  
been provided to the superintendent, that as a result of that 1524  
information the child's temporary instruction permit or driver's 1525  
license will be suspended or the opportunity to obtain such a 1526  
permit or license will be denied, and that the child and the 1527  
child's parent, guardian, or custodian may appear in person at a 1528  
scheduled date, time, and place before the superintendent or a 1529  
designee to challenge the information provided to the 1530  
superintendent. 1531

The notification to the child and the child's parent, 1532  
guardian, or custodian required by division (B) (2) of this 1533  
section shall set forth the information received by the 1534  
superintendent and shall inform the child and the child's 1535

parent, guardian, or custodian of the scheduled date, time, and 1536  
place of the appearance that they may have before the 1537  
superintendent or a designee. The date scheduled for the 1538  
appearance shall be no earlier than three and no later than five 1539  
days after the notification is given, provided that an extension 1540  
may be granted upon request of the child or the child's parent, 1541  
guardian, or custodian. If an extension is granted, the 1542  
superintendent shall schedule a new date, time, and place for 1543  
the appearance and shall inform the child and the child's 1544  
parent, guardian, or custodian of the new date, time, and place. 1545

If the child and the child's parent, guardian, or 1546  
custodian do not appear before the superintendent or a designee 1547  
on the scheduled date and at the scheduled time and place, or if 1548  
the child and the child's parent, guardian, or custodian appear 1549  
before the superintendent or a designee on the scheduled date 1550  
and at the scheduled time and place but the superintendent or a 1551  
designee determines that the information the superintendent 1552  
received indicating that, during the semester or term, the child 1553  
had been absent without legitimate excuse from the school the 1554  
child was supposed to attend for more than sixty consecutive 1555  
hours or for at least ninety total hours, the superintendent 1556  
shall notify the registrar of motor vehicles and the juvenile 1557  
judge of the county in which the district is located that the 1558  
child has been absent for that period of time and that the child 1559  
does not have any legitimate excuse for the habitual absence. A 1560  
notification to the registrar required by this division shall be 1561  
given in the manner the registrar by rule requires and a 1562  
notification to the juvenile judge required by this division 1563  
shall be given in writing. Each notification shall be given 1564  
within two weeks after the receipt of the information of the 1565  
habitual absence from school without legitimate excuse, or, if 1566

the child and the child's parent, guardian, or custodian appear 1567  
before the superintendent or a designee to challenge the 1568  
information, within two weeks after the appearance. 1569

For purposes of division (B) (2) of this section, a 1570  
legitimate excuse for absence from school includes, but is not 1571  
limited to, the fact that the child in question has enrolled in 1572  
another school or school district in this or another state, the 1573  
fact that the child in question was excused from attendance for 1574  
any of the reasons specified in section 3321.04 of the Revised 1575  
Code, the fact that the child is exempt for the purposes of home 1576  
education under section 3321.042 of the Revised Code, or the 1577  
fact that the child in question has received an age and 1578  
schooling certificate in accordance with section 3331.01 of the 1579  
Revised Code. 1580

(3) Whenever a pupil is suspended or expelled from school 1581  
pursuant to section 3313.66 of the Revised Code and the reason 1582  
for the suspension or expulsion is the use or possession of 1583  
alcohol, a drug of abuse, or alcohol and a drug of abuse, the 1584  
superintendent of schools of that district may notify the 1585  
registrar and the juvenile judge of the county in which the 1586  
district is located of such suspension or expulsion. Any such 1587  
notification of suspension or expulsion shall be given to the 1588  
registrar, in the manner the registrar by rule requires and 1589  
shall be given to the juvenile judge in writing. The 1590  
notifications shall be given within two weeks after the 1591  
suspension or expulsion. 1592

(4) Whenever a pupil is suspended, expelled, removed, or 1593  
permanently excluded from a school for misconduct included in a 1594  
policy that the board of education of a city, exempted village, 1595  
or local school district has adopted under division (A) of 1596

section 3313.661 of the Revised Code, and the misconduct 1597  
involves a firearm or a knife or other weapon as defined in that 1598  
policy, the superintendent of schools of that district shall 1599  
notify the registrar and the juvenile judge of the county in 1600  
which the district is located of the suspension, expulsion, 1601  
removal, or permanent exclusion. The notification shall be given 1602  
to the registrar in the manner the registrar, by rule, requires 1603  
and shall be given to the juvenile judge in writing. The 1604  
notifications shall be given within two weeks after the 1605  
suspension, expulsion, removal, or permanent exclusion. 1606

(C) A notification of withdrawal, habitual absence without 1607  
legitimate excuse, suspension, or expulsion given to the 1608  
registrar or a juvenile judge under division (B) (1), (2), (3), 1609  
or (4) of this section shall contain the name, address, date of 1610  
birth, school, and school district of the child. If the 1611  
superintendent finds, after giving a notification of withdrawal, 1612  
habitual absence without legitimate excuse, suspension, or 1613  
expulsion to the registrar and the juvenile judge under division 1614  
(B) (1), (2), (3), or (4) of this section, that the notification 1615  
was given in error, the superintendent immediately shall notify 1616  
the registrar and the juvenile judge of that fact. 1617

**Sec. 3331.02.** (A) The superintendent of schools or the 1618  
chief administrative officer, as appropriate pursuant to section 1619  
3331.01 of the Revised Code, shall not issue an age and 1620  
schooling certificate until the superintendent or chief 1621  
administrative officer has received, examined, approved, and 1622  
filed the following papers duly executed: 1623

(1) The written pledge or promise of the person, 1624  
partnership, or corporation to legally employ the child, and for 1625  
this purpose work performed by a minor, directly and exclusively 1626



for the benefit of such minor's parent, in the farm home or on 1627  
the farm of such parent is legal employment, irrespective of any 1628  
contract of employment, or the absence thereof, to permit the 1629  
child to attend school as provided in section 3321.08 of the 1630  
Revised Code, and give notice of the nonuse of an age and 1631  
schooling certificate within five days from the date of the 1632  
child's withdrawal or dismissal from the service of that person, 1633  
partnership, or corporation, giving the reasons for such 1634  
withdrawal or dismissal; 1635

(2) The child's school record or notification. As used in 1636  
this division, a "school record" means documents properly filled 1637  
out and signed by the person in charge of the school which the 1638  
child last attended, giving the recorded age of the child, the 1639  
child's address, standing in studies, rating in conduct, and 1640  
attendance in days during the school year of the child's last 1641  
attendance; "notification" means the information submitted to 1642  
the superintendent by the parent of a child ~~excused-exempt~~ from 1643  
attendance at school pursuant to ~~division (A) (2) of section~~ 1644  
~~3321.04-3321.042~~ of the Revised Code, ~~as the notification is~~ 1645  
~~required by rules adopted by the department of education.~~ 1646

(3) Evidence of the age of the child as follows: 1647

(a) A certified copy of an original birth record or a 1648  
certification of birth, issued in accordance with Chapter 3705. 1649  
of the Revised Code, or by an officer charged with the duty of 1650  
recording births in another state or country, shall be 1651  
conclusive evidence of the age of the child; 1652

(b) In the absence of such birth record or certification 1653  
of birth, a passport, or duly attested transcript thereof, 1654  
showing the date and place of birth of the child, filed with a 1655  
register of passports at a port of entry of the United States; 1656

or an attested transcript of the certificate of birth or baptism 1657  
or other religious record, showing the date and place of birth 1658  
of the child, shall be conclusive evidence of the age of the 1659  
child; 1660

(c) In case none of the above proofs of age can be 1661  
produced, other documentary evidence, except the affidavit of 1662  
the parent, guardian, or custodian, satisfactory to the 1663  
superintendent or chief administrative officer may be accepted 1664  
in lieu thereof; 1665

(d) In case no documentary proof of age can be procured, 1666  
the superintendent or chief administrative officer may receive 1667  
and file an application signed by the parent, guardian, or 1668  
custodian of the child that a medical certificate be secured to 1669  
establish the sufficiency of the age of the child, which 1670  
application shall state the alleged age of the child, the place 1671  
and date of birth, the child's present residence, and such 1672  
further facts as may be of assistance in determining the age of 1673  
the child, and shall certify that the person signing the 1674  
application is unable to obtain any of the documentary proofs 1675  
specified in divisions (A) (3) (a), (b), and (c) of this section; 1676  
and if the superintendent or chief administrative officer is 1677  
satisfied that a reasonable effort to procure such documentary 1678  
proof has been without success such application shall be granted 1679  
and the certificate of the school physician or if there be none, 1680  
of a physician, a physician assistant, a clinical nurse 1681  
specialist, or a certified nurse practitioner employed by the 1682  
board of education, that said physician, physician assistant, 1683  
clinical nurse specialist, or certified nurse practitioner is 1684  
satisfied that the child is above the age required for an age 1685  
and schooling certificate as stated in section 3331.01 of the 1686  
Revised Code, shall be accepted as sufficient evidence of age. 1687

