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**135th General Assembly
Regular Session
2023-2024**

Sub. S. B. No. 168

A BILL

To amend sections 3301.0714, 3302.03, 3302.12, 1
3302.151, 3311.80, 3312.02, 3313.26, 3313.413, 2
3313.48, 3313.92, 3314.012, 3314.016, 3314.017, 3
3314.0211, 3314.03, 3314.11, 3314.29, 3314.35, 4
3319.077, 3319.0811, 3319.111, 3319.112, 5
3319.172, 3319.22, 3319.2210, 3319.27, 3319.291, 6
3319.316, 3326.11, and 5502.70; to enact 7
sections 3302.421, 3314.252, 3319.225, and 8
3319.273; and to repeal sections 3301.0717, 9
3301.131, 3301.134, 3301.14, 3301.30, 3302.22, 10
3313.6015, 3314.20, 3317.50, 3317.51, 3319.234, 11
3319.55, 3319.56, and 3319.57 of the Revised 12
Code with regard to education regulation reform 13
and to amend the versions of sections 3301.0714 14
and 3314.03 of the Revised Code that are 15
scheduled to take effect January 1, 2025, to 16
continue the changes on and after that effective 17
date. 18

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



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Section 1. That sections 3301.0714, 3302.03, 3302.12, 19
3302.151, 3311.80, 3312.02, 3313.26, 3313.413, 3313.48, 3313.92, 20
3314.012, 3314.016, 3314.017, 3314.0211, 3314.03, 3314.11, 21
3314.29, 3314.35, 3319.077, 3319.0811, 3319.111, 3319.112, 22
3319.172, 3319.22, 3319.2210, 3319.27, 3319.291, 3319.316, 23
3326.11, and 5502.70 be amended and sections 3302.421, 3314.252, 24
3319.225, and 3319.273 of the Revised Code be enacted to read as 25
follows: 26

Sec. 3301.0714. (A) The department of education and 27
workforce shall adopt rules for a statewide education management 28
information system. The rules shall require the department to 29
establish guidelines for the establishment and maintenance of 30
the system in accordance with this section and the rules adopted 31
under this section. The guidelines shall include: 32

(1) Standards identifying and defining the types of data 33
in the system in accordance with divisions (B) and (C) of this 34
section; 35

(2) Procedures for annually collecting and reporting the 36
data to the department in accordance with division (D) of this 37
section; 38

(3) Procedures for annually compiling the data in 39
accordance with division (G) of this section; 40

(4) Procedures for annually reporting the data to the 41
public in accordance with division (H) of this section; 42

(5) Standards to provide strict safeguards to protect the 43
confidentiality of personally identifiable student data. 44

(B) The guidelines adopted under this section shall 45
require the data maintained in the education management 46
information system to include at least the following: 47

(1) Student participation and performance data, for each 48
grade in each school district as a whole and for each grade in 49
each school building in each school district, that includes: 50

(a) The numbers of students receiving each category of 51
instructional service offered by the school district, such as 52
regular education instruction, vocational education instruction, 53
specialized instruction programs or enrichment instruction that 54
is part of the educational curriculum, instruction for gifted 55
students, instruction for students with disabilities, and 56
remedial instruction. The guidelines shall require instructional 57
services under this division to be divided into discrete 58
categories if an instructional service is limited to a specific 59
subject, a specific type of student, or both, such as regular 60
instructional services in mathematics, remedial reading 61
instructional services, instructional services specifically for 62
students gifted in mathematics or some other subject area, or 63
instructional services for students with a specific type of 64
disability. The categories of instructional services required by 65
the guidelines under this division shall be the same as the 66
categories of instructional services used in determining cost 67
units pursuant to division (C) (3) of this section. 68

(b) The numbers of students receiving support or 69
extracurricular services for each of the support services or 70
extracurricular programs offered by the school district, such as 71
counseling services, health services, and extracurricular sports 72
and fine arts programs. The categories of services required by 73
the guidelines under this division shall be the same as the 74
categories of services used in determining cost units pursuant 75
to division (C) (4) (a) of this section. 76

(c) Average student grades in each subject in grades nine 77

through twelve;	78
(d) Academic achievement levels as assessed under sections 3301.0710, 3301.0711, and 3301.0712 of the Revised Code;	79 80
(e) The number of students designated as having a disabling condition pursuant to division (C) (1) of section 3301.0711 of the Revised Code;	81 82 83
(f) The numbers of students reported to the department pursuant to division (C) (2) of section 3301.0711 of the Revised Code;	84 85 86
(g) Attendance rates and the average daily attendance for the year. For purposes of this division, a student shall be counted as present for any field trip that is approved by the school administration.	87 88 89 90
(h) Expulsion rates;	91
(i) Suspension rates;	92
(j) Dropout rates;	93
(k) Rates of retention in grade;	94
(l) For pupils in grades nine through twelve, the average number of carnegie units, as calculated in accordance with the director's rules;	95 96 97
(m) Graduation rates, to be calculated in a manner specified by the department that reflects the rate at which students who were in the ninth grade three years prior to the current year complete school and that is consistent with nationally accepted reporting requirements;	98 99 100 101 102
(n) Results of diagnostic assessments administered to kindergarten students as required under section 3301.0715 of the	103 104

Revised Code to permit a comparison of the academic readiness of
kindergarten students. However, no district shall be required to
report to the department the results of any diagnostic
assessment administered to a kindergarten student, except for
the language and reading assessment described in division (A)(2)
of section 3301.0715 of the Revised Code, if the parent of that
student requests the district not to report those results.

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

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

~~(p)~~ The number of students earning each state diploma seal
included in the system prescribed under division (A) of section
3313.6114 of the Revised Code;

~~(q)~~ (p) The number of students demonstrating competency
for graduation using each option described in divisions (B)(1)
(a) to (d) of section 3313.618 of the Revised Code;

~~(r)~~ (q) The number of students completing each
foundational and supporting option as part of the demonstration
of competency for graduation pursuant to division (B)(1)(b) of

section 3313.618 of the Revised Code; 134

~~(s)~~ (r) The number of students enrolled in all-day 135
kindergarten, as defined in section 3321.05 of the Revised Code. 136

(2) Personnel and classroom enrollment data for each 137
school district, including: 138

(a) The total numbers of licensed employees and 139
nonlicensed employees and the numbers of full-time equivalent 140
licensed employees and nonlicensed employees providing each 141
category of instructional service, instructional support 142
service, and administrative support service used pursuant to 143
division (C) (3) of this section. The guidelines adopted under 144
this section shall require these categories of data to be 145
maintained for the school district as a whole and, wherever 146
applicable, for each grade in the school district as a whole, 147
for each school building as a whole, and for each grade in each 148
school building. 149

(b) The total number of employees and the number of full- 150
time equivalent employees providing each category of service 151
used pursuant to divisions (C) (4) (a) and (b) of this section, 152
and the total numbers of licensed employees and nonlicensed 153
employees and the numbers of full-time equivalent licensed 154
employees and nonlicensed employees providing each category used 155
pursuant to division (C) (4) (c) of this section. The guidelines 156
adopted under this section shall require these categories of 157
data to be maintained for the school district as a whole and, 158
wherever applicable, for each grade in the school district as a 159
whole, for each school building as a whole, and for each grade 160
in each school building. 161

(c) The total number of regular classroom teachers 162

teaching classes of regular education and the average number of 163
pupils enrolled in each such class, in each of grades 164
kindergarten through five in the district as a whole and in each 165
school building in the school district. 166

(d) The number of lead teachers employed by each school 167
district and each school building. 168

(3) (a) Student demographic data for each school district, 169
including information regarding the gender ratio of the school 170
district's pupils, the racial make-up of the school district's 171
pupils, the number of English learners in the district, and an 172
appropriate measure of the number of the school district's 173
pupils who reside in economically disadvantaged households. The 174
demographic data shall be collected in a manner to allow 175
correlation with data collected under division (B) (1) of this 176
section. Categories for data collected pursuant to division (B) 177
(3) of this section shall conform, where appropriate, to 178
standard practices of agencies of the federal government. 179

(b) With respect to each student entering kindergarten, 180
whether the student previously participated in a public 181
preschool program, a private preschool program, or a head start 182
program, and the number of years the student participated in 183
each of these programs. 184

(4) (a) The core curriculum and instructional materials 185
being used for English language arts in each of grades pre- 186
kindergarten to five; 187

(b) The reading intervention programs being used in each 188
of grades pre-kindergarten to twelve. 189

(5) Any data required to be collected pursuant to federal 190
law. 191

(C) The education management information system shall 192
include cost accounting data for each district as a whole and 193
for each school building in each school district. The guidelines 194
adopted under this section shall require the cost data for each 195
school district to be maintained in a system of mutually 196
exclusive cost units and shall require all of the costs of each 197
school district to be divided among the cost units. The 198
guidelines shall require the system of mutually exclusive cost 199
units to include at least the following: 200

(1) Administrative costs for the school district as a 201
whole. The guidelines shall require the cost units under this 202
division (C) (1) to be designed so that each of them may be 203
compiled and reported in terms of average expenditure per pupil 204
in enrolled ADM in the school district, as determined pursuant 205
to section 3317.03 of the Revised Code. 206

(2) Administrative costs for each school building in the 207
school district. The guidelines shall require the cost units 208
under this division (C) (2) to be designed so that each of them 209
may be compiled and reported in terms of average expenditure per 210
full-time equivalent pupil receiving instructional or support 211
services in each building. 212

(3) Instructional services costs for each category of 213
instructional service provided directly to students and required 214
by guidelines adopted pursuant to division (B) (1) (a) of this 215
section. The guidelines shall require the cost units under 216
division (C) (3) of this section to be designed so that each of 217
them may be compiled and reported in terms of average 218
expenditure per pupil receiving the service in the school 219
district as a whole and average expenditure per pupil receiving 220
the service in each building in the school district and in terms 221

of a total cost for each category of service and, as a breakdown 222
of the total cost, a cost for each of the following components: 223

(a) The cost of each instructional services category 224
required by guidelines adopted under division (B) (1) (a) of this 225
section that is provided directly to students by a classroom 226
teacher; 227

(b) The cost of the instructional support services, such 228
as services provided by a speech-language pathologist, classroom 229
aide, multimedia aide, or librarian, provided directly to 230
students in conjunction with each instructional services 231
category; 232

(c) The cost of the administrative support services 233
related to each instructional services category, such as the 234
cost of personnel that develop the curriculum for the 235
instructional services category and the cost of personnel 236
supervising or coordinating the delivery of the instructional 237
services category. 238

(4) Support or extracurricular services costs for each 239
category of service directly provided to students and required 240
by guidelines adopted pursuant to division (B) (1) (b) of this 241
section. The guidelines shall require the cost units under 242
division (C) (4) of this section to be designed so that each of 243
them may be compiled and reported in terms of average 244
expenditure per pupil receiving the service in the school 245
district as a whole and average expenditure per pupil receiving 246
the service in each building in the school district and in terms 247
of a total cost for each category of service and, as a breakdown 248
of the total cost, a cost for each of the following components: 249

(a) The cost of each support or extracurricular services 250

category required by guidelines adopted under division (B) (1) (b) 251
of this section that is provided directly to students by a 252
licensed employee, such as services provided by a guidance 253
counselor or any services provided by a licensed employee under 254
a supplemental contract; 255

(b) The cost of each such services category provided 256
directly to students by a nonlicensed employee, such as 257
janitorial services, cafeteria services, or services of a sports 258
trainer; 259

(c) The cost of the administrative services related to 260
each services category in division (C) (4) (a) or (b) of this 261
section, such as the cost of any licensed or nonlicensed 262
employees that develop, supervise, coordinate, or otherwise are 263
involved in administering or aiding the delivery of each 264
services category. 265

(D) (1) The guidelines adopted under this section shall 266
require school districts to collect information about individual 267
students, staff members, or both in connection with any data 268
required by division (B) or (C) of this section or other 269
reporting requirements established in the Revised Code. The 270
guidelines may also require school districts to report 271
information about individual staff members in connection with 272
any data required by division (B) or (C) of this section or 273
other reporting requirements established in the Revised Code. 274
The guidelines shall not authorize school districts to request 275
social security numbers of individual students. The guidelines 276
shall prohibit the reporting under this section of a student's 277
name, address, and social security number to the department. The 278
guidelines shall also prohibit the reporting under this section 279
of any personally identifiable information about any student, 280

except for the purpose of assigning the data verification code 281
required by division (D) (2) of this section, to any other person 282
unless such person is employed by the school district or the 283
information technology center operated under section 3301.075 of 284
the Revised Code and is authorized by the district or technology 285
center to have access to such information or is employed by an 286
entity with which the department contracts for the scoring or 287
the development of state assessments. The guidelines may require 288
school districts to provide the social security numbers of 289
individual staff members and the county of residence for a 290
student. Nothing in this section prohibits the department from 291
providing a student's county of residence to the department of 292
taxation to facilitate the distribution of tax revenue. 293

(2) (a) The guidelines shall provide for each school 294
district or community school to assign a data verification code 295
that is unique on a statewide basis over time to each student 296
whose initial Ohio enrollment is in that district or school and 297
to report all required individual student data for that student 298
utilizing such code. The guidelines shall also provide for 299
assigning data verification codes to all students enrolled in 300
districts or community schools on the effective date of the 301
guidelines established under this section. The assignment of 302
data verification codes for other entities, as described in 303
division (D) (2) (d) of this section, the use of those codes, and 304
the reporting and use of associated individual student data 305
shall be coordinated by the department of education and 306
workforce in accordance with state and federal law. 307