(4) A certificate, including an athletic certificate of examination, from a physician licensed pursuant to Chapter 4731. of the Revised Code, a physician assistant, a clinical nurse specialist, or a certified nurse practitioner, or from the district health commissioner, showing after a thorough examination that the child is physically fit to be employed in such occupations as are not prohibited by law for a boy or girl, as the case may be, under eighteen years of age; but a certificate with "limited" written, printed, marked, or stamped thereon may be furnished by such physician, physician assistant, clinical nurse specialist, or certified nurse practitioner and accepted by the superintendent or chief administrative officer in issuing a "limited" age and schooling certificate provided in section 3331.06 of the Revised Code, showing that the child is physically fit to be employed in some particular occupation not prohibited by law for a boy or girl of such child's age, as the case may be, even if the child's complete physical ability to engage in such occupation cannot be vouched for.

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

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

(C) The superintendent of schools or the chief

administrative officer shall require a child who resides out of 1718  
this state to file all the information required under division 1719  
(A) of this section. The superintendent of schools or the chief 1720  
administrative officer shall evaluate the information filed and 1721  
determine whether to issue the age and schooling certificate 1722  
using the same standards as those the superintendent or officer 1723  
uses for in-state children. 1724

**Sec. 3331.04.** (A) Until July 1, 2016, an age and schooling 1725  
certificate may be issued by the superintendent of schools to a 1726  
child over sixteen years of age upon proof acceptable to such 1727  
superintendent of the following facts and upon agreement to the 1728  
respective conditions made in writing by the child and by the 1729  
parents, guardian, or custodian in charge of such child: 1730

(1) That the child is addicted to no habit which is likely 1731  
to detract from the child's reliability or effectiveness as a 1732  
worker, or proper use of the child's earnings or leisure, or the 1733  
probability of the child's faithfully carrying out the 1734  
conditions to which the child agrees as specified in division 1735  
(A) (2) of this section, and in addition any one of the following 1736  
groups of facts: 1737

(a) That the child has been a resident of the school 1738  
district for the last two years, has diligently attended upon 1739  
instruction at school for the last two years, and is able to 1740  
read, write, and perform the fundamental operations of 1741  
arithmetic. These abilities shall be judged by the 1742  
superintendent. 1743

(b) That the child having been a resident of the school 1744  
district less than two years, diligently attended upon 1745  
instruction in school in the district in which the child was a 1746  
resident next preceding the child's residence in the present 1747

district for the last school year preceding the child's removal 1748  
to the present district, and has diligently attended upon 1749  
instruction in the schools of the present district for the 1750  
period that the child has been a resident thereof; 1751

(c) That the child has removed to the present school 1752  
district since the beginning of the last annual school session, 1753  
and that instruction adapted to the child's needs is not 1754  
provided in the regular day schools in the district; 1755

(d) That conditions are such that the child must provide 1756  
for the child's own support or that the child is needed for the 1757  
support or care of parents or for the support or care of 1758  
brothers or sisters for whom the parents are unable to provide 1759  
and that the child is desirous of working for the support or 1760  
care of self or of such parents or siblings and that such child 1761  
cannot render such needed support or care by a reasonable effort 1762  
outside of school hours; but no age and schooling certificate 1763  
shall be granted to a child of this group upon proof of such 1764  
facts without written consent given to the superintendent by the 1765  
juvenile judge and by the department of job and family services. 1766

(2) In case the certificate is granted under division (A) 1767  
(1) of this section, that until reaching the age of eighteen 1768  
years the child will diligently attend in addition to part-time 1769  
classes, such evening classes as will add to the child's 1770  
education for literacy, citizenship, or vocational preparation 1771  
which may be made available to the child in the school district 1772  
and which the child may be directed to attend by the 1773  
superintendent, or in case no such classes are available, that 1774  
the child will pursue such reading and study and report monthly 1775  
thereon as may be directed by the superintendent. 1776

(B) ~~Beginning July 1, 2016, an~~ An age and schooling 1777

certificate may be issued pursuant to this section ~~only~~ to a 1778  
child over sixteen years of age who is not exempt for the 1779  
purposes of home education under section 3321.042 of the Revised 1780  
Code and who does both of the following: 1781

(1) Upon agreement in writing, by the child and the 1782  
parents, guardian, or custodian in charge of such child, 1783  
provides proof acceptable to the superintendent that the 1784  
conditions in division (A) (1) of this section are met; 1785

(2) Is enrolled in a competency-based instructional 1786  
program to earn a high school diploma in accordance with the 1787  
rules adopted by the state board of education pursuant to this 1788  
~~division (C) of this section.~~ 1789

~~(C) Not later than July 1, 2016, the~~ The state board, in 1790  
accordance with Chapter 119. of the Revised Code, shall adopt 1791  
rules on the requirements for completing a competency-based 1792  
instructional program that leads to a high school diploma under 1793  
~~this section~~ division. 1794

(C) Beginning July 1, 2023, an age and schooling 1795  
certificate may be issued by a parent of a child over sixteen 1796  
years of age who is exempt for the purposes of home education 1797  
under section 3321.042 of the Revised Code. 1798

**Sec. 3333.31.** (A) For state subsidy and tuition surcharge 1799  
purposes, status as a resident of Ohio shall be defined by the 1800  
chancellor of higher education by rule promulgated pursuant to 1801  
Chapter 119. of the Revised Code. No adjudication as to the 1802  
status of any person under such rule, however, shall be required 1803  
to be made pursuant to Chapter 119. of the Revised Code. The 1804  
term "resident" for these purposes shall not be equated with the 1805  
definition of that term as it is employed elsewhere under the 1806

laws of this state and other states, and shall not carry with it 1807  
any of the legal connotations appurtenant thereto. Rather, 1808  
except as provided in divisions (B), (C), (D), (F), and (G) of 1809  
this section, for such purposes, the rule promulgated under this 1810  
section shall have the objective of excluding from treatment as 1811  
residents those who are present in the state primarily for the 1812  
purpose of attending a state-supported or state-assisted 1813  
institution of higher education, and may prescribe presumptive 1814  
rules, rebuttable or conclusive, as to such purpose based upon 1815  
the source or sources of support of the student, residence prior 1816  
to first enrollment, evidence of intention to remain in the 1817  
state after completion of studies, or such other factors as the 1818  
chancellor deems relevant. 1819

(B) The rules of the chancellor for determining student 1820  
residency shall grant residency status to a veteran and to the 1821  
veteran's spouse and any dependent of the veteran, if both of 1822  
the following conditions are met: 1823

(1) The veteran either: 1824

(a) Served one or more years on active military duty and 1825  
was honorably discharged or received a medical discharge that 1826  
was related to the military service; 1827

(b) Was killed while serving on active military duty or 1828  
has been declared to be missing in action or a prisoner of war. 1829

(2) If the veteran seeks residency status for tuition 1830  
surcharge purposes, the veteran has established domicile in this 1831  
state as of the first day of a term of enrollment in an 1832  
institution of higher education. If the spouse or a dependent of 1833  
the veteran seeks residency status for tuition surcharge 1834  
purposes, the veteran and the spouse or dependent seeking 1835

residency status have established domicile in this state as of 1836  
the first day of a term of enrollment in an institution of 1837  
higher education, except that if the veteran was killed while 1838  
serving on active military duty, has been declared to be missing 1839  
in action or a prisoner of war, or is deceased after discharge, 1840  
only the spouse or dependent seeking residency status shall be 1841  
required to have established domicile in accordance with this 1842  
division. 1843

(C) The rules of the chancellor for determining student 1844  
residency shall grant residency status to both of the following: 1845

(1) A veteran who is the recipient of federal veterans' 1846  
benefits under the "All-Volunteer Force Educational Assistance 1847  
Program," 38 U.S.C. 3001 et seq., or "Post-9/11 Veterans 1848  
Educational Assistance Program," 38 U.S.C. 3301 et seq., or any 1849  
successor program, if the veteran meets all of the following 1850  
criteria: 1851

(a) The veteran served at least ninety days on active 1852  
duty. 1853

(b) The veteran enrolls in a state institution of higher 1854  
education, as defined in section 3345.011 of the Revised Code. 1855

(c) The veteran lives in the state as of the first day of 1856  
a term of enrollment in the state institution of higher 1857  
education. 1858

(2) A person who is the recipient of the federal Marine 1859  
Gunnery Sergeant John David Fry scholarship or transferred 1860  
federal veterans' benefits under any of the programs described 1861  
in division (C)(1) of this section, if the person meets both of 1862  
the following criteria: 1863

(a) The person enrolls in a state institution of higher 1864



education. 1865

(b) The person lives in the state as of the first day of a 1866  
term of enrollment in the state institution of higher education. 1867

In order for a person using transferred federal veterans' 1868  
benefits to qualify under division (C) (2) of this section, the 1869  
veteran who transferred the benefits must have served at least 1870  
ninety days on active duty or the service member who transferred 1871  
the benefits must be on active duty. 1872

(D) The rules of the chancellor for determining student 1873  
residency shall grant residency status to a service member who 1874  
is on active duty and to the service member's spouse and any 1875  
dependent of the service member while the service member is on 1876  
active duty. In order to qualify under division (D) of this 1877  
section, the rules shall require the student seeking in-state 1878  
tuition rates to live in the state as of the first day of a term 1879  
of enrollment in the state institution of higher education, but 1880  
shall not require the service member or the service member's 1881  
spouse or dependent to establish domicile in this state as of 1882  
the first day of a term of enrollment in an institution of 1883  
higher education. 1884

(E) The rules of the chancellor for determining student 1885  
residency shall not deny residency status to a student who is 1886  
either a dependent child of a parent, or the spouse of a person 1887  
who, as of the first day of a term of enrollment in an 1888  
institution of higher education, has accepted full-time 1889  
employment and established domicile in this state for reasons 1890  
other than gaining the benefit of favorable tuition rates. 1891

Documentation of full-time employment and domicile shall 1892  
include both of the following documents: 1893

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

(2) A copy of the lease under which the parent or spouse is the lessee and occupant of rented residential property in the state, a copy of the closing statement on residential real property of which the parent or spouse is the owner and occupant in this state or, if the parent or spouse is not the lessee or owner of the residence in which the parent or spouse has established domicile, a letter from the owner of the residence certifying that the parent or spouse resides at that residence.

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

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

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

(b) The person meets all of the following criteria:	1924
(i) The person officially withdrew from a school in this state while the person was a resident of this state for state subsidy and tuition surcharge purposes.	1925 1926 1927
(ii) The person has not received a high school diploma or honors diploma awarded under section 3313.61, 3313.611, 3313.612, or 3325.08 of the Revised Code or a high school diploma awarded by a school located in another state or country.	1928 1929 1930 1931
(iii) The person, while a resident of this state for state subsidy and tuition surcharge purposes, both took a high school equivalency test and was awarded a certificate of high school equivalence.	1932 1933 1934 1935
(2) The rules of the chancellor for determining student residency shall not grant residency status to an alien if the alien is not also an immigrant or a nonimmigrant.	1936 1937 1938
(G) The rules of the chancellor for determining student residency status shall grant residency status to a person to whom all of the following apply:	1939 1940 1941
(1) The person, while not a resident of this state for state subsidy and tuition surcharge purposes, lives in this state and completes a bachelor's degree program at an institution of higher education in this state.	1942 1943 1944 1945
(2) The person, upon completing that bachelor's degree program, immediately enrolls in a graduate degree program, as determined appropriate by the chancellor, offered at any state institution of higher education.	1946 1947 1948 1949
(3) The person, while enrolled in the graduate degree program, resides in this state.	1950 1951

The chancellor's rules adopted under this section shall 1952  
define "immediately" for the purposes of division (G) of this 1953  
section. 1954

(H) As used in this section: 1955

(1) "Dependent," "domicile," "institution of higher 1956  
education," and "residency officer" have the meanings ascribed 1957  
in the chancellor's rules adopted under this section. 1958

(2) "Alien" means a person who is not a United States 1959  
citizen or a United States national. 1960

(3) "Immigrant" means an alien who has been granted the 1961  
right by the United States bureau of citizenship and immigration 1962  
services to reside permanently in the United States and to work 1963  
without restrictions in the United States. 1964

(4) "Nonimmigrant" means an alien who has been granted the 1965  
right by the United States bureau of citizenship and immigration 1966  
services to reside temporarily in the United States. 1967

(5) "Veteran" means any person who has completed service 1968  
in the uniformed services, as defined in section 3511.01 of the 1969  
Revised Code. 1970

(6) "Service member" has the same meaning as in section 1971  
5903.01 of the Revised Code. 1972

(7) "Certificate of high school equivalence" means either 1973  
of the following: 1974

(a) A certificate of high school equivalence awarded by 1975  
the department of education under division (A) of section 1976  
3301.80 of the Revised Code; 1977

(b) The equivalent of a certificate of high school 1978

equivalence awarded by the state board of education under former 1979  
law, as defined in division (C)(1) of section 3301.80 of the 1980  
Revised Code. 1981

**Sec. 3333.86.** The chancellor of higher education may 1982  
determine the manner in which a course included in the 1983  
clearinghouse may be offered as an advanced standing program as 1984  
defined in section 3313.6013 of the Revised Code, may be offered 1985  
to students who are enrolled in nonpublic schools or are 1986  
~~instructed~~ educated at home pursuant to section ~~3321.04~~ 3321.042 1987  
of the Revised Code, or may be offered at times outside the 1988  
normal school day or school week, including any necessary 1989  
additional fees and methods of payment for a course so offered. 1990

**Sec. 3345.06.** (A) Subject to divisions (B) and (C) of this 1991  
section, a graduate of the twelfth grade shall be entitled to 1992  
admission without examination to any college or university which 1993  
is supported wholly or in part by the state, but for 1994  
unconditional admission may be required to complete such units 1995  
not included in the graduate's high school course as may be 1996  
prescribed, not less than two years prior to the graduate's 1997  
entrance, by the faculty of the institution. 1998

(B) Beginning with the 2014-2015 academic year, each state 1999  
university listed in section 3345.011 of the Revised Code, 2000  
except for Central state university, Shawnee state university, 2001  
and Youngstown state university, shall permit a resident of this 2002  
state who entered ninth grade for the first time on or after 2003  
July 1, 2010, to begin undergraduate coursework at the 2004  
university only if the person has successfully completed the 2005  
requirements for high school graduation prescribed in division 2006  
(C) of section 3313.603 of the Revised Code, unless one of the 2007  
following applies: 2008

(1) The person has earned at least ten semester hours, or 2009  
the equivalent, at a community college, state community college, 2010  
university branch, technical college, or another post-secondary 2011  
institution except a state university to which division (B) of 2012  
this section applies, in courses that are college-credit-bearing 2013  
and may be applied toward the requirements for a degree. The 2014  
university shall grant credit for successful completion of those 2015  
courses pursuant to any applicable articulation and transfer 2016  
policy of the chancellor of higher education or any agreements 2017  
the university has entered into in accordance with policies and 2018  
procedures adopted under section 3333.16, 3333.161, or 3333.162 2019  
of the Revised Code. The university may count college credit 2020  
that the student earned while in high school through the college 2021  
credit plus program under Chapter 3365. of the Revised Code, or 2022  
through other advanced standing programs, toward the 2023  
requirements of division (B) (1) of this section if the credit 2024  
may be applied toward a degree. 2025

(2) The person qualified to graduate from high school 2026  
under division (D) or (F) of section 3313.603 of the Revised 2027  
Code and has successfully completed the topics or courses that 2028  
the person lacked to graduate under division (C) of that section 2029  
at any post-secondary institution or at a summer program at the 2030  
state university. A state university may admit a person for 2031  
enrollment contingent upon completion of such topics or courses 2032  
or summer program. 2033

(3) The person met the high school graduation requirements 2034  
by successfully completing the person's individualized education 2035  
program developed under section 3323.08 of the Revised Code. 2036

(4) The person is receiving or has completed the final 2037  
year of ~~instruction~~education at home as authorized under 2038

section ~~3321.04~~3321.042 of the Revised Code, or has graduated 2039  
from a nonchartered, nonpublic school in Ohio, and demonstrates 2040  
mastery of the academic content and skills in reading, writing, 2041  
and mathematics needed to successfully complete introductory 2042  
level coursework at an institution of higher education and to 2043  
avoid remedial coursework. 2044