School districts shall report individual student data to 308
the department through the information technology centers 309
utilizing the code. The entities described in division (D) (2) (d) 310
of this section shall report individual student data to the 311

department in the manner prescribed by the department. 312

(b) (i) Except as provided in sections 3301.941, 3310.11, 313
3310.42, 3310.63, 3313.978, 3317.20, and 5747.057 of the Revised 314
Code, and in division (D) (2) (b) (ii) of this section, at no time 315
shall the department have access to information that would 316
enable any data verification code to be matched to personally 317
identifiable student data. 318

(ii) For the purpose of making per-pupil payments to 319
community schools under section 3317.022 of the Revised Code, 320
the department shall have access to information that would 321
enable any data verification code to be matched to personally 322
identifiable student data. 323

(c) Each school district and community school shall ensure 324
that the data verification code is included in the student's 325
records reported to any subsequent school district, community 326
school, or state institution of higher education, as defined in 327
section 3345.011 of the Revised Code, in which the student 328
enrolls. Any such subsequent district or school shall utilize 329
the same identifier in its reporting of data under this section. 330

(d) (i) The director of any state agency that administers a 331
publicly funded program providing services to children who are 332
younger than compulsory school age, as defined in section 333
3321.01 of the Revised Code, including the directors of health, 334
job and family services, mental health and addiction services, 335
and developmental disabilities, shall request and receive, 336
pursuant to sections 3301.0723 and 5123.0423 of the Revised 337
Code, a data verification code for a child who is receiving 338
those services. 339

(ii) The director of developmental disabilities, director 340

of health, director of job and family services, director of 341
mental health and addiction services, medicaid director, 342
executive director of the commission on minority health, 343
executive director of the opportunities for Ohioans with 344
disabilities agency, or director of education and workforce, on 345
behalf of a program that receives public funds and provides 346
services to children who are younger than compulsory school age, 347
may request and receive, pursuant to section 3301.0723 of the 348
Revised Code, a data verification code for a child who is 349
receiving services from the program. 350

(E) The guidelines adopted under this section may require 351
school districts to collect and report data, information, or 352
reports other than that described in divisions (A), (B), and (C) 353
of this section for the purpose of complying with other 354
reporting requirements established in the Revised Code. The 355
other data, information, or reports may be maintained in the 356
education management information system but are not required to 357
be compiled as part of the profile formats required under 358
division (G) of this section or the annual statewide report 359
required under division (H) of this section. 360

(F) The board of education of each school district shall 361
annually collect and report to the department, in accordance 362
with the guidelines established by the department, the data 363
required pursuant to this section. A school district may collect 364
and report these data notwithstanding section 2151.357 or 365
3319.321 of the Revised Code. 366

(G) The department shall, in accordance with the 367
procedures it adopts, annually compile the data reported by each 368
school district pursuant to division (D) of this section. The 369
department shall design formats for profiling each school 370

district as a whole and each school building within each 371
district and shall compile the data in accordance with these 372
formats. These profile formats shall: 373

(1) Include all of the data gathered under this section in 374
a manner that facilitates comparison among school districts and 375
among school buildings within each school district; 376

(2) Present the data on academic achievement levels as 377
assessed by the testing of student achievement maintained 378
pursuant to division (B)(1)(d) of this section. 379

(H)(1) The department shall, in accordance with the 380
procedures it adopts, annually prepare a statewide report for 381
all school districts and the general public that includes the 382
profile of each of the school districts developed pursuant to 383
division (G) of this section. Copies of the report shall be sent 384
to each school district. 385

(2) The department shall, in accordance with the 386
procedures it adopts, annually prepare an individual report for 387
each school district and the general public that includes the 388
profiles of each of the school buildings in that school district 389
developed pursuant to division (G) of this section. ~~Copies of~~ 390
~~the report shall be sent to the superintendent of the district~~ 391
~~and to each member of the district board of education.~~ 392

~~(3) Copies of the reports prescribed in divisions (H)(1)~~ 393
~~and (2) of this section shall be made available to the general~~ 394
~~public at each school district's offices. Each district board of~~ 395
~~education shall make copies of each report available to any~~ 396
~~person upon request and payment of a reasonable fee for the cost~~ 397
~~of reproducing the report. The board shall annually publish in a~~ 398
~~newspaper of general circulation in the school district, at~~ 399

~~least twice during the two weeks prior to the week in which the~~ 400
~~reports will first be available, a notice containing the address~~ 401
~~where the reports are available and the date on which the~~ 402
~~reports will be available.~~ 403

(I) Any data that is collected or maintained pursuant to 404
this section and that identifies an individual pupil is not a 405
public record for the purposes of section 149.43 of the Revised 406
Code. 407

(J) As used in this section: 408

(1) "School district" means any city, local, exempted 409
village, or joint vocational school district and, in accordance 410
with section 3314.17 of the Revised Code, any community school. 411
As used in division (L) of this section, "school district" also 412
includes any educational service center or other educational 413
entity required to submit data using the system established 414
under this section. 415

(2) "Cost" means any expenditure for operating expenses 416
made by a school district excluding any expenditures for debt 417
retirement except for payments made to any commercial lending 418
institution for any loan approved pursuant to section 3313.483 419
of the Revised Code. 420

(K) Any person who removes data from the information 421
system established under this section for the purpose of 422
releasing it to any person not entitled under law to have access 423
to such information is subject to section 2913.42 of the Revised 424
Code prohibiting tampering with data. 425

(L) (1) In accordance with division (L) (2) of this section 426
and the rules adopted under division (L) (10) of this section, 427
the department may sanction any school district that reports 428

incomplete or inaccurate data, reports data that does not 429
conform to data requirements and descriptions published by the 430
department, fails to report data in a timely manner, or 431
otherwise does not make a good faith effort to report data as 432
required by this section. 433

(2) If the department decides to sanction a school 434
district under this division, the department shall take the 435
following sequential actions: 436

(a) Notify the district in writing that the department has 437
determined that data has not been reported as required under 438
this section and require the district to review its data 439
submission and submit corrected data by a deadline established 440
by the department. The department also may require the district 441
to develop a corrective action plan, which shall include 442
provisions for the district to provide mandatory staff training 443
on data reporting procedures. 444

(b) Withhold up to ten per cent of the total amount of 445
state funds due to the district for the current fiscal year and, 446
if not previously required under division (L) (2) (a) of this 447
section, require the district to develop a corrective action 448
plan in accordance with that division; 449

(c) Withhold an additional amount of up to twenty per cent 450
of the total amount of state funds due to the district for the 451
current fiscal year; 452

(d) Direct department staff or an outside entity to 453
investigate the district's data reporting practices and make 454
recommendations for subsequent actions. The recommendations may 455
include one or more of the following actions: 456

(i) Arrange for an audit of the district's data reporting 457

practices by department staff or an outside entity; 458

(ii) Conduct a site visit and evaluation of the district; 459

(iii) Withhold an additional amount of up to thirty per 460
cent of the total amount of state funds due to the district for 461
the current fiscal year; 462

(iv) Continue monitoring the district's data reporting; 463

(v) Assign department staff to supervise the district's 464
data management system; 465

(vi) Conduct an investigation to determine whether to 466
suspend or revoke the license of any district employee in 467
accordance with division (N) of this section; 468

(vii) If the district is issued a report card under 469
section 3302.03 of the Revised Code, indicate on the report card 470
that the district has been sanctioned for failing to report data 471
as required by this section; 472

(viii) If the district is issued a report card under 473
section 3302.03 of the Revised Code and incomplete or inaccurate 474
data submitted by the district likely caused the district to 475
receive a higher performance rating than it deserved under that 476
section, issue a revised report card for the district; 477

(ix) Any other action designed to correct the district's 478
data reporting problems. 479

(3) Any time the department takes an action against a 480
school district under division (L) (2) of this section, the 481
department shall make a report of the circumstances that 482
prompted the action. The department shall send a copy of the 483
report to the district superintendent or chief administrator and 484
maintain a copy of the report in its files. 485

(4) If any action taken under division (L) (2) of this 486
section resolves a school district's data reporting problems to 487
the department's satisfaction, the department shall not take any 488
further actions described by that division. If the department 489
withheld funds from the district under that division, the 490
department may release those funds to the district, except that 491
if the department withheld funding under division (L) (2) (c) of 492
this section, the department shall not release the funds 493
withheld under division (L) (2) (b) of this section and, if the 494
department withheld funding under division (L) (2) (d) of this 495
section, the department shall not release the funds withheld 496
under division (L) (2) (b) or (c) of this section. 497

(5) Notwithstanding anything in this section to the 498
contrary, the department may use its own staff or an outside 499
entity to conduct an audit of a school district's data reporting 500
practices any time the department has reason to believe the 501
district has not made a good faith effort to report data as 502
required by this section. If any audit conducted by an outside 503
entity under division (L) (2) (d) (i) or (5) of this section 504
confirms that a district has not made a good faith effort to 505
report data as required by this section, the district shall 506
reimburse the department for the full cost of the audit. The 507
department may withhold state funds due to the district for this 508
purpose. 509

(6) Prior to issuing a revised report card for a school 510
district under division (L) (2) (d) (viii) of this section, the 511
department may hold a hearing to provide the district with an 512
opportunity to demonstrate that it made a good faith effort to 513
report data as required by this section. The hearing shall be 514
conducted by a referee appointed by the department. Based on the 515
information provided in the hearing, the referee shall recommend 516

whether the department should issue a revised report card for 517
the district. If the referee affirms the department's contention 518
that the district did not make a good faith effort to report 519
data as required by this section, the district shall bear the 520
full cost of conducting the hearing and of issuing any revised 521
report card. 522

(7) If the department determines that any inaccurate data 523
reported under this section caused a school district to receive 524
excess state funds in any fiscal year, the district shall 525
reimburse the department an amount equal to the excess funds, in 526
accordance with a payment schedule determined by the department. 527
The department may withhold state funds due to the district for 528
this purpose. 529

(8) Any school district that has funds withheld under 530
division (L) (2) of this section may appeal the withholding in 531
accordance with Chapter 119. of the Revised Code. 532

(9) In all cases of a disagreement between the department 533
and a school district regarding the appropriateness of an action 534
taken under division (L) (2) of this section, the burden of proof 535
shall be on the district to demonstrate that it made a good 536
faith effort to report data as required by this section. 537

(10) The director of education and workforce shall adopt 538
rules under Chapter 119. of the Revised Code to implement 539
division (L) of this section. 540

(M) No information technology center or school district 541
shall acquire, change, or update its student administration 542
software package to manage and report data required to be 543
reported to the department unless it converts to a student 544
software package that is certified by the department. 545

(N) The state board of education, in accordance with 546
sections 3319.31 and 3319.311 of the Revised Code, may suspend 547
or revoke a license as defined under division (A) of section 548
3319.31 of the Revised Code that has been issued to any school 549
district employee found to have willfully reported erroneous, 550
inaccurate, or incomplete data to the education management 551
information system. 552

(O) No person shall release or maintain any information 553
about any student in violation of this section. Whoever violates 554
this division is guilty of a misdemeanor of the fourth degree. 555

(P) The department shall disaggregate the data collected 556
under division (B)(1)(n) of this section according to the race 557
and socioeconomic status of the students assessed. 558

(Q) If the department cannot compile any of the 559
information required by division (I) of section 3302.03 of the 560
Revised Code based upon the data collected under this section, 561
the department shall develop a plan and a reasonable timeline 562
for the collection of any data necessary to comply with that 563
division. 564

Sec. 3302.03. Not later than the thirty-first day of July 565
of each year, the department of education and workforce shall 566
submit preliminary report card data for overall academic 567
performance and for each separate performance measure for each 568
school district, and each school building, in accordance with 569
this section. 570

Annually, not later than the fifteenth day of September or 571
the preceding Friday when that day falls on a Saturday or 572
Sunday, the department shall assign a letter grade or 573
performance rating for overall academic performance and for each 574

separate performance measure for each school district, and each 575
school building in a district, in accordance with this section. 576
The department shall adopt rules pursuant to Chapter 119. of the 577
Revised Code to implement this section. The department's rules 578
shall establish performance criteria for each letter grade or 579
performance rating and prescribe a method by which the 580
department assigns each letter grade or performance rating. For 581
a school building to which any of the performance measures do 582
not apply, due to grade levels served by the building, the 583
department shall designate the performance measures that are 584
applicable to the building and that must be calculated 585
separately and used to calculate the building's overall grade or 586
performance rating. The department shall issue annual report 587
cards reflecting the performance of each school district, each 588
building within each district, and for the state as a whole 589
using the performance measures and letter grade or performance 590
rating system described in this section. The department shall 591
include on the report card for each district and each building 592
within each district the most recent two-year trend data in 593
student achievement for each subject and each grade. 594

(A) (1) For the 2012-2013 school year, the department shall 595
issue grades as described in division (F) of this section for 596
each of the following performance measures: 597

(a) Annual measurable objectives; 598

(b) Performance index score for a school district or 599
building. Grades shall be awarded as a percentage of the total 600
possible points on the performance index system as adopted by 601
the department. In adopting benchmarks for assigning letter 602
grades under division (A) (1) (b) of this section, the department 603
shall designate ninety per cent or higher for an "A," at least 604

seventy per cent but not more than eighty per cent for a "C," 605
and less than fifty per cent for an "F." 606

(c) The extent to which the school district or building 607
meets each of the applicable performance indicators established 608
by the department under section 3302.02 of the Revised Code and 609
the percentage of applicable performance indicators that have 610
been achieved. In adopting benchmarks for assigning letter 611
grades under division (A) (1) (c) of this section, the department 612
shall designate ninety per cent or higher for an "A." 613

(d) The four- and five-year adjusted cohort graduation 614
rates. 615

In adopting benchmarks for assigning letter grades under 616
division (A) (1) (d), (B) (1) (d), or (C) (1) (d) of this section, the 617
department shall designate a four-year adjusted cohort 618
graduation rate of ninety-three per cent or higher for an "A" 619
and a five-year cohort graduation rate of ninety-five per cent 620
or higher for an "A." 621