(5) The person is a high school student participating in 2045  
the college credit plus program under Chapter 3365. of the 2046  
Revised Code or another advanced standing program. 2047

(C) A state university subject to division (B) of this 2048  
section may delay admission for or admit conditionally an 2049  
undergraduate student who has successfully completed the 2050  
requirements prescribed in division (C) of section 3313.603 of 2051  
the Revised Code if the university determines the student 2052  
requires academic remedial or developmental coursework. The 2053  
university may delay admission pending, or make admission 2054  
conditional upon, the student's successful completion of the 2055  
academic remedial or developmental coursework at a university 2056  
branch, community college, state community college, or technical 2057  
college. 2058

(D) This section does not deny the right of a college of 2059  
law, medicine, or other specialized education to require college 2060  
training for admission, or the right of a department of music or 2061  
other art to require particular preliminary training or talent. 2062

**Sec. 3365.01.** As used in this chapter: 2063

(A) "Articulated credit" means post-secondary credit that 2064  
is reflected on the official record of a student at an 2065  
institution of higher education only upon enrollment at that 2066  
institution after graduation from a secondary school. 2067

(B) "Default ceiling amount" means one of the following 2068  
amounts, whichever is applicable: 2069

(1) For a participant enrolled in a college operating on a 2070  
semester schedule, the amount calculated according to the 2071  
following formula: 2072

$((0.83 \times \text{formula amount}) / 30)$  2073

X number of enrolled credit hours 2074

(2) For a participant enrolled in a college operating on a 2075  
quarter schedule, the amount calculated according to the 2076  
following formula: 2077

$((0.83 \times \text{formula amount}) / 45)$  2078

X number of enrolled credit hours 2079

(C) "Default floor amount" means twenty-five per cent of 2080  
the default ceiling amount. 2081

(D) "Eligible out-of-state college" means any institution 2082  
of higher education that is located outside of Ohio and is 2083  
approved by the chancellor of higher education to participate in 2084  
the college credit plus program. 2085

(E) "Fee" means any course-related fee and any other fee 2086  
imposed by the college, but not included in tuition, for 2087  
participation in the program established by this chapter. 2088

(F) "Formula amount" means \$6,020. 2089

(G) "Governing entity" means any of the following: 2090

(1) A board of education of a school district; 2091

(2) A governing authority of a community school 2092  
established under Chapter 3314. of the Revised Code; 2093



(3) A governing body of a STEM school established under Chapter 3326. of the Revised Code;	2094 2095
(4) A board of trustees of a college-preparatory boarding school established under Chapter 3328. of the Revised Code;	2096 2097
(5) When referring to the state school for the deaf or the state school for the blind, the state board of education;	2098 2099
(6) When referring to an institution operated by the department of youth services, the superintendent of that institution.	2100 2101 2102
(H) <del>"Home-instructed"</del> <u>"Home-educated participant"</u> means a student who <del>has been excused</del> <u>is exempt</u> from the compulsory attendance law for the purpose of home <del>instruction</del> <u>education</u> under section <del>3321.04</del> <u>3321.042</u> of the Revised Code, and is participating in the program established by this chapter.	2103 2104 2105 2106 2107
(I) "Maximum per participant charge amount" means one of the following amounts, whichever is applicable:	2108 2109
(1) For a participant enrolled in a college operating on a semester schedule, the amount calculated according to the following formula:	2110 2111 2112
((formula amount / 30)	2113
X number of enrolled credit hours)	2114
(2) For a participant enrolled in a college operating on a quarter schedule, the amount calculated according to the following formula:	2115 2116 2117
((formula amount / 45)	2118
X number of enrolled credit hours)	2119
(J) "Nonpublic secondary school" means a chartered school	2120

for which minimum standards are prescribed by the state board of 2121  
education pursuant to division (D) of section 3301.07 of the 2122  
Revised Code. 2123

(K) "Number of enrolled credit hours" means the number of 2124  
credit hours for a course in which a participant is enrolled 2125  
during the previous term after the date on which a withdrawal 2126  
from a course would have negatively affected the participant's 2127  
transcripted grade, as prescribed by the college's established 2128  
withdrawal policy. 2129

(L) "Parent" has the same meaning as in section 3313.64 of 2130  
the Revised Code. 2131

(M) "Participant" means any student enrolled in a college 2132  
under the program established by this chapter. 2133

(N) "Partnering college" means a college with which a 2134  
public or nonpublic secondary school has entered into an 2135  
agreement in order to offer the program established by this 2136  
chapter. 2137

(O) "Partnering secondary school" means a public or 2138  
nonpublic secondary school with which a college has entered into 2139  
an agreement in order to offer the program established by this 2140  
chapter. 2141

(P) "Private college" means any of the following: 2142

(1) A nonprofit institution holding a certificate of 2143  
authorization pursuant to Chapter 1713. of the Revised Code; 2144

(2) An institution holding a certificate of registration 2145  
from the state board of career colleges and schools and program 2146  
authorization for an associate or bachelor's degree program 2147  
issued under section 3332.05 of the Revised Code; 2148

(3) A private institution exempt from regulation under 2149  
Chapter 3332. of the Revised Code as prescribed in section 2150  
3333.046 of the Revised Code. 2151

(Q) "Public college" means a "state institution of higher 2152  
education" in section 3345.011 of the Revised Code, excluding 2153  
the northeast Ohio medical university. 2154

(R) "Public secondary school" means a school serving 2155  
grades nine through twelve in a city, local, or exempted village 2156  
school district, a joint vocational school district, a community 2157  
school established under Chapter 3314. of the Revised Code, a 2158  
STEM school established under Chapter 3326. of the Revised Code, 2159  
a college-preparatory boarding school established under Chapter 2160  
3328. of the Revised Code, the state school for the deaf, the 2161  
state school for the blind, or an institution operated by the 2162  
department of youth services. 2163

(S) "School year" has the same meaning as in section 2164  
3313.62 of the Revised Code. 2165

(T) "Secondary grade" means any of grades nine through 2166  
twelve. 2167

(U) "Standard rate" means the amount per credit hour 2168  
assessed by the college for an in-state student who is enrolled 2169  
in an undergraduate course at that college, but who is not 2170  
participating in the college credit plus program, as prescribed 2171  
by the college's established tuition policy. 2172

(V) "Transcribed credit" means post-secondary credit that 2173  
is conferred by an institution of higher education and is 2174  
reflected on a student's official record at that institution 2175  
upon completion of a course. 2176

**Sec. 3365.02.** (A) There is hereby established the college 2177

credit plus program under which, beginning with the 2015-2016 2178  
school year, a secondary grade student who is a resident of this 2179  
state may enroll at a college, on a full- or part-time basis, 2180  
and complete nonsectarian, nonremedial courses for high school 2181  
and college credit. The program shall govern arrangements in 2182  
which a secondary grade student enrolls in a college and, upon 2183  
successful completion of coursework taken under the program, 2184  
receives transcribed credit from the college. The following are 2185  
not governed by the college credit plus program: 2186

(1) An agreement governing an early college high school 2187  
program, provided the program meets the definition set forth in 2188  
division (F) (2) of section 3313.6013 of the Revised Code and is 2189  
approved by the superintendent of public instruction and the 2190  
chancellor of higher education; 2191

(2) An advanced placement course or international 2192  
baccalaureate diploma course, as described in divisions (A) (2) 2193  
and (3) of section 3313.6013 of the Revised Code; 2194

(3) A career-technical education program that is approved 2195  
by the department of education under section 3317.161 of the 2196  
Revised Code and grants articulated credit to students 2197  
participating in that program. However, any portion of an 2198  
approved program that results in the conferral of transcribed 2199  
credit upon the completion of the course shall be governed by 2200  
the college credit plus program. 2201

(B) Any student enrolled in a public or nonpublic 2202  
secondary school in the student's ninth, tenth, eleventh, or 2203  
twelfth grade; any student enrolled in a nonchartered nonpublic 2204  
secondary school in the student's ninth, tenth, eleventh, or 2205  
twelfth grade; and any student who ~~has been excused~~ is exempt 2206  
from the compulsory attendance law for the purpose of home 2207

~~instruction-education~~ under section ~~3321.04-3321.042~~ of the 2208  
Revised Code and is the equivalent of a ninth, tenth, eleventh, 2209  
or twelfth grade student, may participate in the program, if the 2210  
student meets the applicable eligibility criteria in section 2211  
3365.03 of the Revised Code. If a nonchartered nonpublic 2212  
secondary school student chooses to participate in the program, 2213  
that student shall be subject to the same requirements as a 2214  
~~home-instructed-home-educated~~ student who chooses to participate 2215  
in the program under this chapter. 2216

(C) All public secondary schools and all public colleges 2217  
shall participate in the program and are subject to the 2218  
requirements of this chapter. Any nonpublic secondary school or 2219  
private college that chooses to participate in the program shall 2220  
also be subject to the requirements of this chapter. 2221

(D) The chancellor, in accordance with Chapter 119. of the 2222  
Revised Code and in consultation with the state superintendent, 2223  
shall adopt rules governing the program. 2224

**Sec. 3365.03.** (A) A student enrolled in a public or 2225  
nonpublic secondary school during the student's ninth, tenth, 2226  
eleventh, or twelfth grade school year; a student enrolled in a 2227  
nonchartered nonpublic secondary school in the student's ninth, 2228  
tenth, eleventh, or twelfth grade school year; or a student who 2229  
~~has been excused~~ is exempt from the compulsory attendance law 2230  
for the purpose of home ~~instruction-education~~ under section 2231  
~~3321.04~~3321.042 of the Revised Code and is the equivalent of a 2232  
ninth, tenth, eleventh, or twelfth grade student, may apply to 2233  
and enroll in a college under the college credit plus program. 2234

(1) In order for a public secondary school student to 2235  
participate in the program, all of the following criteria shall 2236  
be met: 2237

(a) The student or the student's parent shall inform the principal, or equivalent, of the student's school by the first day of April of the student's intent to participate in the program during the following school year. Any student who fails to provide the notification by the required date may not participate in the program during the following school year without the written consent of the principal, or equivalent. If a student seeks consent from the principal after failing to provide notification by the required date, the principal shall notify the department of education of the student's intent to participate within ten days of the date on which the student seeks consent. If the principal does not provide written consent, the student may appeal the principal's decision to the governing entity of the school, except for a student who is enrolled in a school district, who may appeal the decision to the district superintendent. Not later than thirty days after the notification of the appeal, the district superintendent or governing entity shall hear the appeal and shall make a decision to either grant or deny that student's participation in the program. The decision of the district superintendent or governing entity shall be final.

(b) The student shall:

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

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

(I) Be remediation-free, in accordance with one of the assessments established under division (F) of section 3345.061

of the Revised Code; 2268

(II) Meet an alternative remediation-free eligibility 2269  
option, as defined by the chancellor of higher education, in 2270  
consultation with the superintendent of public instruction, in 2271  
rules adopted under this section; 2272

(III) Have participated in the program prior to ~~the~~ 2273  
~~effective date of this amendment~~ September 30, 2021, and 2274  
qualified to participate in the program by scoring within one 2275  
standard error of measurement below the remediation-free 2276  
threshold for one of the assessments established under division 2277  
(F) of section 3345.061 of the Revised Code and satisfying one 2278  
of the conditions specified under division (A) (1) (b) (ii) (I) or 2279  
(II) of this section as those divisions existed prior to ~~the~~ 2280  
~~effective date of this amendment~~ September 30, 2021. 2281

(iii) Meet the college's and relevant academic program's 2282  
established standards for admission, enrollment, and course 2283  
placement, including course-specific capacity limitations, 2284  
pursuant to section 3365.05 of the Revised Code. 2285

(c) The student shall elect at the time of enrollment to 2286  
participate under either division (A) or (B) of section 3365.06 2287  
of the Revised Code for each course under the program. 2288

(d) The student and the student's parent shall sign a 2289  
form, provided by the school, stating that they have received 2290  
the counseling required under division (B) of section 3365.04 of 2291  
the Revised Code and that they understand the responsibilities 2292  
they must assume in the program. 2293

(2) In order for a nonpublic secondary school student, a 2294  
nonchartered nonpublic secondary school student, or a ~~home-~~ 2295  
~~instructed~~ home-educated student to participate in the program, 2296

both of the following criteria shall be met:	2297
(a) The student shall meet the criteria in divisions (A)	2298
(1) (b) and (c) of this section.	2299
(b) (i) If the student is enrolled in a nonpublic secondary	2300
school, that student shall send to the department of education a	2301
copy of the student's acceptance from a college and an	2302
application. The application shall be made on forms provided by	2303
the state board of education and shall include information about	2304
the student's proposed participation, including the school year	2305
in which the student wishes to participate; and the semesters or	2306
terms the student wishes to enroll during such year. The	2307
department shall mark each application with the date and time of	2308
receipt.	2309
(ii) If the student is enrolled in a nonchartered	2310
nonpublic secondary school or is <del>home-instructed</del> <u>home-educated</u> ,	2311
the parent or guardian of that student shall notify the	2312
department by the first day of April prior to the school year in	2313
which the student wishes to participate.	2314
(B) Except as provided for in division (C) of this section	2315
and in sections 3365.031 and 3365.032 of the Revised Code:	2316
(1) No public secondary school shall prohibit a student	2317
enrolled in that school from participating in the program if	2318
that student meets all of the criteria in division (A) (1) of	2319
this section.	2320
(2) No participating nonpublic secondary school shall	2321
prohibit a student enrolled in that school from participating in	2322
the program if the student meets all of the criteria in division	2323
(A) (2) of this section and, if the student is enrolled under	2324
division (B) of section 3365.06 of the Revised Code, the student	2325



is awarded funding from the department in accordance with rules 2326  
adopted by the chancellor, in consultation with the 2327  
superintendent of public instruction, pursuant to section 2328  
3365.071 of the Revised Code. 2329

(C) For purposes of this section, during the period of an 2330  
expulsion imposed by a public secondary school, a student is 2331  
ineligible to apply to enroll in a college under this section, 2332  
unless the student is admitted to another public secondary or 2333  
participating nonpublic secondary school. If a student is 2334  
enrolled in a college under this section at the time the student 2335  
is expelled, the student's status for the remainder of the 2336  
college term in which the expulsion is imposed shall be 2337  
determined under section 3365.032 of the Revised Code. 2338

(D) Upon a student's graduation from high school, 2339  
participation in the college credit plus program shall not 2340  
affect the student's eligibility at any public college for 2341  
scholarships or for other benefits or opportunities that are 2342  
available to first-time college students and are awarded by that 2343  
college, regardless of the number of credit hours that the 2344  
student completed under the program. 2345

(E) The college to which a student applies to participate 2346  
under this section shall pay for one assessment used to 2347  
determine that student's eligibility under this section. 2348  
However, notwithstanding anything to the contrary in Chapter 2349  
3365. of the Revised Code, any additional assessments used to 2350  
determine the student's eligibility shall be the financial 2351  
responsibility of the student. 2352

**Sec. 3365.033.** (A) Notwithstanding anything to the 2353  
contrary in Chapter 3365. of the Revised Code, any student 2354  
enrolled in a public or nonpublic secondary school in the 2355

student's seventh or eighth grade; any student enrolled in a 2356  
nonchartered nonpublic secondary school in the student's seventh 2357  
or eighth grade; and any student who ~~has been excused~~ is exempt 2358  
from the compulsory attendance law for the purpose of home 2359  
~~instruction education~~ under section ~~3321.04~~3321.042 of the 2360  
Revised Code and is the equivalent of a seventh or eighth grade 2361  
student, may participate in the college credit plus program, if 2362  
the student meets the applicable eligibility criteria required 2363  
of secondary grade students for participation. Participants 2364  
under this section shall be subject to the same requirements as 2365  
secondary grade participants under this chapter. 2366

(B) Participants under this section shall receive high 2367  
school and college credit for courses taken under the program, 2368  
in accordance with the option elected under section 3365.06 of 2369  
the Revised Code. High school credit earned under the program 2370  
shall be awarded in the same manner as for secondary grade 2371  
participants. 2372

(C) If a participant under this section elects to have the 2373  
college reimbursed under section 3365.07 of the Revised Code for 2374  
courses taken under the program, the department shall reimburse 2375  
the college in the same manner as for secondary grade 2376  
participants in accordance with that section. 2377

(D) Notwithstanding section 3327.01 of the Revised Code, 2378  
the parent or guardian of a participant under this section shall 2379  
be responsible for any transportation for the participant 2380  
related to participation in the program. 2381