(e) The overall score under the value-added progress 622
dimension of a school district or building, for which the 623
department shall use up to three years of value-added data as 624
available. The letter grade assigned for this growth measure 625
shall be as follows: 626

(i) A score that is at least one standard error of measure 627
above the mean score shall be designated as an "A." 628

(ii) A score that is less than one standard error of 629
measure above but greater than one standard error of measure 630
below the mean score shall be designated as a "B." 631

(iii) A score that is less than or equal to one standard 632
error of measure below the mean score but greater than two 633

standard errors of measure below the mean score shall be 634
designated as a "C." 635

(iv) A score that is less than or equal to two standard 636
errors of measure below the mean score but is greater than three 637
standard errors of measure below the mean score shall be 638
designated as a "D." 639

(v) A score that is less than or equal to three standard 640
errors of measure below the mean score shall be designated as an 641
"F." 642

Whenever the value-added progress dimension is used as a 643
graded performance measure in this division and divisions (B) 644
and (C) of this section, whether as an overall measure or as a 645
measure of separate subgroups, the grades for the measure shall 646
be calculated in the same manner as prescribed in division (A) 647
(1) (e) of this section. 648

(f) The value-added progress dimension score for a school 649
district or building disaggregated for each of the following 650
subgroups: students identified as gifted, students with 651
disabilities, and students whose performance places them in the 652
lowest quintile for achievement on a statewide basis. Each 653
subgroup shall be a separate graded measure. 654

(2) The department shall adopt a resolution describing the 655
performance measures, benchmarks, and grading system for the 656
2012-2013 school year and shall adopt rules in accordance with 657
Chapter 119. of the Revised Code that prescribe the methods by 658
which the performance measures under division (A) (1) of this 659
section shall be assessed and assigned a letter grade, including 660
performance benchmarks for each letter grade. 661

At least forty-five days prior to the department's 662

adoption of rules to prescribe the methods by which the 663
performance measures under division (A)(1) of this section shall 664
be assessed and assigned a letter grade, the department shall 665
conduct a public presentation before the standing committees of 666
the house of representatives and the senate that consider 667
education legislation describing such methods, including 668
performance benchmarks. 669

(3) There shall not be an overall letter grade for a 670
school district or building for the 2012-2013 school year. 671

(B)(1) For the 2013-2014 school year, the department shall 672
issue grades as described in division (F) of this section for 673
each of the following performance measures: 674

(a) Annual measurable objectives; 675

(b) Performance index score for a school district or 676
building. Grades shall be awarded as a percentage of the total 677
possible points on the performance index system as created by 678
the department. In adopting benchmarks for assigning letter 679
grades under division (B)(1)(b) of this section, the department 680
shall designate ninety per cent or higher for an "A," at least 681
seventy per cent but not more than eighty per cent for a "C," 682
and less than fifty per cent for an "F." 683

(c) The extent to which the school district or building 684
meets each of the applicable performance indicators established 685
by the department under section 3302.03 of the Revised Code and 686
the percentage of applicable performance indicators that have 687
been achieved. In adopting benchmarks for assigning letter 688
grades under division (B)(1)(c) of this section, the department 689
shall designate ninety per cent or higher for an "A." 690

(d) The four- and five-year adjusted cohort graduation 691

rates; 692

(e) The overall score under the value-added progress 693
dimension of a school district or building, for which the 694
department shall use up to three years of value-added data as 695
available. 696

(f) The value-added progress dimension score for a school 697
district or building disaggregated for each of the following 698
subgroups: students identified as gifted in superior cognitive 699
ability and specific academic ability fields under Chapter 3324. 700
of the Revised Code, students with disabilities, and students 701
whose performance places them in the lowest quintile for 702
achievement on a statewide basis. Each subgroup shall be a 703
separate graded measure. 704

(g) Whether a school district or building is making 705
progress in improving literacy in grades kindergarten through 706
three, as determined using a method prescribed by the 707
department. The department shall adopt rules to prescribe 708
benchmarks and standards for assigning grades to districts and 709
buildings for purposes of division (B) (1) (g) of this section. In 710
adopting benchmarks for assigning letter grades under divisions 711
(B) (1) (g) and (C) (1) (g) of this section, the department shall 712
determine progress made based on the reduction in the total 713
percentage of students scoring below grade level, or below 714
proficient, compared from year to year on the reading and 715
writing diagnostic assessments administered under section 716
3301.0715 of the Revised Code and the third grade English 717
language arts assessment under section 3301.0710 of the Revised 718
Code, as applicable. The department shall designate for a "C" 719
grade a value that is not lower than the statewide average value 720
for this measure. No grade shall be issued under divisions (B) 721

(1) (g) and (C) (1) (g) of this section for a district or building 722
in which less than five per cent of students have scored below 723
grade level on the diagnostic assessment administered to 724
students in kindergarten under division (B) (1) of section 725
3313.608 of the Revised Code. 726

(h) For a high mobility school district or building, an 727
additional value-added progress dimension score. For this 728
measure, the department shall use value-added data from the most 729
recent school year available and shall use assessment scores for 730
only those students to whom the district or building has 731
administered the assessments prescribed by section 3301.0710 of 732
the Revised Code for each of the two most recent consecutive 733
school years. 734

As used in this division, "high mobility school district 735
or building" means a school district or building where at least 736
twenty-five per cent of its total enrollment is made up of 737
students who have attended that school district or building for 738
less than one year. 739

(2) In addition to the graded measures in division (B) (1) 740
of this section, the department shall include on a school 741
district's or building's report card all of the following 742
without an assigned letter grade: 743

(a) The percentage of students enrolled in a district or 744
building participating in advanced placement classes and the 745
percentage of those students who received a score of three or 746
better on advanced placement examinations; 747

(b) The number of a district's or building's students who 748
have earned at least three college credits through dual 749
enrollment or advanced standing programs, such as the post- 750

secondary enrollment options program under Chapter 3365. of the 751
Revised Code and state-approved career-technical courses offered 752
through dual enrollment or statewide articulation, that appear 753
on a student's transcript or other official document, either of 754
which is issued by the institution of higher education from 755
which the student earned the college credit. The credits earned 756
that are reported under divisions (B) (2) (b) and (C) (2) (c) of 757
this section shall not include any that are remedial or 758
developmental and shall include those that count toward the 759
curriculum requirements established for completion of a degree. 760

(c) The percentage of students enrolled in a district or 761
building who have taken a national standardized test used for 762
college admission determinations and the percentage of those 763
students who are determined to be remediation-free in accordance 764
with standards adopted under division (F) of section 3345.061 of 765
the Revised Code; 766

(d) The percentage of the district's or the building's 767
students who receive industry-recognized credentials as approved 768
under section 3313.6113 of the Revised Code. 769

(e) The percentage of students enrolled in a district or 770
building who are participating in an international baccalaureate 771
program and the percentage of those students who receive a score 772
of four or better on the international baccalaureate 773
examinations. 774

(f) The percentage of the district's or building's 775
students who receive an honors diploma under division (B) of 776
section 3313.61 of the Revised Code. 777

(3) The department shall adopt rules in accordance with 778
Chapter 119. of the Revised Code that prescribe the methods by 779

which the performance measures under divisions (B) (1) (f) and (B) 780
(1) (g) of this section will be assessed and assigned a letter 781
grade, including performance benchmarks for each grade. 782

At least forty-five days prior to the department's 783
adoption of rules to prescribe the methods by which the 784
performance measures under division (B) (1) of this section shall 785
be assessed and assigned a letter grade, the department shall 786
conduct a public presentation before the standing committees of 787
the house of representatives and the senate that consider 788
education legislation describing such methods, including 789
performance benchmarks. 790

(4) There shall not be an overall letter grade for a 791
school district or building for the 2013-2014, 2014-2015, 2015- 792
2016, and 2016-2017 school years. 793

(C) (1) For the 2014-2015, 2015-2016, 2016-2017, 2017-2018, 794
2018-2019, 2019-2020, and 2020-2021 school years, the department 795
shall issue grades as described in division (F) of this section 796
for each of the performance measures prescribed in division (C) 797
(1) of this section. The graded measures are as follows: 798

(a) Annual measurable objectives. For the 2017-2018 school 799
year, the department shall not include any subgroup data in the 800
annual measurable objectives that includes data from fewer than 801
twenty-five students. For the 2018-2019 school year, the 802
department shall not include any subgroup data in the annual 803
measurable objectives that includes data from fewer than twenty 804
students. Beginning with the 2019-2020 school year, the 805
department shall not include any subgroup data in the annual 806
measurable objectives that includes data from fewer than fifteen 807
students. 808

(b) Performance index score for a school district or 809
building. Grades shall be awarded as a percentage of the total 810
possible points on the performance index system as created by 811
the department. In adopting benchmarks for assigning letter 812
grades under division (C) (1) (b) of this section, the department 813
shall designate ninety per cent or higher for an "A," at least 814
seventy per cent but not more than eighty per cent for a "C," 815
and less than fifty per cent for an "F." 816

(c) The extent to which the school district or building 817
meets each of the applicable performance indicators established 818
by the department under section 3302.03 of the Revised Code and 819
the percentage of applicable performance indicators that have 820
been achieved. In adopting benchmarks for assigning letter 821
grades under division (C) (1) (c) of this section, the department 822
shall designate ninety per cent or higher for an "A." 823

(d) The four- and five-year adjusted cohort graduation 824
rates; 825

(e) The overall score under the value-added progress 826
dimension, or another measure of student academic progress if 827
adopted by the department, of a school district or building, for 828
which the department shall use up to three years of value-added 829
data as available. 830

In adopting benchmarks for assigning letter grades for 831
overall score on value-added progress dimension under division 832
(C) (1) (e) of this section, the department shall prohibit the 833
assigning of a grade of "A" for that measure unless the 834
district's or building's grade assigned for value-added progress 835
dimension for all subgroups under division (C) (1) (f) of this 836
section is a "C" or higher. 837

For the metric prescribed by division (C) (1) (e) of this 838
section, the department may adopt a student academic progress 839
measure to be used instead of the value-added progress 840
dimension. If the department adopts such a measure, it also 841
shall prescribe a method for assigning letter grades for the new 842
measure that is comparable to the method prescribed in division 843
(A) (1) (e) of this section. 844

(f) The value-added progress dimension score of a school 845
district or building disaggregated for each of the following 846
subgroups: students identified as gifted in superior cognitive 847
ability and specific academic ability fields under Chapter 3324. 848
of the Revised Code, students with disabilities, and students 849
whose performance places them in the lowest quintile for 850
achievement on a statewide basis, as determined by a method 851
prescribed by the department. Each subgroup shall be a separate 852
graded measure. 853

The department may adopt student academic progress 854
measures to be used instead of the value-added progress 855
dimension. If the department adopts such measures, it also shall 856
prescribe a method for assigning letter grades for the new 857
measures that is comparable to the method prescribed in division 858
(A) (1) (e) of this section. 859

(g) Whether a school district or building is making 860
progress in improving literacy in grades kindergarten through 861
three, as determined using a method prescribed by the 862
department. The department shall adopt rules to prescribe 863
benchmarks and standards for assigning grades to a district or 864
building for purposes of division (C) (1) (g) of this section. The 865
department shall designate for a "C" grade a value that is not 866
lower than the statewide average value for this measure. No 867

grade shall be issued under division (C) (1) (g) of this section 868
for a district or building in which less than five per cent of 869
students have scored below grade level on the kindergarten 870
diagnostic assessment under division (B) (1) of section 3313.608 871
of the Revised Code. 872

(h) For a high mobility school district or building, an 873
additional value-added progress dimension score. For this 874
measure, the department shall use value-added data from the most 875
recent school year available and shall use assessment scores for 876
only those students to whom the district or building has 877
administered the assessments prescribed by section 3301.0710 of 878
the Revised Code for each of the two most recent consecutive 879
school years. 880

As used in this division, "high mobility school district 881
or building" means a school district or building where at least 882
twenty-five per cent of its total enrollment is made up of 883
students who have attended that school district or building for 884
less than one year. 885

(2) In addition to the graded measures in division (C) (1) 886
of this section, the department shall include on a school 887
district's or building's report card all of the following 888
without an assigned letter grade: 889

(a) The percentage of students enrolled in a district or 890
building who have taken a national standardized test used for 891
college admission determinations and the percentage of those 892
students who are determined to be remediation-free in accordance 893
with the standards adopted under division (F) of section 894
3345.061 of the Revised Code; 895

(b) The percentage of students enrolled in a district or 896

building participating in advanced placement classes and the 897
percentage of those students who received a score of three or 898
better on advanced placement examinations; 899

(c) The percentage of a district's or building's students 900
who have earned at least three college credits through advanced 901
standing programs, such as the college credit plus program under 902
Chapter 3365. of the Revised Code and state-approved career- 903
technical courses offered through dual enrollment or statewide 904
articulation, that appear on a student's college transcript 905
issued by the institution of higher education from which the 906
student earned the college credit. The credits earned that are 907
reported under divisions (B) (2) (b) and (C) (2) (c) of this section 908
shall not include any that are remedial or developmental and 909
shall include those that count toward the curriculum 910
requirements established for completion of a degree. 911

(d) The percentage of the district's or building's 912
students who receive an honor's diploma under division (B) of 913
section 3313.61 of the Revised Code; 914

(e) The percentage of the district's or building's 915
students who receive industry-recognized credentials as approved 916
under section 3313.6113 of the Revised Code; 917

(f) The percentage of students enrolled in a district or 918
building who are participating in an international baccalaureate 919
program and the percentage of those students who receive a score 920
of four or better on the international baccalaureate 921
examinations; 922

(g) The results of the college and career-ready 923
assessments administered under division (B) (1) of section 924
3301.0712 of the Revised Code; 925

(h) Whether the school district or building has 926
implemented a positive behavior intervention and supports 927
framework in compliance with the requirements of section 3319.46 928
of the Revised Code, notated as a "yes" or "no" answer. 929

(3) The department shall adopt rules pursuant to Chapter 930
119. of the Revised Code that establish a method to assign an 931
overall grade for a school district or school building for the 932
2017-2018 school year and each school year thereafter. The rules 933
shall group the performance measures in divisions (C)(1) and (2) 934
of this section into the following components: 935

(a) Gap closing, which shall include the performance 936
measure in division (C)(1)(a) of this section; 937

(b) Achievement, which shall include the performance 938
measures in divisions (C)(1)(b) and (c) of this section; 939

(c) Progress, which shall include the performance measures 940
in divisions (C)(1)(e) and (f) of this section; 941

(d) Graduation, which shall include the performance 942
measure in division (C)(1)(d) of this section; 943

(e) Kindergarten through third-grade literacy, which shall 944
include the performance measure in division (C)(1)(g) of this 945
section; 946

(f) Prepared for success, which shall include the 947
performance measures in divisions (C)(2)(a), (b), (c), (d), (e), 948
and (f) of this section. The department shall develop a method 949
to determine a grade for the component in division (C)(3)(f) of 950
this section using the performance measures in divisions (C)(2) 951
(a), (b), (c), (d), (e), and (f) of this section. When 952
available, the department may incorporate the performance 953
measure under division (C)(2)(g) of this section into the 954

component under division (C) (3) (f) of this section. When 955
determining the overall grade for the prepared for success 956
component prescribed by division (C) (3) (f) of this section, no 957
individual student shall be counted in more than one performance 958
measure. However, if a student qualifies for more than one 959
performance measure in the component, the department may, in its 960
method to determine a grade for the component, specify an 961
additional weight for such a student that is not greater than or 962
equal to 1.0. In determining the overall score under division 963
(C) (3) (f) of this section, the department shall ensure that the 964
pool of students included in the performance measures aggregated 965
under that division are all of the students included in the 966
four- and five-year adjusted graduation cohort. 967

In the rules adopted under division (C) (3) of this 968
section, the department shall adopt a method for determining a 969
grade for each component in divisions (C) (3) (a) to (f) of this 970
section. The department also shall establish a method to assign 971
an overall grade of "A," "B," "C," "D," or "F" using the grades 972
assigned for each component. The method the department adopts 973
for assigning an overall grade shall give equal weight to the 974
components in divisions (C) (3) (b) and (c) of this section. 975

At least forty-five days prior to the department's 976
adoption of rules to prescribe the methods for calculating the 977
overall grade for the report card, as required by this division, 978
the department shall conduct a public presentation before the 979
standing committees of the house of representatives and the 980
senate that consider education legislation describing the format 981
for the report card, weights that will be assigned to the 982
components of the overall grade, and the method for calculating 983
the overall grade. 984

(D) For the 2021-2022 school year and each school year 985
thereafter, all of the following apply: 986

(1) The department shall include on a school district's or 987
building's report card all of the following performance measures 988
without an assigned performance rating: 989

(a) Whether the district or building meets the gifted 990
performance indicator under division (A) (2) of section 3302.02 991
of the Revised Code and the extent to which the district or 992
building meets gifted indicator performance benchmarks; 993

(b) The extent to which the district or building meets the 994
chronic absenteeism indicator under division (A) (3) of section 995
3302.02 of the Revised Code; 996

(c) Performance index score percentage for a district or 997
building, which shall be calculated by dividing the district's 998
or building's performance index score according to the 999
performance index system created by the department by the 1000
maximum performance index score for a district or building. The 1001
maximum performance index score shall be as follows: 1002

(i) For a building, the average of the highest two per 1003
cent of performance index scores achieved by a building for the 1004
school year for which a report card is issued; 1005

(ii) For a district, the average of the highest two per 1006
cent of performance index scores achieved by a district for the 1007
school year for which a report card is issued. 1008

(d) The overall score under the value-added progress 1009
dimension of a district or building, for which the department 1010
shall use three consecutive years of value-added data. In using 1011
three years of value-added data to calculate the measure 1012
prescribed under division (D) (1) (d) of this section, the 1013

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

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

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

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

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

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

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

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

determined using a method prescribed by the department. The 1043
method shall determine progress made based on the reduction in 1044
the total percentage of students scoring below grade level, or 1045
below proficient, compared from year to year on the reading 1046
segments of the diagnostic assessments administered under 1047
section 3301.0715 of the Revised Code, including the 1048
kindergarten readiness assessment, and the third grade English 1049
language arts assessment under section 3301.0710 of the Revised 1050
Code, as applicable. The method shall not include a deduction 1051
for students who did not pass the third grade English language 1052
arts assessment under section 3301.0710 of the Revised Code and 1053
were not on a reading improvement and monitoring plan. 1054

The performance measure prescribed under division (D) (1) 1055
(h) of this section shall not be included on the report card of 1056
a district or building in which less than ten per cent of 1057
students have scored below grade level on the diagnostic 1058
assessment administered to students in kindergarten under 1059
division (B) (1) of section 3313.608 of the Revised Code. 1060

(i) The percentage of students in a district or building 1061
who are promoted to the fourth grade and not subject to 1062
retention under division (A) (2) of section 3313.608 of the 1063
Revised Code; 1064

(j) A post-secondary readiness measure. This measure shall 1065
be calculated by dividing the number of students included in the 1066
four-year adjusted graduation rate cohort who demonstrate post- 1067
secondary readiness by the total number of students included in 1068
the denominator of the four-year adjusted graduation rate 1069
cohort. Demonstration of post-secondary readiness shall include 1070
a student doing any of the following: 1071

(i) Attaining a remediation-free score, in accordance with 1072

standards adopted under division (F) of section 3345.061 of the 1073
Revised Code, on a nationally standardized assessment prescribed 1074
under division (B) (1) of section 3301.0712 of the Revised Code; 1075

(ii) Attaining required scores on three or more advanced 1076
placement or international baccalaureate examinations. The 1077
required score for an advanced placement examination shall be a 1078
three or better. The required score for an international 1079
baccalaureate examination shall be a four or better. A student 1080
may satisfy this condition with any combination of advanced 1081
placement or international baccalaureate examinations. 1082

(iii) Earning at least twelve college credits through 1083
advanced standing programs, such as the college credit plus 1084
program under Chapter 3365. of the Revised Code, an early 1085
college high school program under section 3313.6013 of the 1086
Revised Code, and state-approved career-technical courses 1087
offered through dual enrollment or statewide articulation, that 1088
appear on a student's college transcript issued by the 1089
institution of higher education from which the student earned 1090
the college credit. Earned credits reported under division (D) 1091
(1) (j) (iii) of this section shall include credits that count 1092
toward the curriculum requirements established for completion of 1093
a degree, but shall not include any remedial or developmental 1094
credits. 1095

(iv) Meeting the additional criteria for an honors diploma 1096
under division (B) of section 3313.61 of the Revised Code; 1097

(v) Earning an industry-recognized credential or license 1098
issued by a state agency or board for practice in a vocation 1099
that requires an examination for issuance of that license 1100
approved under section 3313.6113 of the Revised Code; 1101

(vi) Satisfying any of the following conditions:	1102
(I) Completing a pre-apprenticeship aligned with options	1103
established under section 3313.904 of the Revised Code in the	1104
student's chosen career field;	1105
(II) Completing an apprenticeship registered with the	1106
apprenticeship council established under section 4139.02 of the	1107
Revised Code in the student's chosen career field;	1108
(III) Providing evidence of acceptance into an	1109
apprenticeship program after high school that is restricted to	1110
participants eighteen years of age or older.	1111
(vii) Earning a cumulative score of proficient or higher	1112
on three or more state technical assessments aligned with	1113
section 3313.903 of the Revised Code in a single career pathway;	1114
(viii) Earning an OhioMeansJobs-readiness seal established	1115
under section 3313.6112 of the Revised Code and completing two	1116
hundred fifty hours of an internship or other work-based	1117
learning experience that is either:	1118
(I) Approved by the business advisory council established	1119
under section 3313.82 of the Revised Code that represents the	1120
student's district; or	1121
(II) Aligned to the career-technical education pathway	1122
approved by the department in which the student is enrolled.	1123
(ix) Providing evidence that the student has enlisted in a	1124
branch of the armed services of the United States as defined in	1125
section 5910.01 of the Revised Code.	1126
A student who satisfies more than one of the conditions	1127
prescribed under this division shall be counted as one student	1128
for the purposes of calculating the measure prescribed under	1129

division (D) (1) (j) of this section. 1130

(2) In addition to the performance measures under division 1131
(D) (1) of this section, the department shall report on a 1132
district's or building's report card all of the following data 1133
without an assigned performance rating: 1134

(a) The applicable performance indicators established by 1135
the department under division (A) (1) of section 3302.02 of the 1136
Revised Code; 1137

(b) The overall score under the value-added progress 1138
dimension of a district or building for the most recent school 1139
year; 1140

(c) A composite of the overall scores under the value- 1141
added progress dimension of a district or building for the 1142
previous three school years or, if only two years of value-added 1143
data are available, for the previous two years; 1144

(d) The percentage of students included in the four- and 1145
five-year adjusted cohort graduation rates of a district or 1146
building who did not receive a high school diploma under section 1147
3313.61 or 3325.08 of the Revised Code. To the extent possible, 1148
the department shall disaggregate that data according to the 1149
following categories: 1150

(i) Students who are still enrolled in the district or 1151
building and receiving general education services; 1152

(ii) Students with an individualized education program, as 1153
defined in section 3323.01 of the Revised Code, who satisfied 1154
the conditions for a high school diploma under section 3313.61 1155
or 3325.08 of the Revised Code, but opted not to receive a 1156
diploma and are still receiving education services; 1157

(iii) Students with an individualized education program 1158
who have not yet satisfied conditions for a high school diploma 1159
under section 3313.61 or 3325.08 of the Revised Code and who are 1160
still receiving education services; 1161

(iv) Students who are no longer enrolled in any district 1162
or building; 1163

(v) Students who, upon enrollment in the district or 1164
building for the first time, had completed fewer units of high 1165
school instruction required under section 3313.603 of the 1166
Revised Code than other students in the four- or five-year 1167
adjusted cohort graduation rate. 1168

The department may disaggregate the data prescribed under 1169
division (D) (2) (d) of this section according to other categories 1170
that the department determines are appropriate. 1171

(e) The results of the kindergarten diagnostic assessment 1172
prescribed under division (D) of section 3301.079 of the Revised 1173
Code; 1174

(f) Post-graduate outcomes for students who were enrolled 1175
in a district or building and received a high school diploma 1176
under section 3313.61 or 3325.08 of the Revised Code in the 1177
school year prior to the school year for which the report card 1178
is issued, including the percentage of students who: 1179

(i) Enrolled in a post-secondary educational institution. 1180
To the extent possible, the department shall disaggregate that 1181
data according to whether the student enrolled in a four-year 1182
institution of higher education, a two-year institution of 1183
higher education, an Ohio technical center that provides adult 1184
technical education services and is recognized by the chancellor 1185
of higher education, or another type of post-secondary 1186

educational institution. 1187

(ii) Entered an apprenticeship program registered with the 1188
apprenticeship council established under Chapter 4139. of the 1189
Revised Code. The department may include other job training 1190
programs with similar rigor and outcomes. 1191

(iii) Attained gainful employment, as determined by the 1192
department; 1193

(iv) Enlisted in a branch of the armed forces of the 1194
United States, as defined in section 5910.01 of the Revised 1195
Code. 1196

(g) Whether the school district or building has 1197
implemented a positive behavior intervention and supports 1198
framework in compliance with the requirements of section 3319.46 1199
of the Revised Code, notated with a "yes" or "no"; 1200

(h) The number and percentage of high school seniors in 1201
each school year who completed the free application for federal 1202
student aid; 1203

(i) Beginning with the report card issued under this 1204
section for the 2022-2023 school year, a student opportunity 1205
profile measure that reports data regarding the opportunities 1206
provided to students by a district or building. To the extent 1207
possible, and when appropriate, the data shall be disaggregated 1208
by grade level and subgroup. The measure also shall include data 1209
regarding the statewide average, the average for similar school 1210
districts, and, for a building, the average for the district in 1211
which the building is located. The measure shall include all of 1212
the following data for the district or building: 1213

(i) The average ratio of teachers of record to students in 1214
each grade level in a district or building; 1215

(ii) The average ratio of school counselors to students in a district or building;	1216 1217
(iii) The average ratio of nurses to students in a district or building;	1218 1219
(iv) The average ratio of licensed librarians and library media specialists to students in a district or building;	1220 1221
(v) The average ratio of social workers to students in a district or building;	1222 1223
(vi) The average ratio of mental health professionals to students in a district or building;	1224 1225
(vii) The average ratio of paraprofessionals to students in a district or building;	1226 1227
(viii) The percentage of teachers with fewer than three years of experience teaching in any school;	1228 1229
(ix) The percentage of principals with fewer than three years of experience as a principal in any school;	1230 1231
(x) The percentage of teachers who are not teaching in the subject or field for which they are certified or licensed;	1232 1233
(xi) The percentage of kindergarten students who are enrolled in all-day kindergarten, as defined in section 3321.05 of the Revised Code;	1234 1235 1236
(xii) The percentage of students enrolled in a performing or visual arts course;	1237 1238
(xiii) The percentage of students enrolled in a physical education or wellness course;	1239 1240
(xiv) The percentage of students enrolled in a world language course;	1241 1242