**Sec. 3365.034.** (A) Notwithstanding anything to the 2382  
contrary in the Revised Code, a student who is eligible to 2383  
participate in the college credit plus program under section 2384  
3365.03 or 3365.033 of the Revised Code may participate in the 2385

program during the summer term of a public or participating 2386  
private college or an eligible out-of-state college 2387  
participating in the program. 2388

Unless otherwise specified, if a student participates in 2389  
the college credit plus program under this section, all 2390  
requirements of the program shall apply. 2391

(B) (1) In order for a public secondary school student to 2392  
participate under this section, the student shall meet the 2393  
criteria in division (A) (1) of section 3365.03 of the Revised 2394  
Code, except that the student or the student's parent shall 2395  
inform the principal, or equivalent, of the student's school by 2396  
the date designated by rule of the chancellor of higher 2397  
education, pursuant to division (E) of this section, of the 2398  
student's intent to participate in the program during the summer 2399  
term. 2400

(2) In order for a nonpublic secondary school student, a 2401  
nonchartered nonpublic secondary school student, or a ~~home-~~ 2402  
~~instructed-home-educated~~ student to participate under this 2403  
section, the student shall meet the applicable criteria in 2404  
division (A) (2) of section 3365.03 of the Revised Code, except 2405  
that the parent or guardian of a nonchartered nonpublic 2406  
secondary school student or a ~~home-instructed-home-educated~~ 2407  
student shall notify the department of education by the date 2408  
designated by rule of the chancellor of higher education, 2409  
pursuant to division (E) of this section, of the student's 2410  
intent to participate in the program during the summer term. 2411

(C) If a participant under this section elects to have the 2412  
college reimbursed under section 3365.07 of the Revised Code for 2413  
courses taken under the program, the department shall reimburse 2414  
the college in the same manner as for students who participate 2415

during the school year in accordance with that section, except 2416  
that the department shall make the applicable payments each 2417  
September, or as soon as possible thereafter. 2418

(D) Notwithstanding section 3327.01 of the Revised Code, 2419  
the participant or the participant's parent or guardian shall be 2420  
responsible for any transportation related to participation in 2421  
the program during the summer term. 2422

(E) The chancellor of higher education, in accordance with 2423  
Chapter 119. of the Revised Code and in consultation with the 2424  
superintendent of public instruction, shall adopt rules for the 2425  
administration of this section. The rules shall include the 2426  
dates by which the student or student's parent must provide 2427  
notification of the student's intent to participate in the 2428  
program during the summer term. 2429

**Sec. 3365.035.** (A) As used in this section, "mature 2430  
subject matter" means any course subject matter or material of a 2431  
graphic, explicit, violent, or sexual nature. 2432

(B) The department of education and the department of 2433  
higher education shall jointly develop a permission slip 2434  
regarding the potential for mature subject matter in a course 2435  
taken through the college credit plus program. The departments 2436  
shall post the permission slip in a prominent place on their 2437  
college credit plus program web sites. 2438

(C) For a student enrolled in a public, chartered 2439  
nonpublic, or nonchartered nonpublic school or a ~~home-instructed-~~ 2440  
home-educated student to enroll in any college course under the 2441  
college credit plus program, the parent of the student and the 2442  
student shall sign and include the permission slip described in 2443  
division (B) of this section within the student's application to 2444

the public college, participating private college, or eligible 2445  
out-of-state college in which the student wishes to enroll. 2446

(D) Each public and participating private college and 2447  
eligible out-of-state college participating in the program, upon 2448  
admitting a student under the program, shall include in the 2449  
college's enrollment materials the following: 2450

(1) A questionnaire for students, developed by the 2451  
college, to answer in the affirmative acknowledging that the 2452  
student possesses the necessary social and emotional maturity 2453  
and is ready to accept the responsibility and independence that 2454  
a college classroom demands and to resubmit to the college; 2455

(2) Guidance on reviewing any course materials available 2456  
prior to enrolling in a course; 2457

(3) Information about the college's and the program's 2458  
policies on withdrawing from or dropping a course; 2459

(4) Information about the student's right to speak with 2460  
the student's high school counselor or with the academic advisor 2461  
assigned to the student as prescribed in division (F) of section 2462  
3365.05 of the Revised Code. 2463

(E) Each public and participating private college and 2464  
eligible out-of-state college participating in the program shall 2465  
include a discussion at student orientation about the potential 2466  
for mature subject matter in courses taken through the program. 2467

(F) The department of education, the department of higher 2468  
education, and each public and participating private college and 2469  
eligible out-of-state college participating in the program shall 2470  
post in a prominent place on their college credit plus program 2471  
web sites the following disclaimer: 2472

"The subject matter of a course enrolled in under the college credit plus program may include mature subject matter or materials, including those of a graphic, explicit, violent, or sexual nature, that will not be modified based upon college credit plus enrollee participation regardless of where course instruction occurs."

**Sec. 3365.07.** The department of education shall calculate and pay state funds to colleges for participants in the college credit plus program under division (B) of section 3365.06 of the Revised Code pursuant to this section. For a nonpublic secondary school participant, a nonchartered nonpublic secondary school participant, or a ~~home-instructed~~ home-educated participant, the department shall pay state funds pursuant to this section only if that participant is awarded funding according to rules adopted by the chancellor of higher education, in consultation with the superintendent of public instruction, pursuant to section 3365.071 of the Revised Code. The program shall be the sole mechanism by which state funds are paid to colleges for students to earn transcribed credit for college courses while enrolled in both a secondary school and a college, with the exception of state funds paid to colleges according to an agreement described in division (A)(1) of section 3365.02 of the Revised Code.

(A) For each public or nonpublic secondary school participant enrolled in a public college:

(1) If no agreement has been entered into under division (A)(2) of this section, both of the following shall apply:

(a) The department shall pay to the college the applicable amount as follows:

(i) For a participant enrolled in a college course 2502  
delivered on the college campus, at another location operated by 2503  
the college, or online, the lesser of the default ceiling amount 2504  
or the college's standard rate; 2505

(ii) For a participant enrolled in a college course 2506  
delivered at the participant's secondary school but taught by 2507  
college faculty, the lesser of fifty per cent of the default 2508  
ceiling amount or the college's standard rate; 2509

(iii) For a participant enrolled in a college course 2510  
delivered at the participant's secondary school and taught by a 2511  
high school teacher who has met the credential requirements 2512  
established for purposes of the program in rules adopted by the 2513  
chancellor, the default floor amount. 2514

(b) The participant's secondary school shall pay for 2515  
textbooks, and the college shall waive payment of all other fees 2516  
related to participation in the program. 2517

(2) The governing entity of a participant's secondary 2518  
school and the college may enter into an agreement to establish 2519  
an alternative payment structure for tuition, textbooks, and 2520  
fees. Under such an agreement, payments for each participant 2521  
made by the department shall be not less than the default floor 2522  
amount, unless approved by the chancellor, and not more than 2523  
either the default ceiling amount or the college's standard 2524  
rate, whichever is less. The chancellor may approve an agreement 2525  
that includes a payment below the default floor amount, as long 2526  
as the provisions of the agreement comply with all other 2527  
requirements of this chapter to ensure program quality. If no 2528  
agreement is entered into under division (A)(2) of this section, 2529  
both of the following shall apply: 2530

(a) The department shall pay to the college the applicable 2531  
default amounts prescribed by division (A) (1) (a) of this 2532  
section, depending upon the method of delivery and instruction. 2533

(b) In accordance with division (A) (1) (b) of this section, 2534  
the participant's secondary school shall pay for textbooks, and 2535  
the college shall waive payment of all other fees related to 2536  
participation in the program. 2537

(3) No participant that is enrolled in a public college 2538  
shall be charged for any tuition, textbooks, or other fees 2539  
related to participation in the program. 2540

(B) For each public secondary school participant enrolled 2541  
in a private college: 2542

(1) If no agreement has been entered into under division 2543  
(B) (2) of this section, the department shall pay to the college 2544  
the applicable amount calculated in the same manner as in 2545  
division (A) (1) (a) of this section. 2546

(2) The governing entity of a participant's secondary 2547  
school and the college may enter into an agreement to establish 2548  
an alternative payment structure for tuition, textbooks, and 2549  
fees. Under such an agreement, payments shall be not less than 2550  
the default floor amount, unless approved by the chancellor, and 2551  
not more than either the default ceiling amount or the college's 2552  
standard rate, whichever is less. 2553