(xv) The percentage of students in grades seven through	1243
twelve who are enrolled in a career-technical education course;	1244
(xvi) The percentage of students participating in one or	1245
more cocurricular activities;	1246
(xvii) The percentage of students participating in advance	1247
placement courses, international baccalaureate courses, honors	1248
courses, or courses offered through the college credit plus	1249
program established under Chapter 3365. of the Revised Code;	1250
(xviii) The percentage of students identified as gifted in	1251
superior cognitive ability and specific academic ability fields	1252
under Chapter 3324. of the Revised Code and receiving gifted	1253
services pursuant to that chapter;	1254
(xix) The percentage of students participating in	1255
enrichment or support programs offered by the district or	1256
building outside of the normal school day;	1257
(xx) The percentage of eligible students participating	1258
each school day in school breakfast programs offered by the	1259
district or building in accordance with section 3313.813 or	1260
3313.818 of the Revised Code;	1261
(xxi) The percentage of students who are transported by a	1262
school bus each school day;	1263
(xxii) The ratio of portable technology devices that	1264
students may take home to the number of students.	1265
The department shall include only opportunity measures at	1266
the building level for which data for buildings is available, as	1267
determined by a school district.	1268
(j) (i) The percentage of students included in the four-	1269
and five-year adjusted cohort graduation rates of the district	1270

or building who completed all of grades nine through twelve 1271
while enrolled in the district or building; 1272

(ii) The four-year adjusted cohort graduation rate for 1273
only those students who were continuously enrolled in the same 1274
district or building for grades nine through twelve. 1275

(k) The percentage of students in the district or building 1276
to whom both of the following apply: 1277

(i) The students are promoted to fourth grade and not 1278
subject to retention under division (A)(2) of section 3313.608 1279
of the Revised Code. 1280

(ii) The students completed all of the grade levels 1281
offered prior to the fourth grade in the district or building. 1282

(3) Except as provided in division (D)(3)(f) of this 1283
section, the department shall use the method prescribed under 1284
rules adopted under division (D)(4) of this section to assign 1285
performance ratings of "one star," "two stars," "three stars," 1286
"four stars," or "five stars," as described in division (F) of 1287
this section, for a district or building for the individual 1288
components prescribed under division (D)(3) of this section. The 1289
department also shall assign an overall performance rating for a 1290
district or building in accordance with division (D)(3)(g) of 1291
this section. The method shall use the performance measures 1292
prescribed under division (D)(1) of this section to calculate 1293
performance ratings for components. The method may report data 1294
under division (D)(2) of this section with corresponding 1295
components, but shall not use the data to calculate performance 1296
ratings for that component. The performance measures and 1297
reported data shall be grouped together into components as 1298
follows: 1299

(a) Gap closing. In addition to other criteria determined 1300
appropriate by the department, performance ratings for the gap 1301
closing component shall reflect whether each of the following 1302
performance measures are met or not met: 1303

(i) The gifted performance indicator as described in 1304
division (D) (1) (a) of this section; 1305

(ii) The chronic absenteeism indicator as described in 1306
division (D) (1) (b) of this section; 1307

(iii) For English learners, an English language 1308
proficiency improvement indicator established by the department; 1309

(iv) The subgroup graduation targets; 1310

(v) The subgroup achievement targets in both mathematics 1311
and English language arts; 1312

(vi) The subgroup progress targets in both mathematics and 1313
English language arts. 1314

Achievement and progress targets under division (D) (3) (a) 1315
of this section shall be calculated individually, and districts 1316
and buildings shall receive a status of met or not met on each 1317
measure. The department shall not require a subgroup of a 1318
district or building to meet both the achievement and progress 1319
targets at the same time to receive a status of met. 1320

The department shall not include any subgroup data in this 1321
measure that includes data from fewer than fifteen students. Any 1322
penalty for failing to meet the required assessment 1323
participation rate must be partially in proportion to how close 1324
the district or building was to meeting the rate requirement. 1325

(b) Achievement, which shall include the performance 1326
measure in division (D) (1) (c) of this section and the reported 1327

data in division (D) (2) (a) of this section. Performance ratings 1328
for the achievement component shall be awarded as a percentage 1329
of the maximum performance index score described in division (D) 1330
(1) (c) of this section. 1331

(c) Progress, which shall include the performance measure 1332
in division (D) (1) (d) of this section and the reported data in 1333
divisions (D) (2) (b) and (c) of this section; 1334

(d) Graduation, which shall include the performance 1335
measures in divisions (D) (1) (e) and (f) of this section and the 1336
reported data in divisions (D) (2) (d) and (j) of this section. 1337
The four-year adjusted cohort graduation rate shall be assigned 1338
a weight of sixty per cent and the five-year adjusted cohort 1339
graduation rate shall be assigned a weight of forty per cent; 1340

(e) Early literacy, which shall include the performance 1341
measures in divisions (D) (1) (g), (h), and (i) of this section 1342
and the reported data in divisions (D) (2) (e) and (k) of this 1343
section. 1344

If the measure prescribed under division (D) (1) (h) of this 1345
section is included in a report card, performance ratings for 1346
the early literacy component shall give a weight of forty per 1347
cent to the measure prescribed under division (D) (1) (g) of this 1348
section, a weight of thirty-five per cent to the measure 1349
prescribed under division (D) (1) (i) of this section, and a 1350
weight of twenty-five per cent to the measure prescribed under 1351
division (D) (1) (h) of this section. 1352

If the measure prescribed under division (D) (1) (h) of this 1353
section is not included in a report card of a district or 1354
building, performance ratings for the early literacy component 1355
shall give a weight of sixty per cent to the measure prescribed 1356

under division (D) (1) (g) of this section and a weight of forty 1357
per cent to the measure prescribed under division (D) (1) (i) of 1358
this section. 1359

(f) College, career, workforce, and military readiness, 1360
which shall include the performance measure in division (D) (1) 1361
(j) of this section and the reported data in division (D) (2) (f) 1362
of this section. 1363

For the 2021-2022, 2022-2023, and 2023-2024 school years, 1364
the department only shall report the data for, and not assign a 1365
performance rating to, the college, career, workforce, and 1366
military readiness component. The reported data shall include 1367
the percentage of students who demonstrate post-secondary 1368
readiness using any of the options described in division (D) (1) 1369
(j) of this section. 1370

The department shall analyze the data included in the 1371
performance measure prescribed in division (D) (1) (j) of this 1372
section for the 2021-2022, 2022-2023, and 2023-2024 school 1373
years. Using that data, the department shall develop and propose 1374
rules for a method to assign a performance rating to the 1375
college, career, workforce, and military readiness component 1376
based on that measure. The method to assign a performance rating 1377
shall not include a tiered structure or per student bonuses. The 1378
rules shall specify that a district or building shall not 1379
receive lower than a performance rating of three stars for the 1380
component if the district's or building's performance on the 1381
component meets or exceeds a level of improvement set by the 1382
department. Notwithstanding division (D) (4) (b) of this section, 1383
more than half of the total districts and buildings may earn a 1384
performance rating of three stars on this component to account 1385
for the districts and buildings that earned a performance rating 1386

of three stars because they met or exceeded the level of 1387
improvement set by the department. 1388

The department shall submit the rules to the joint 1389
committee on agency rule review. The committee shall conduct at 1390
least one public hearing on the proposed rules and approve or 1391
disapprove the rules. If the committee approves the rules, the 1392
department shall adopt the rules in accordance with Chapter 119. 1393
of the Revised Code. If the rules are adopted, the department 1394
shall assign a performance rating to the college, career, 1395
workforce, and military readiness component under the rules 1396
beginning with the 2024-2025 school year, and for each school 1397
year thereafter. If the committee disapproves the rules, the 1398
component shall be included in the report card only as reported 1399
data for the 2024-2025 school year, and each school year 1400
thereafter. 1401

(g) (i) Except as provided for in division (D) (3) (g) (ii) of 1402
this section, beginning with the 2022-2023 school year, under 1403
the method prescribed under rules adopted in division (D) (4) of 1404
this section, the department shall use the performance ratings 1405
assigned for the components prescribed in divisions (D) (3) (a) to 1406
(e) of this section to determine and assign an overall 1407
performance rating of "one star," "one and one-half stars," "two 1408
stars," "two and one-half stars," "three stars," "three and one- 1409
half stars," "four stars," "four and one-half stars," or "five 1410
stars" for a district or building. The method shall give equal 1411
weight to the components in divisions (D) (3) (b) and (c) of this 1412
section. The method shall give equal weight to the components in 1413
divisions (D) (3) (a), (d), and (e) of this section. The 1414
individual weights of each of the components prescribed in 1415
divisions (D) (3) (a), (d), and (e) of this section shall be equal 1416
to one-half of the weight given to the component prescribed in 1417

division (D) (3) (b) of this section. 1418

(ii) If the joint committee on agency rule review approves 1419
the department's rules regarding the college, career, workforce, 1420
and military readiness component as described in division (D) (3) 1421
(f) of this section, for the 2024-2025 school year, and each 1422
school year thereafter, the department's method shall use the 1423
components in divisions (D) (3) (a), (b), (c), (d), (e), and (f) 1424
of this section to calculate the overall performance rating. The 1425
method shall give equal weight to the components in divisions 1426
(D) (3) (b) and (c) of this section. The method shall give equal 1427
weight to the components prescribed in divisions (D) (3) (a), (d), 1428
(e), and (f) of this section. The individual weights of each of 1429
the components prescribed in divisions (D) (3) (a), (d), (e), and 1430
(f) of this section shall be equal to one-half the weight given 1431
to the component prescribed in division (D) (3) (b) of this 1432
section. 1433

If the joint committee on agency rule review disapproves 1434
the department's rules regarding the college, career, workforce, 1435
and military readiness component as described in division (D) (3) 1436
(f) of this section, division (D) (3) (g) (ii) of this section does 1437
not apply. 1438

(4) (a) The department shall adopt rules in accordance with 1439
Chapter 119. of the Revised Code to establish the performance 1440
criteria, benchmarks, and rating system necessary to implement 1441
divisions (D) and (F) of this section, including the method for 1442
the department to assign performance ratings under division (D) 1443
(3) of this section. 1444

(b) In establishing the performance criteria, benchmarks, 1445
and rating system, the department shall consult with stakeholder 1446
groups and advocates that represent parents, community members, 1447

students, business leaders, and educators from different school 1448
typology regions. The department shall use data from prior 1449
school years and simulations to ensure that there is meaningful 1450
differentiation among districts and buildings across all 1451
performance ratings and that, except as permitted in division 1452
(D) (3) (f) of this section, more than half of all districts or 1453
buildings do not earn the same performance rating in any 1454
component or overall performance rating. 1455

(c) The department shall adopt the rules prescribed by 1456
division (D) (4) of this section not later than March 31, 2022. 1457
However, the department shall notify districts and buildings of 1458
the changes to the report card prescribed in law not later than 1459
one week after September 30, 2021. 1460

(d) Prior to adopting or updating rules under division (D) 1461
(4) of this section, the director of education and workforce and 1462
the department shall conduct a public presentation before the 1463
standing committees of the house of representatives and the 1464
senate that consider primary and secondary education legislation 1465
describing the format for the report card and the performance 1466
criteria, benchmarks, and rating system, including the method to 1467
assign performance ratings under division (D) (3) of this 1468
section. 1469

(E) The department may develop a measure of student 1470
academic progress for high school students using only data from 1471
assessments in English language arts and mathematics. If the 1472
department develops this measure, each school district and 1473
applicable school building shall be assigned a separate letter 1474
grade for it not sooner than the 2017-2018 school year. The 1475
district's or building's grade for that measure shall not be 1476
included in determining the district's or building's overall 1477

letter grade. 1478

(F) (1) The letter grades assigned to a school district or 1479
building under this section shall be as follows: 1480

(a) "A" for a district or school making excellent 1481
progress; 1482

(b) "B" for a district or school making above average 1483
progress; 1484

(c) "C" for a district or school making average progress; 1485

(d) "D" for a district or school making below average 1486
progress; 1487

(e) "F" for a district or school failing to meet minimum 1488
progress. 1489

(2) For the overall performance rating under division (D) 1490
(3) of this section, the department shall include a descriptor 1491
for each performance rating as follows: 1492

(a) "Significantly exceeds state standards" for a 1493
performance rating of five stars; 1494

(b) "Exceeds state standards" for a performance rating of 1495
four stars or four and one-half stars; 1496

(c) "Meets state standards" for a performance rating of 1497
three stars or three and one-half stars; 1498

(d) "Needs support to meet state standards" for a 1499
performance rating of two stars or two and one-half stars; 1500

(e) "Needs significant support to meet state standards" 1501
for a performance rating of one star or one and one-half stars. 1502

(3) For performance ratings for each component under 1503

divisions (D) (3) (a) to (f) of this section, the department shall 1504
include a description of each component and performance rating. 1505
The description shall include component-specific context to each 1506
performance rating earned, estimated comparisons to other school 1507
districts and buildings if appropriate, and any other 1508
information determined by the department. The descriptions shall 1509
be not longer than twenty-five words in length when possible. In 1510
addition to such descriptions, the department shall include the 1511
descriptors in division (F) (2) of this section for component 1512
performance ratings. 1513

(4) Each report card issued under this section shall 1514
include all of the following: 1515

(a) A graphic that depicts the performance ratings of a 1516
district or school on a color scale. The color associated with a 1517
performance rating of three stars shall be green and the color 1518
associated with a performance rating of one star shall be red. 1519

(b) An arrow graphic that shows data trends for 1520
performance ratings for school districts or buildings. The 1521
department shall determine the data to be used for this graphic, 1522
which shall include at least the three most recent years of 1523
data. 1524

(c) A description regarding the weights that are assigned 1525
to each component and used to determine an overall performance 1526
rating, as prescribed under division (D) (3) (g) of this section, 1527
which shall be included in the presentation of the overall 1528
performance rating on each report card. 1529

(G) When reporting data on student achievement and 1530
progress, the department shall disaggregate that data according 1531
to the following categories: 1532

(1) Performance of students by grade-level;	1533
(2) Performance of students by race and ethnic group;	1534
(3) Performance of students by gender;	1535
(4) Performance of students grouped by those who have been enrolled in a district or school for three or more years;	1536 1537
(5) Performance of students grouped by those who have been enrolled in a district or school for more than one year and less than three years;	1538 1539 1540
(6) Performance of students grouped by those who have been enrolled in a district or school for one year or less;	1541 1542
(7) Performance of students grouped by those who are economically disadvantaged;	1543 1544
(8) Performance of students grouped by those who are enrolled in a conversion community school established under Chapter 3314. of the Revised Code;	1545 1546 1547
(9) Performance of students grouped by those who are classified as English learners;	1548 1549
(10) Performance of students grouped by those who have disabilities;	1550 1551
(11) Performance of students grouped by those who are classified as migrants;	1552 1553
(12) Performance of students grouped by those who are identified as gifted in superior cognitive ability and the specific academic ability fields of reading and math pursuant to Chapter 3324. of the Revised Code. In disaggregating specific academic ability fields for gifted students, the department shall use data for those students with specific academic ability	1554 1555 1556 1557 1558 1559

in math and reading. If any other academic field is assessed, 1560
the department shall also include data for students with 1561
specific academic ability in that field as well. 1562

(13) Performance of students grouped by those who perform 1563
in the lowest quintile for achievement on a statewide basis, as 1564
determined by a method prescribed by the department. 1565

The department may disaggregate data on student 1566
performance according to other categories that the department 1567
determines are appropriate. To the extent possible, the 1568
department shall disaggregate data on student performance 1569
according to any combinations of two or more of the categories 1570
listed in divisions (G) (1) to (13) of this section that it deems 1571
relevant. 1572

In reporting data pursuant to division (G) of this 1573
section, the department shall not include in the report cards 1574
any data statistical in nature that is statistically unreliable 1575
or that could result in the identification of individual 1576
students. For this purpose, the department shall not report 1577
student performance data for any group identified in division 1578
(G) of this section that contains less than ten students. If the 1579
department does not report student performance data for a group 1580
because it contains less than ten students, the department shall 1581
indicate on the report card that is why data was not reported. 1582

(H) The department may include with the report cards any 1583
additional education and fiscal performance data it deems 1584
valuable. 1585

(I) The department shall include on each report card a 1586
list of additional information collected by the department that 1587
is available regarding the district or building for which the 1588

report card is issued. When available, such additional 1589
information shall include student mobility data disaggregated by 1590
race and socioeconomic status, college enrollment data, and the 1591
reports prepared under section 3302.031 of the Revised Code. 1592

The department shall maintain a site on the world wide 1593
web. The report card shall include the address of the site and 1594
shall specify that such additional information is available to 1595
the public at that site. The department shall also provide a 1596
copy of each item on the list to the superintendent of each 1597
school district. The district superintendent shall provide a 1598
copy of any item on the list to anyone who requests it. 1599

(J) (1) (a) Except as provided in division (J) (1) (b) of this 1600
section, for any district that sponsors a conversion community 1601
school under Chapter 3314. of the Revised Code, the department 1602
shall combine data regarding the academic performance of 1603
students enrolled in the community school with comparable data 1604
from the schools of the district for the purpose of determining 1605
the performance of the district as a whole on the report card 1606
issued for the district under this section or section 3302.033 1607
of the Revised Code. 1608

(b) The department shall not combine data from any 1609
conversion community school that a district sponsors if a 1610
majority of the students enrolled in the conversion community 1611
school are enrolled in a dropout prevention and recovery program 1612
that is operated by the school, as described in division ~~(A) (4)~~ 1613
~~(a)~~ (B) (1) of section 3314.35 of the Revised Code. The 1614
department shall include as an addendum to the district's report 1615
card the ratings and performance measures that are required 1616
under section 3314.017 of the Revised Code for any community 1617
school to which division (J) (1) (b) of this section applies. This 1618

addendum shall include, at a minimum, the data specified in 1619
divisions (C) (1) (a), (C) (2), and (C) (3) of section 3314.017 of 1620
the Revised Code. 1621

(2) Any district that leases a building to a community 1622
school located in the district or that enters into an agreement 1623
with a community school located in the district whereby the 1624
district and the school endorse each other's programs may elect 1625
to have data regarding the academic performance of students 1626
enrolled in the community school combined with comparable data 1627
from the schools of the district for the purpose of determining 1628
the performance of the district as a whole on the district 1629
report card. Any district that so elects shall annually file a 1630
copy of the lease or agreement with the department. 1631

(3) Any municipal school district, as defined in section 1632
3311.71 of the Revised Code, that sponsors a community school 1633
located within the district's territory, or that enters into an 1634
agreement with a community school located within the district's 1635
territory whereby the district and the community school endorse 1636
each other's programs, may exercise either or both of the 1637
following elections: 1638

(a) To have data regarding the academic performance of 1639
students enrolled in that community school combined with 1640
comparable data from the schools of the district for the purpose 1641
of determining the performance of the district as a whole on the 1642
district's report card; 1643

(b) To have the number of students attending that 1644
community school noted separately on the district's report card. 1645

The election authorized under division (J) (3) (a) of this 1646
section is subject to approval by the governing authority of the 1647

community school. 1648

Any municipal school district that exercises an election 1649
to combine or include data under division (J) (3) of this 1650
section, by the first day of October of each year, shall file 1651
with the department documentation indicating eligibility for 1652
that election, as required by the department. 1653

(K) The department shall include on each report card the 1654
percentage of teachers in the district or building who are 1655
properly certified or licensed teachers, as defined in section 1656
3319.074 of the Revised Code, and a comparison of that 1657
percentage with the percentages of such teachers in similar 1658
districts and buildings. 1659

(L) (1) In calculating English language arts, mathematics, 1660
science, American history, or American government assessment 1661
passage rates used to determine school district or building 1662
performance under this section, the department shall include all 1663
students taking an assessment with accommodation or to whom an 1664
alternate assessment is administered pursuant to division (C) (1) 1665
or (3) of section 3301.0711 of the Revised Code and all students 1666
who take substitute examinations approved under division (B) (4) 1667
of section 3301.0712 of the Revised Code in the subject areas of 1668
science, American history and American government. 1669

(2) In calculating performance index scores, rates of 1670
achievement on the performance indicators established by the 1671
department under section 3302.02 of the Revised Code, and annual 1672
measurable objectives for determining adequate yearly progress 1673
for school districts and buildings under this section, the 1674
department shall do all of the following: 1675

(a) Include for each district or building only those 1676

students who are included in the ADM certified for the first 1677
full school week of October and are continuously enrolled in the 1678
district or building through the time of the spring 1679
administration of any assessment prescribed by division (A) (1) 1680
or (B) (1) of section 3301.0710 or division (B) of section 1681
3301.0712 of the Revised Code that is administered to the 1682
student's grade level; 1683

(b) Include cumulative totals from both the fall and 1684
spring administrations of the third grade English language arts 1685
achievement assessment and, to the extent possible, the summer 1686
administration of that assessment; 1687

(c) Include for each district or building any English 1688
learner in accordance with the department's plan, as approved by 1689
the United States secretary of education, to comply with the 1690
"Elementary and Secondary Education Act of 1965," 20 U.S.C. 6311 1691
to 6339. 1692

As used in this section, "English learner" has the same 1693
meaning as in section 3301.0731 of the Revised Code. 1694

(M) Beginning with the 2015-2016 school year and at least 1695
once every three years thereafter, the department shall review 1696
and may adjust the benchmarks for assigning letter grades or 1697
performance ratings to the performance measures and components 1698
prescribed under divisions (C) (3), (D), and (E) of this section. 1699

Sec. 3302.12. (A) (1) Except as provided in divisions (C) 1700
and (D) of this section, this section applies to a school 1701
building that is ranked according to performance index score 1702
under section 3302.21 of the Revised Code in the lowest five per 1703
cent of public school buildings statewide for three consecutive 1704
years and that meets any combination of the following for three 1705

consecutive years: 1706

~~(a) The school building is declared to be under an~~ 1707
~~academic watch or in a state of academic emergency under section~~ 1708
~~3302.03 of the Revised Code;~~ 1709

~~(b)~~ The school building has received a grade of "F" for 1710
the value-added progress dimension under division (A) (1) (e), (B) 1711
(1) (e), or (C) (1) (e) of section 3302.03 of the Revised Code; 1712

~~(e)~~ (b) The school building has received an overall grade 1713
of "F" under section 3302.03 of the Revised Code; 1714

~~(d)~~ (c) The school building has received a performance 1715
rating of one star for progress under division (D) (3) (c) of 1716
section 3302.03 of the Revised Code; 1717

~~(e)~~ (d) The school building has received an overall 1718
performance rating of less than two stars under section 3302.03 1719
of the Revised Code. 1720

(2) In the case of a building to which this section 1721
applies, the district board of education in control of that 1722
building shall do one of the following at the conclusion of the 1723
school year in which the building first becomes subject to this 1724
section: 1725

(a) Close the school and direct the district 1726
superintendent to reassign the students enrolled in the school 1727
to other school buildings that demonstrate higher academic 1728
achievement; 1729

(b) Contract with another school district or a nonprofit 1730
or for-profit entity with a demonstrated record of effectiveness 1731
to operate the school; 1732

(c) Replace the principal and all teaching staff of the 1733

school and, upon request from the new principal, exempt the 1734
school from all requested policies and regulations of the board 1735
regarding curriculum and instruction. The board also shall 1736
distribute funding to the school in an amount that is at least 1737
equal to the product of the per pupil amount of state and local 1738
revenues received by the district multiplied by the student 1739
population of the school. 1740

(d) Reopen the school as a conversion community school 1741
under Chapter 3314. of the Revised Code. 1742

(B) If an action taken by the board under division (A) (2) 1743
of this section causes the district to no longer maintain all 1744
grades kindergarten through twelve, as required by section 1745
3311.29 of the Revised Code, the board shall enter into a 1746
contract with another school district pursuant to section 1747
3327.04 of the Revised Code for enrollment of students in the 1748
schools of that other district to the extent necessary to comply 1749
with the requirement of section 3311.29 of the Revised Code. 1750
Notwithstanding any provision of the Revised Code to the 1751
contrary, if the board enters into and maintains a contract 1752
under section 3327.04 of the Revised Code, the district shall 1753
not be considered to have failed to comply with the requirement 1754
of section 3311.29 of the Revised Code. If, however, the 1755
district board fails to or is unable to enter into or maintain 1756
such a contract, the state board of education shall take all 1757
necessary actions to dissolve the district as provided in 1758
division (A) of section 3311.29 of the Revised Code. 1759

(C) If a particular school is required to restructure 1760
under this section and a petition with respect to that same 1761
school has been filed and verified under divisions (B) and (C) 1762
of section 3302.042 of the Revised Code, the provisions of that 1763

section and the petition filed and verified under it shall 1764
prevail over the provisions of this section and the school shall 1765
be restructured under that section. However, if division (D)(1), 1766
(2), or (3) of section 3302.042 of the Revised Code also applies 1767
to the school, the school shall be subject to restructuring 1768
under this section and not section 3302.042 of the Revised Code. 1769

If the provisions of this section conflict in any way with 1770
the requirements of federal law, federal law shall prevail over 1771
the provisions of this section. 1772

(D) If a school is restructured under this section, 1773
section 3302.042 or 3302.10 of the Revised Code, or federal law, 1774
the school shall not be required to restructure again under 1775
state law for three consecutive years after the implementation 1776
of that prior restructuring. 1777

Sec. 3302.151. (A) Notwithstanding anything to the 1778
contrary in the Revised Code, a school district that qualifies 1779
under division (D) of this section shall be exempt from all of 1780
the following: 1781

(1) The teacher qualification requirements under the 1782
third-grade reading guarantee, as prescribed under divisions (B) 1783
(3)(c) and (H) of section 3313.608 of the Revised Code. This 1784
exemption does not relieve a teacher from holding a valid Ohio 1785
license in a subject area and grade level determined appropriate 1786
by the board of education of that district. 1787

(2) The mentoring component of the Ohio teacher residency 1788
program established under division (A)(1) of section 3319.223 of 1789
the Revised Code, so long as the district utilizes a local 1790
approach to train and support new teachers; 1791

(3) Any provision of the Revised Code or rule or standard 1792

of the department of education and workforce prescribing a 1793
minimum or maximum class size; 1794

(4) Any provision of the Revised Code or rule or standard 1795
of the department requiring teachers to be licensed specifically 1796
in the grade level in which they are teaching, except unless 1797
otherwise prescribed by federal law. This exemption does not 1798
apply to special education teachers. Nor does this exemption 1799
relieve a teacher from holding a valid Ohio license in the 1800
subject area in which that teacher is teaching and at least some 1801
grade level determined appropriate by the district board. 1802

(B) (1) Notwithstanding anything to the contrary in the 1803
Revised Code, including sections 3319.30 and 3319.36 of the 1804
Revised Code, the superintendent of a school district that 1805
qualifies under division (D) of this section may employ an 1806
individual who is not licensed as required by sections 3319.22 1807
to 3319.30 of the Revised Code, but who is otherwise qualified 1808
based on experience, to teach classes in the district, so long 1809
as the board of education of the school district approves the 1810
individual's employment and provides mentoring and professional 1811
development opportunities to that individual, as determined 1812
necessary by the board. 1813

(2) As a condition of employment under this section, an 1814
individual shall be subject to a criminal records check as 1815
prescribed by section 3319.391 of the Revised Code. In the 1816
manner prescribed by the state board of education, the 1817
individual shall submit the criminal records check to the state 1818
board and shall register with the state board during the period 1819
in which the individual is employed by the district. The state 1820
board shall use the information submitted to enroll the 1821
individual in the retained applicant fingerprint database, 1822

established under section 109.5721 of the Revised Code, in the 1823
same manner as any teacher licensed under sections 3319.22 to 1824
3319.31 of the Revised Code. 1825