If an agreement is entered into under division (B) (2) of 2554  
this section, both of the following shall apply: 2555

(a) The department shall make a payment to the college for 2556  
each participant that is equal to the default floor amount, 2557  
unless approved by the chancellor to pay an amount below the 2558  
default floor amount. The chancellor may approve an agreement 2559



that includes a payment below the default floor amount, as long 2560  
as the provisions of the agreement comply with all other 2561  
requirements of this chapter to ensure program quality. 2562

(b) Payment for costs for the participant that exceed the 2563  
amount paid by the department pursuant to division (B)(2)(a) of 2564  
this section shall be negotiated by the school and the college. 2565  
The agreement may include a stipulation permitting the charging 2566  
of a participant. 2567

However, under no circumstances shall: 2568

(i) Payments for a participant made by the department 2569  
under division (B)(2) of this section exceed the lesser of the 2570  
default ceiling amount or the college's standard rate; 2571

(ii) The amount charged to a participant under division 2572  
(B)(2) of this section exceed the difference between the maximum 2573  
per participant charge amount and the default floor amount; 2574

(iii) The sum of the payments made by the department for a 2575  
participant and the amount charged to that participant under 2576  
division (B)(2) of this section exceed the following amounts, as 2577  
applicable: 2578

(I) For a participant enrolled in a college course 2579  
delivered on the college campus, at another location operated by 2580  
the college, or online, the maximum per participant charge 2581  
amount; 2582

(II) For a participant enrolled in a college course 2583  
delivered at the participant's secondary school but taught by 2584  
college faculty, one hundred twenty-five dollars; 2585

(III) For a participant enrolled in a college course 2586  
delivered at the participant's secondary school and taught by a 2587

high school teacher who has met the credential requirements 2588  
established for purposes of the program in rules adopted by the 2589  
chancellor, one hundred dollars. 2590

(iv) A participant that is identified as economically 2591  
disadvantaged according to rules adopted by the department be 2592  
charged under division (B) (2) of this section for any tuition, 2593  
textbooks, or other fees related to participation in the 2594  
program. 2595

(C) For each nonpublic secondary school participant 2596  
enrolled in a private or eligible out-of-state college, the 2597  
department shall pay to the college the applicable amount 2598  
calculated in the same manner as in division (A) (1) (a) of this 2599  
section. Payment for costs for the participant that exceed the 2600  
amount paid by the department shall be negotiated by the 2601  
governing body of the nonpublic secondary school and the 2602  
college. 2603

However, under no circumstances shall: 2604

(1) The payments for a participant made by the department 2605  
under this division exceed the lesser of the default ceiling 2606  
amount or the college's standard rate. 2607

(2) Any nonpublic secondary school participant, who is 2608  
enrolled in that secondary school with a scholarship awarded 2609  
under either the educational choice scholarship pilot program, 2610  
as prescribed by sections 3310.01 to 3310.17, or the pilot 2611  
project scholarship program, as prescribed by sections 3313.974 2612  
to 3313.979 of the Revised Code, and who qualifies as a low- 2613  
income student under either of those programs, be charged for 2614  
any tuition, textbooks, or other fees related to participation 2615  
in the college credit plus program. 2616

(D) For each nonchartered nonpublic secondary school 2617  
participant and each ~~home-instructed~~home-educated participant 2618  
enrolled in a public, private, or eligible out-of-state college, 2619  
the department shall pay to the college the lesser of the 2620  
default ceiling amount or the college's standard rate, if that 2621  
participant is enrolled in a college course delivered on the 2622  
college campus, at another location operated by the college, or 2623  
online. 2624

(E) Not later than thirty days after the end of each term, 2625  
each college expecting to receive payment for the costs of a 2626  
participant under this section shall notify the department of 2627  
the number of enrolled credit hours for each participant. 2628

(F) The department shall make the applicable payments 2629  
under this section to each college, which provided proper 2630  
notification to the department under division (E) of this 2631  
section, for the number of enrolled credit hours for 2632  
participants enrolled in the college under division (B) of 2633  
section 3365.06 of the Revised Code. Except in cases involving 2634  
incomplete participant information or a dispute of participant 2635  
information, payments shall be made by the last day of January 2636  
for participants who were enrolled during the fall term and by 2637  
the last day of July for participants who were enrolled during 2638  
the spring term. The department shall not make any payments to a 2639  
college under this section if a participant withdrew from a 2640  
course prior to the date on which a withdrawal from the course 2641  
would have negatively affected the participant's transcribed 2642  
grade, as prescribed by the college's established withdrawal 2643  
policy. 2644

(1) Payments made for public secondary school participants 2645  
under this section shall be deducted as follows: 2646

(a) For a participant enrolled in a school district, from 2647  
the school foundation payments made to the participant's school 2648  
district. If the participant is enrolled in a joint vocational 2649  
school district, a portion of the amount shall be deducted from 2650  
the payments to the joint vocational school district and a 2651  
portion shall be deducted from the payments to the participant's 2652  
city, local, or exempted village school district in accordance 2653  
with the full-time equivalency of the student's enrollment in 2654  
each district. 2655

(b) For a participant enrolled in a community school 2656  
established under Chapter 3314. of the Revised Code, from the 2657  
payments made to that school under section 3317.022 of the 2658  
Revised Code; 2659

(c) For a participant enrolled in a STEM school, from the 2660  
payments made to that school under section 3317.022 of the 2661  
Revised Code; 2662

(d) For a participant enrolled in a college-preparatory 2663  
boarding school, from the payments made to that school under 2664  
section 3328.34 of the Revised Code; 2665

(e) For a participant enrolled in the state school for the 2666  
deaf or the state school for the blind, from the amount paid to 2667  
that school with funds appropriated by the general assembly for 2668  
support of that school; 2669

(f) For a participant enrolled in an institution operated 2670  
by the department of youth services, from the amount paid to 2671  
that institution with funds appropriated by the general assembly 2672  
for support of that institution. 2673

Amounts deducted under divisions (F) (1) (a) to (f) of this 2674  
section shall be calculated in accordance with rules adopted by 2675

the chancellor, in consultation with the state superintendent, 2676  
pursuant to division (B) of section 3365.071 of the Revised Code 2677

(2) Payments made for nonpublic secondary school 2678  
participants, nonchartered nonpublic secondary school 2679  
participants, and ~~home-instructed~~ home-educated participants 2680  
under this section shall be deducted from moneys appropriated by 2681  
the general assembly for such purpose. Payments shall be 2682  
allocated and distributed in accordance with rules adopted by 2683  
the chancellor, in consultation with the state superintendent, 2684  
pursuant to division (A) of section 3365.071 of the Revised 2685  
Code. 2686

(G) Any public college that enrolls a student under 2687  
division (B) of section 3365.06 of the Revised Code may include 2688  
that student in the calculation used to determine its state 2689  
share of instruction funds appropriated to the department of 2690  
higher education by the general assembly. 2691

**Sec. 3365.071.** (A) The chancellor of ~~the Ohio board of~~ 2692  
~~regents~~ higher education, in accordance with Chapter 119. of the 2693  
Revised Code and in consultation with the superintendent of 2694  
public instruction, shall adopt rules prescribing a method to 2695  
allocate and distribute payments under section 3365.07 of the 2696  
Revised Code for nonpublic secondary school participants, 2697  
nonchartered nonpublic secondary school participants, and ~~home-~~ 2698  
~~instructed~~ home-educated participants. The rules shall include 2699  
that payments made for nonchartered nonpublic secondary school 2700  
participants be made in the same manner as payments for ~~home-~~ 2701  
~~instructed~~ home-educated participants under that section. 2702

(B) The chancellor, in consultation with the state 2703  
superintendent, shall also adopt rules establishing a method to 2704  
calculate the amounts deducted from a joint vocational school 2705

district and from a participant's city, local, or exempted 2706  
village school district for payments under section 3365.07 of 2707  
the Revised Code. 2708

**Sec. 5103.55.** A parent of a child attending a private, 2709  
nonprofit therapeutic wilderness camp is not relieved of the 2710  
parent's obligations regarding compulsory school attendance 2711  
pursuant to section 3321.04 of the Revised Code, unless the 2712  
child is exempt from compulsory attendance under section 2713  
3321.042 of the Revised Code. 2714

**Sec. 5107.281.** A participant of Ohio works first who is 2715  
enrolled in a school district in a county that is participating 2716  
in the learnfare program and is not younger than age six but not 2717  
older than age nineteen shall participate in the learnfare 2718  
program unless one of the following is the case: 2719