(3) An individual employed pursuant to this division is 1826
subject to Chapter 3307. of the Revised Code. 1827

If the state board receives notification of the arrest or 1828
conviction of an individual employed under division (B) of this 1829
section, the state board shall promptly notify the employing 1830
district and may take any action authorized under sections 1831
3319.31 and 3319.311 of the Revised Code that it considers 1832
appropriate. No district shall employ any individual under 1833
division (B) of this section if the district learns that the 1834
individual has plead guilty to, has been found guilty by a jury 1835
or court of, or has been convicted of any of the offenses listed 1836
in division (C) of section 3319.31 of the Revised Code. 1837

(C) Notwithstanding anything to the contrary in the 1838
Revised Code, noncompliance with any of the requirements listed 1839
in divisions (A) or (B) of this section shall not disqualify a 1840
school district that qualifies under division (D) of this 1841
section from receiving funds under Chapter 3317. of the Revised 1842
Code. 1843

(D) In order for a city, local, or exempted village school 1844
district to qualify for the exemptions described in this 1845
section, the school district shall meet ~~all~~ both of the 1846
following benchmarks on the most recent report card issued for 1847
that district under section 3302.03 of the Revised Code: 1848

(1) The district received at least eighty-five per cent of 1849
the total possible points for the performance index score 1850
calculated under division (C) (1) (b) or (D) (1) (c) of that 1851

section; 1852

~~(2) The district received a grade of an "A" for~~ 1853
~~performance indicators met under division (C) (1) (c) of that~~ 1854
~~section. However, division (D) (2) of this section shall not~~ 1855
~~apply for the 2021-2022 school year or any school year~~ 1856
~~thereafter.~~ 1857

~~(3)~~ The district has a four-year adjusted cohort 1858
graduation rate of at least ninety-three per cent and a five- 1859
year adjusted cohort graduation rate of at least ninety-five per 1860
cent, as calculated under division (C) (1) (d) or divisions (D) (1) 1861
(e) and (D) (1) (f) of that section. 1862

~~(E)~~ (E) (1) A school district that meets the requirements 1863
prescribed by division (D) of this section shall be qualified 1864
for the exemptions prescribed by this section for three school 1865
years, beginning with the school year in which the qualifying 1866
report card is issued. 1867

(2) The exemption prescribed under this division may be 1868
renewed every three school years if the school district 1869
continues to meet the requirements prescribed in division (D) of 1870
this section. 1871

(3) The department of education and workforce, by the 1872
thirtieth day of September in each school year, shall notify 1873
each district that becomes eligible for the exemptions under 1874
this section that the district is eligible and that such 1875
exemptions exist. 1876

(F) As used in this section, "license" has the same 1877
meaning as in section 3319.31 of the Revised Code. 1878

Sec. 3302.421. (A) As used in this section: 1879

- (1) "Device" means any computer, laptop, or tablet; 1880
- (2) "Online learning" has the same meaning as in section 1881
3301.079 of the Revised Code. 1882
- (B) This section applies to any school using an online 1883
learning model pursuant to section 3302.42 of the Revised Code 1884
operated by a local, city, exempted village, or joint vocational 1885
school district. 1886
- (C) Any student enrolled in a school to which this section 1887
applies shall be permitted to complete any of the statewide 1888
achievement and diagnostic assessments prescribed under sections 1889
3301.079, 3301.0710, 3301.0712, and 3301.0715 of the Revised 1890
Code, except for the kindergarten readiness assessment, remotely 1891
in an online format if the following conditions are met: 1892
- (1) The student takes the assessment during the testing 1893
windows prescribed by the director of education and workforce. 1894
- (2) The student attends a synchronous assessment session 1895
initiated and managed by the school in which the student is 1896
enrolled. 1897
- (3) The student takes the assessment using a device in 1898
which the student will be monitored by the assessment proctor 1899
through video and audio for the duration of the assessment 1900
administration. 1901
- (4) The school to which this section applies maintains a 1902
ratio of ten to one, or lower, for students taking an assessment 1903
to an assessment proctor. 1904
- (5) The student does not exit the assessment 1905
administration until instructed to do so by the assessment 1906
proctor. 1907

(6) The assessment proctor verifies the submission of the 1908
assessment. 1909

(D)(1) If the online assessment platform does not support 1910
integrated camera proctoring, the student shall use two devices 1911
for the duration of an assessment administration. One device 1912
shall be used for the student to take the assessment while on 1913
the second device an assessment proctor monitors the student for 1914
the duration of the assessment. The device used by a student to 1915
take an assessment shall be a computer. 1916

(2) If a student requires the use of a second device under 1917
division (D)(1) of this section, the school in which the student 1918
is enrolled shall not be required to supply or pay to procure 1919
that device. 1920

Sec. 3311.80. Notwithstanding any provision of the Revised 1921
Code to the contrary, a municipal school district shall be 1922
subject to this section instead of section 3319.111 of the 1923
Revised Code. 1924

(A) ~~Not later than July 1, 2013, the~~ The board of 1925
education of each municipal school district and the teachers' 1926
labor organization shall develop and adopt standards-based 1927
teacher evaluation procedures that shall either conform with the 1928
framework for evaluation of teachers developed under section 1929
3319.112 of the Revised Code or a framework developed or adopted 1930
by the district. The evaluation procedures shall include at 1931
least formal observations and classroom walk-throughs, which may 1932
be announced or unannounced; examinations of samples of work, 1933
such as lesson plans or assessments designed by a teacher; and 1934
multiple measures of student academic growth. 1935

(B) When using measures of student academic growth as a 1936

component of a teacher's evaluation, those measures shall 1937
include the value-added progress dimension prescribed by section 1938
3302.021 of the Revised Code or the alternative student academic 1939
progress measure if adopted under division (C) (1) (e) of section 1940
3302.03 of the Revised Code. For teachers of grade levels and 1941
subjects for which the value-added progress dimension or 1942
alternative student academic achievement measure is not 1943
applicable, the board shall administer assessments on the list 1944
developed under division (B) (2) of section 3319.112 of the 1945
Revised Code. 1946

(C) (1) Each teacher employed by the board shall be 1947
evaluated at least once each school year, except as provided in 1948
division (C) (2) of this section. The composite evaluation shall 1949
be completed not later than the first day of June and the 1950
teacher shall receive a written report of the results of the 1951
composite evaluation not later than ten days after its 1952
completion or the last teacher work day of the school year, 1953
whichever is earlier. 1954

(2) Each teacher who received a rating of accomplished on 1955
the teacher's most recent evaluation conducted under this 1956
section may be evaluated once every two school years, except 1957
that the teacher shall be evaluated in any school year in which 1958
the teacher's contract is due to expire. The biennial composite 1959
evaluation shall be completed not later than the first day of 1960
June of the applicable school year, and the teacher shall 1961
receive a written report of the results of the composite 1962
evaluation not later than ten days after its completion or the 1963
last teacher work day of the school year, whichever is earlier. 1964

(D) Each evaluation conducted pursuant to this section 1965
shall be conducted by one or more of the following persons who 1966

have been trained to conduct evaluations in accordance with 1967
criteria that shall be developed jointly by the chief executive 1968
officer of the district, or the chief executive officer's 1969
designee, and the teachers' labor organization: 1970

(1) The chief executive officer or a subordinate officer 1971
of the district with responsibility for instruction or academic 1972
affairs; 1973

(2) A person who is under contract with the board pursuant 1974
to section 3319.02 of the Revised Code and holds a license 1975
designated for being a principal issued under section 3319.22 of 1976
the Revised Code; 1977

(3) A person who is under contract with the board pursuant 1978
to section 3319.02 of the Revised Code and holds a license 1979
designated for being a vocational director or a supervisor in 1980
any educational area issued under section 3319.22 of the Revised 1981
Code; 1982

(4) A person designated to conduct evaluations under an 1983
agreement providing for peer assistance and review entered into 1984
by the board and the teachers' labor organization. 1985

(E) The evaluation procedures shall describe how the 1986
evaluation results will be used for decisions regarding 1987
compensation, retention, promotion, and reductions in force and 1988
for removal of poorly performing teachers. 1989

(F) A teacher may challenge any violations of the 1990
evaluation procedures in accordance with the grievance procedure 1991
specified in any applicable collective bargaining agreement. A 1992
challenge under this division is limited to the determination of 1993
procedural errors that have resulted in substantive harm to the 1994
teacher and to ordering the correction of procedural errors. The 1995

failure of the board or a person conducting an evaluation to 1996
strictly comply with any deadline or evaluation forms 1997
established as part of the evaluation process shall not be cause 1998
for an arbitrator to determine that a procedural error occurred, 1999
unless the arbitrator finds that the failure resulted in 2000
substantive harm to the teacher. The arbitrator shall have no 2001
jurisdiction to modify the evaluation results, but the 2002
arbitrator may stay any decision taken pursuant to division (E) 2003
of this section pending the board's correction of any procedural 2004
error. The board shall correct any procedural error within 2005
fifteen business days after the arbitrator's determination that 2006
a procedural error occurred. 2007

(G) Notwithstanding any provision to the contrary in 2008
Chapter 4117. of the Revised Code, the requirements of this 2009
section prevail over any conflicting provisions of a collective 2010
bargaining agreement entered into on or after October 1, 2012. 2011
However, the board and the teachers' labor organization may 2012
negotiate additional evaluation procedures, including an 2013
evaluation process incorporating peer assistance and review, 2014
provided the procedures are consistent with this section. 2015

(H) This section does not apply to administrators 2016
appointed by the chief executive officer of a municipal school 2017
district under section 3311.72 of the Revised Code, 2018
administrators subject to evaluation procedures under section 2019
3311.84 or 3319.02 of the Revised Code, or to any teacher 2020
employed as a substitute for less than one hundred twenty days 2021
during a school year pursuant to section 3319.10 of the Revised 2022
Code. 2023

Sec. 3312.02. ~~(A)~~—There shall be the following sixteen 2024
regions in the educational regional service system: 2025

(1) <u>(A)</u> Region one shall consist of the territory	2026
contained in Defiance, Fulton, Hancock, Henry, Lucas, Ottawa,	2027
Paulding, Putnam, Sandusky, Seneca, Van Wert, Williams, and Wood	2028
counties.	2029
(2) <u>(B)</u> Region two shall consist of the territory	2030
contained in Erie, Huron, and Lorain counties.	2031
(3) <u>(C)</u> Region three shall consist of the territory	2032
contained in Cuyahoga county.	2033
(4) <u>(D)</u> Region four shall consist of the territory	2034
contained in Geauga and Lake counties.	2035
(5) <u>(E)</u> Region five shall consist of the territory	2036
contained in Ashtabula, Mahoning, and Trumbull counties.	2037
(6) <u>(F)</u> Region six shall consist of the territory	2038
contained in Allen, Auglaize, Champaign, Hardin, Logan, Mercer,	2039
and Shelby counties.	2040
(7) <u>(G)</u> Region seven shall consist of the territory	2041
contained in Ashland, Crawford, Knox, Marion, Morrow, Richland,	2042
and Wyandot counties.	2043
(8) <u>(H)</u> Region eight shall consist of the territory	2044
contained in Medina, Portage, and Summit counties.	2045
(9) <u>(I)</u> Region nine shall consist of the territory	2046
contained in Columbiana, Stark, and Wayne counties.	2047
(10) <u>(J)</u> Region ten shall consist of the territory	2048
contained in Clark, Darke, Greene, Miami, Montgomery, and Preble	2049
counties.	2050
(11) <u>(K)</u> Region eleven shall consist of the territory	2051
contained in Delaware, Fairfield, Franklin, Licking, Madison,	2052

Pickaway, and Union counties. 2053

~~(12)~~ (L) Region twelve shall consist of the territory 2054
contained in Belmont, Carroll, Coshocton, Guernsey, Harrison, 2055
Holmes, Jefferson, Muskingum, Noble, and Tuscarawas counties. 2056

~~(13)~~ (M) Region thirteen shall consist of the territory 2057
contained in Butler, Clermont, Hamilton, and Warren counties. 2058

~~(14)~~ (N) Region fourteen shall consist of the territory 2059
contained in Adams, Brown, Clinton, Fayette, and Highland 2060
counties. 2061

~~(15)~~ (O) Region fifteen shall consist of the territory 2062
contained in Lawrence, Pike, Ross, and Scioto counties. 2063

~~(16)~~ (P) Region sixteen shall consist of the territory 2064
contained in Athens, Gallia, Hocking, Jackson, Meigs, Monroe, 2065
Morgan, Perry, Vinton, and Washington counties. 2066

~~(B) The department of education and workforce shall adopt~~ 2067
~~rules establishing a process whereby a school district may elect~~ 2068
~~to transfer to a region other than the region to which the~~ 2069
~~district is assigned by this section. The department shall~~ 2070
~~consult with school districts and regional service providers in~~ 2071
~~developing the process. No school district shall be permitted to~~ 2072
~~transfer to a different region under this division after June~~ 2073
~~30, 2009.~~ 2074

Sec. 3313.26. The treasurer of the board of education, in 2075
the performance of the treasurer's duties, shall record the 2076
proceedings of each meeting in a book to be provided by the 2077
board for that purpose, which shall be a public record. The 2078
record of proceedings at each meeting of the board shall be read 2079
at its next ~~succeeding~~ regular meeting, corrected and approved, 2080
which approval shall be noted in the proceedings. After such 2081

approval, the president shall sign the record and the treasurer 2082
shall attest to the accuracy of the information contained in the 2083
record. The treasurer's attestation shall not be construed to 2084
serve as authorization or execution of any action taken or not 2085
taken during any meeting. 2086

By resolution, a board of education may waive the reading 2087
of the record of any of its proceedings, provided that such 2088
record has been distributed to the members of the board of 2089
education at least two days prior to the date of the next 2090
~~succeeding~~ regular meeting and that copies of such record are 2091
made available to the public and news media. Such resolution 2092
shall be in full force and effect until such time as amended or 2093
rescinded by the board of education. 2094