(A) The participant is not yet eligible for enrollment in 2720  
first grade; 2721

(B) The participant is subject to the LEAP program; 2722

(C) The participant has received one of the following: 2723

(1) A high school diploma; 2724

(2) A certificate stating that the participant has 2725  
achieved the equivalent of a high school education as measured 2726  
by scores obtained on a high school equivalency test approved by 2727  
the department of education pursuant to division (B) of section 2728  
3301.80 of the Revised Code. 2729

(D) The participant has been excused from school 2730  
attendance pursuant to section 3321.04 of the Revised Code or is 2731  
exempt under section 3321.042 of the Revised Code; 2732

(E) If child care services for a member of the 2733

participant's household are necessary for the participant to 2734  
attend school, child care licensed or certified under Chapter 2735  
5104. of the Revised Code or under sections 3301.52 to 3301.59 2736  
of the Revised Code and transportation to and from the child 2737  
care are not available; 2738

(F) The participant has been adjudicated a delinquent or 2739  
unruly child pursuant to section 2151.28 of the Revised Code. 2740

**Sec. 5709.07.** (A) The following property shall be exempt 2741  
from taxation: 2742

(1) Real property used by a school for primary or 2743  
secondary educational purposes, including only so much of the 2744  
land as is necessary for the proper occupancy, use, and 2745  
enjoyment of such real property by the school for primary or 2746  
secondary educational purposes. The exemption under division (A) 2747  
(1) of this section does not apply to any portion of the real 2748  
property not used for primary or secondary educational purposes. 2749

For purposes of division (A) (1) of this section: 2750

(a) "School" means a public or nonpublic school. "School" 2751  
excludes home ~~instruction-education~~ as authorized under section 2752  
~~3321.04~~3321.042 of the Revised Code. 2753

(b) "Public school" includes schools of a school district, 2754  
STEM schools established under Chapter 3326. of the Revised 2755  
Code, community schools established under Chapter 3314. of the 2756  
Revised Code, and educational service centers established under 2757  
section 3311.05 of the Revised Code. 2758

(c) "Nonpublic school" means a nonpublic school for which 2759  
the state board of education has issued a charter pursuant to 2760  
section 3301.16 of the Revised Code and prescribes minimum 2761  
standards under division (D) (2) of section 3301.07 of the 2762

Revised Code.	2763
(2) Houses used exclusively for public worship, the books and furniture in them, and the ground attached to them that is not leased or otherwise used with a view to profit and that is necessary for their proper occupancy, use, and enjoyment;	2764 2765 2766 2767
(3) Real property owned and operated by a church that is used primarily for church retreats or church camping, and that is not used as a permanent residence. Real property exempted under division (A) (3) of this section may be made available by the church on a limited basis to charitable and educational institutions if the property is not leased or otherwise made available with a view to profit.	2768 2769 2770 2771 2772 2773 2774
(4) Public colleges and academies and all buildings connected with them, and all lands connected with public institutions of learning, not used with a view to profit, including those buildings and lands that satisfy all of the following:	2775 2776 2777 2778 2779
(a) The buildings are used for housing for full-time students or housing-related facilities for students, faculty, or employees of a state university, or for other purposes related to the state university's educational purpose, and the lands are underneath the buildings or are used for common space, walkways, and green spaces for the state university's students, faculty, or employees. As used in this division, "housing-related facilities" includes both parking facilities related to the buildings and common buildings made available to students, faculty, or employees of a state university. The leasing of space in housing-related facilities shall not be considered an activity with a view to profit for purposes of division (A) (4) of this section.	2780 2781 2782 2783 2784 2785 2786 2787 2788 2789 2790 2791 2792



(b) The buildings and lands are supervised or otherwise 2793  
under the control, directly or indirectly, of an organization 2794  
that is exempt from federal income taxation under section 501(c) 2795  
(3) of the Internal Revenue Code of 1986, 100 Stat. 2085, 26 2796  
U.S.C. 1, as amended, and the state university has entered into 2797  
a qualifying joint use agreement with the organization that 2798  
entitles the students, faculty, or employees of the state 2799  
university to use the lands or buildings; 2800

(c) The state university has agreed, under the terms of 2801  
the qualifying joint use agreement with the organization 2802  
described in division (A) (4) (b) of this section, that the state 2803  
university, to the extent applicable under the agreement, will 2804  
make payments to the organization in amounts sufficient to 2805  
maintain agreed-upon debt service coverage ratios on bonds 2806  
related to the lands or buildings. 2807

(B) This section shall not extend to leasehold estates or 2808  
real property held under the authority of a college or 2809  
university of learning in this state; but leaseholds, or other 2810  
estates or property, real or personal, the rents, issues, 2811  
profits, and income of which is given to a municipal 2812  
corporation, school district, or subdistrict in this state 2813  
exclusively for the use, endowment, or support of schools for 2814  
the free education of youth without charge shall be exempt from 2815  
taxation as long as such property, or the rents, issues, 2816  
profits, or income of the property is used and exclusively 2817  
applied for the support of free education by such municipal 2818  
corporation, district, or subdistrict. Division (B) of this 2819  
section shall not apply with respect to buildings and lands that 2820  
satisfy all of the requirements specified in divisions (A) (4) (a) 2821  
to (c) of this section. 2822

(C) For purposes of this section, if the requirements 2823  
specified in divisions (A) (4) (a) to (c) of this section are 2824  
satisfied, the buildings and lands with respect to which 2825  
exemption is claimed under division (A) (4) of this section shall 2826  
be deemed to be used with reasonable certainty in furthering or 2827  
carrying out the necessary objects and purposes of a state 2828  
university. 2829

(D) As used in this section: 2830

(1) "Church" means a fellowship of believers, 2831  
congregation, society, corporation, convention, or association 2832  
that is formed primarily or exclusively for religious purposes 2833  
and that is not formed for the private profit of any person. 2834

(2) "State university" has the same meaning as in section 2835  
3345.011 of the Revised Code. 2836

(3) "Qualifying joint use agreement" means an agreement 2837  
that satisfies all of the following: 2838

(a) The agreement was entered into before June 30, 2004; 2839

(b) The agreement is between a state university and an 2840  
organization that is exempt from federal income taxation under 2841  
section 501(c) (3) of the Internal Revenue Code of 1986, 100 2842  
Stat. 2085, 26 U.S.C. 1, as amended; and 2843

(c) The state university that is a party to the agreement 2844  
reported to the ~~Ohio board~~ chancellor of regents-higher 2845  
education that the university maintained a headcount of at least 2846  
twenty-five thousand students on its main campus during the 2847  
academic school year that began in calendar year 2003 and ended 2848  
in calendar year 2004. 2849

**Sec. 5747.72.** (A) As used in this section: 2850

(1) "Qualifying taxpayer" means a taxpayer that is an individual with a dependent who is a qualifying student.

(2) "Qualifying student" means a student who ~~was excused~~ is exempt from the compulsory attendance law for the purpose of home ~~instruction-education~~ under section ~~3321.04~~3321.042 of the Revised Code for the school year.

(3) "Education expenses" means expenses or fees for any of the following items used directly for home ~~instruction-education~~ of a qualifying student: books, supplementary materials, supplies, computer software, applications, or subscriptions. "Education expenses" does not include expenses or fees for computers or similar electronic devices or accessories thereto.

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

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

**Section 2.** That existing sections 2151.011, 3301.0712, 3310.70, 3313.5312, 3313.5314, 3313.618, 3313.6110, 3313.6114, 3314.041, 3321.03, 3321.04, 3321.13, 3331.02, 3331.04, 3333.31, 3333.86, 3345.06, 3365.01, 3365.02, 3365.03, 3365.033, 3365.034,

3365.035, 3365.07, 3365.071, 5103.55, 5107.281, 5709.07, and 2880  
5747.72 of the Revised Code are hereby repealed. 2881

**Section 3.** Section 3301.0712 of the Revised Code is 2882  
presented in this act as a composite of the section as amended 2883  
by both H.B. 82 and H.B. 110 of the 134th General Assembly. The 2884  
General Assembly, applying the principle stated in division (B) 2885  
of section 1.52 of the Revised Code that amendments are to be 2886  
harmonized if reasonably capable of simultaneous operation, 2887  
finds that the composite is the resulting version of the section 2888  
in effect prior to the effective date of the section as 2889  
presented in this act. 2890