Sec. 3313.413. (A) As used in this section, "high- 2095
performing community school" means either of the following: 2096

(1) A community school established under Chapter 3314. of 2097
the Revised Code that meets the following conditions: 2098

(a) Except as provided in division (A) (1) (b) or (c) of 2099
this section, the school both: 2100

(i) Has received either a grade of "A," "B," or "C" for 2101
the performance index score under division (C) (1) (b) of section 2102
3302.03 of the Revised Code or a performance rating of three 2103
stars or higher for achievement under division (D) (3) (b) of that 2104
section; or has increased its performance index score under 2105
division (C) (1) (b) or (D) (1) (d) of section 3302.03 of the 2106
Revised Code in each of the previous three years of operation; 2107
and 2108

(ii) Has received either a grade of "A" or "B" for the 2109
value-added progress dimension under division (C) (1) (e) of 2110

section 3302.03 of the Revised Code or a performance rating of 2111
four stars or higher for progress under division (D) (3) (c) of 2112
that section on its most recent report card rating issued under 2113
that section. 2114

(b) If the school serves only grades kindergarten through 2115
three, the school received either a grade of "A" or "B" for 2116
making progress in improving literacy in grades kindergarten 2117
through three under division (C) (1) (g) of section 3302.03 of the 2118
Revised Code or a performance rating of four stars or higher for 2119
early literacy under division (D) (3) (e) of that section on its 2120
most recent report card issued under that section. 2121

(c) If the school primarily serves students enrolled in a 2122
dropout prevention and recovery program as described in division 2123
~~(A) (4) (a)~~ (B) (1) of section 3314.35 of the Revised Code, the 2124
school received a rating of "exceeds standards" on its most 2125
recent report card issued under section 3314.017 of the Revised 2126
Code. 2127

(2) A newly established community school that is 2128
implementing a community school model that has a track record of 2129
high-quality academic performance, as determined by the 2130
department of education and workforce. 2131

(B) When a school district board of education decides to 2132
dispose of real property it owns in its corporate capacity under 2133
section 3313.41 of the Revised Code, the board shall first offer 2134
that property to the governing authorities of all start-up 2135
community schools, the boards of trustees of any college- 2136
preparatory boarding schools, and the governing bodies of any 2137
STEM schools that are located within the territory of the 2138
district. Not later than sixty days after the district board 2139
makes the offer, interested governing authorities, boards of 2140

trustees, and governing bodies shall notify the district 2141
treasurer in writing of the intention to purchase the property. 2142

The district board shall give priority to the governing 2143
authorities of high-performing community schools that are 2144
located within the territory of the district. 2145

(1) If more than one governing authority of a high- 2146
performing community school notifies the district treasurer of 2147
its intention to purchase the property pursuant to division (B) 2148
of this section, the board shall conduct a public auction in the 2149
manner required for auctions of district property under division 2150
(A) of section 3313.41 of the Revised Code. Only the governing 2151
authorities of high-performing community schools that notified 2152
the district treasurer pursuant to division (B) of this section 2153
are eligible to bid at the auction. 2154

(2) If no governing authority of a high-performing 2155
community school notifies the district treasurer of its 2156
intention to purchase the property pursuant to division (B) of 2157
this section, the board shall then proceed with the offers from 2158
all other start-up community schools, college-preparatory 2159
boarding schools, and STEM schools made pursuant to that 2160
division. If more than one such entity notifies the district 2161
treasurer of its intention to purchase the property pursuant to 2162
division (B) of this section, the board shall conduct a public 2163
auction in the manner required for auctions of district property 2164
under division (A) of section 3313.41 of the Revised Code. Only 2165
the entities that notified the district treasurer pursuant to 2166
division (B) of this section are eligible to bid at the auction. 2167

(3) If no governing authority, board of trustees, or 2168
governing body notifies the district treasurer of its intention 2169
to purchase the property pursuant to division (B) of this 2170

section, the district may then offer the property for sale in 2171
the manner prescribed under divisions (A) to (F) of section 2172
3313.41 of the Revised Code. 2173

(C) Notwithstanding anything to the contrary in sections 2174
3313.41 and 3313.411 of the Revised Code, the purchase price of 2175
any real property sold to any of the entities in accordance with 2176
division (B) of this section shall not be more than the 2177
appraised fair market value of that property as determined in an 2178
appraisal of the property that is not more than one year old. 2179

(D) Not later than the first day of October of each year, 2180
the department of education and workforce shall post in a 2181
prominent location on its web site a list of schools that 2182
qualify as high-performing community schools for purposes of 2183
this section and section 3313.411 of the Revised Code. 2184

Sec. 3313.48. (A) The board of education of each city, 2185
exempted village, local, and joint vocational school district 2186
shall provide for the free education of the youth of school age 2187
within the district under its jurisdiction, at such places as 2188
will be most convenient for the attendance of the largest number 2189
thereof. Each school so provided and each chartered nonpublic 2190
school shall be open for instruction with pupils in attendance, 2191
including scheduled classes, supervised activities, and approved 2192
education options but excluding lunch and breakfast periods and 2193
extracurricular activities, for not less than four hundred 2194
fifty-five hours in the case of pupils in kindergarten unless 2195
such pupils are provided all-day kindergarten, as defined in 2196
section 3321.05 of the Revised Code, in which case the pupils 2197
shall be in attendance for nine hundred ten hours; nine hundred 2198
ten hours in the case of pupils in grades one through six; and 2199
one thousand one hours in the case of pupils in grades seven 2200

through twelve in each school year, which may include all of the 2201
following: 2202

(1) Up to the equivalent of two school days per year 2203
during which pupils would otherwise be in attendance but are not 2204
required to attend for the purpose of individualized parent- 2205
teacher conferences and reporting periods; 2206

(2) Up to the equivalent of two school days per year 2207
during which pupils would otherwise be in attendance but are not 2208
required to attend for professional meetings of teachers; 2209

(3) Morning and afternoon recess periods of not more than 2210
fifteen minutes duration per period for pupils in grades 2211
kindergarten through six. 2212

(B) Not later than thirty days prior to adopting a school 2213
calendar, the board of education of each city, exempted village, 2214
and local school district shall hold a public hearing on the 2215
school calendar, addressing topics that include, but are not 2216
limited to, the total number of hours in a school year, length 2217
of school day, and beginning and end dates of instruction. The 2218
public hearing required under this division need not be a 2219
separate, individual hearing and may be part of another public 2220
hearing or board meeting. 2221

(C) No school operated by a city, exempted village, local, 2222
or joint vocational school district shall reduce the number of 2223
hours in each school year that the school is scheduled to be 2224
open for instruction from the number of hours per year the 2225
school was open for instruction during the previous school year 2226
unless the reduction is approved by a resolution adopted by the 2227
district board of education. Any reduction so approved shall not 2228
result in fewer hours of instruction per school year than the 2229

applicable number of hours required under division (A) of this 2230
section. 2231

(D) Prior to making any change in the hours or days in 2232
which a high school under its jurisdiction is open for 2233
instruction, the board of education of each city, exempted 2234
village, and local school district shall consider the 2235
compatibility of the proposed change with the scheduling needs 2236
of any joint vocational school district in which any of the high 2237
school's students are also enrolled. The board shall consider 2238
the impact of the proposed change on student access to the 2239
instructional programs offered by the joint vocational school 2240
district, incentives for students to participate in career- 2241
technical education, transportation, and the timing of 2242
graduation. The board shall provide the joint vocational school 2243
district board with advance notice of the proposed change and 2244
the two boards shall enter into a written agreement prescribing 2245
reasonable accommodations to meet the scheduling needs of the 2246
joint vocational school district prior to implementation of the 2247
change. 2248

(E) Subject to section 3327.016 of the Revised Code, prior 2249
to making any change in the hours or days in which a school 2250
under its jurisdiction is open for instruction, the board of 2251
education of each city, exempted village, and local school 2252
district shall consider the compatibility of the proposed change 2253
with the scheduling needs of any community school established 2254
under Chapter 3314. of the Revised Code to which the district is 2255
required to transport students under sections 3314.09 and 2256
3327.01 of the Revised Code. The board shall consider the impact 2257
of the proposed change on student access to the instructional 2258
programs offered by the community school, transportation, and 2259
the timing of graduation. The board shall provide the sponsor, 2260

governing authority, and operator of the community school with 2261
advance notice of the proposed change, and the board and the 2262
governing authority, or operator if such authority is delegated 2263
to the operator, shall enter into a written agreement 2264
prescribing reasonable accommodations to meet the scheduling 2265
needs of the community school prior to implementation of the 2266
change. 2267

(F) Subject to section 3327.016 of the Revised Code, prior 2268
to making any change in the hours or days in which the schools 2269
under its jurisdiction are open for instruction, the board of 2270
education of each city, exempted village, and local school 2271
district shall consult with the chartered nonpublic schools to 2272
which the district is required to transport students under 2273
section 3327.01 of the Revised Code and shall consider the 2274
effect of the proposed change on the schedule for transportation 2275
of those students to their nonpublic schools. The governing 2276
authority of a chartered nonpublic school shall consult with 2277
each school district board of education that transports students 2278
to the chartered nonpublic school under section 3327.01 of the 2279
Revised Code prior to making any change in the hours or days in 2280
which the nonpublic school is open for instruction. 2281

(G) The department of education and workforce shall not 2282
adopt or enforce any rule or standard that imposes on chartered 2283
nonpublic schools the procedural requirements imposed on school 2284
districts by divisions (B), (C), (D), and (E) of this section. 2285

Sec. 3313.92. (A) The boards of education of any two or 2286
more school districts may, subject to the approval of the 2287
department of education and workforce, enter into agreements for 2288
the joint or cooperative construction, acquisition, or 2289
improvement of any building, structure, or facility benefiting 2290

the parties thereto, including, without limitation, schools and 2291
classrooms for the purpose of Chapter 3323. of the Revised Code, 2292
and for the management, operation, occupancy, use, maintenance, 2293
or repair thereof, or for the joint or cooperative participation 2294
in programs, projects, activities, or services in connection 2295
with such buildings, structures, or facilities, including 2296
participation in the Ohio education computer network established 2297
by section 3301.075 of the Revised Code. 2298

(B) Any agreement entered into under authority of this 2299
section shall, where appropriate, provide for: 2300

(1) The method by which the building, structure, or 2301
facility shall be constructed, acquired, or improved and by 2302
which it shall be managed, occupied, maintained, and repaired, 2303
and specifically a designation of one of the boards of education 2304
to take and have exclusive charge of any and all details of 2305
construction, acquisition, or improvement, including any 2306
advertising for bids and the award of any construction or 2307
improvement contract pursuant to the law applicable to such 2308
board of education; 2309

(2) The manner in which the title to the buildings, 2310
structures, or facilities, including the sites and interests in 2311
real estate necessary therefor, is to be held by one or more of 2312
such boards of education; 2313

(3) The management or administration of any such programs, 2314
projects, activities, services, or joint exercise of powers, 2315
which may include management or administration by one of said 2316
boards of education; 2317

(4) The manner of apportionment or sharing of all of the 2318
costs, or specified classes of costs, including without 2319

limitation costs of planning, construction, acquisition, 2320
improvement, management, operation, maintenance, or repair of 2321
such buildings, structures, or facilities, or of planning and 2322
conducting such programs or projects, or obtaining such 2323
services, which apportionment or sharing may be based on fixed 2324
amounts, or on ratios or formulas, or affected through tuitions 2325
to be contributed by the parties or in such manner therein 2326
provided. 2327

(C) Any agreement entered into under authority of this 2328
section may provide for: 2329

(1) An orderly process for making determinations as to 2330
planning, execution, implementation, and operation, which may 2331
include provisions for a committee, board, or commission, and 2332
for representation thereon; 2333

(2) Securing necessary personnel, including participation 2334
of teachers and other personnel from the respective school 2335
districts; 2336

(3) Standards or conditions for the admission or 2337
participation of students and others, including students from 2338
other school districts; 2339

(4) Conditions for admittance of other school districts to 2340
participation under the agreement; 2341

(5) Fixing or establishing the method of determining 2342
special charges to be made for particular services or materials; 2343

(6) The manner of amending, supplementing, terminating, or 2344
withdrawal or removal of any party from, the agreement, and the 2345
term of the agreement or an indefinite term; 2346

(7) Designation of the applicants for or recipients of any 2347

state, federal, or other aid, assistance, or loans available by 2348
reason of any activities conducted under the agreement; 2349

(8) Designation of one or more of the participating boards 2350
of education to maintain, prepare, and submit, on behalf of all 2351
parties to the agreement, any or all records and reports with 2352
regard to the activities conducted under the agreement, 2353
including without limitation those required under sections 2354
~~3301.14,~~ 3313.50, 3319.32 to 3319.37, 3321.12, 3323.08, and 2355
3323.13 of the Revised Code; 2356

(9) Such other matters as the parties thereto may agree 2357
upon for the purposes of division (A) of this section. 2358

(D) For the purpose of paying or contributing its share 2359
under an agreement made under this section, a board of education 2360
may: 2361

(1) Appropriate any moneys from its general fund, and from 2362
any other funds not otherwise restricted by law, including funds 2363
for permanent improvements of such board of education where the 2364
contribution is to be made toward the cost of permanent 2365
improvements under the agreement; 2366

(2) Issue bonds, and notes in anticipation thereof, under 2367
Chapter 133. and section 3311.20 of the Revised Code for any 2368
permanent improvement, as defined in section 133.01 of the 2369
Revised Code, to be provided under such agreement; 2370

(3) Levy taxes, and issue notes in anticipation thereof, 2371
under Chapters 3311. and 5705. of the Revised Code pertaining to 2372
such board of education, provided that the purpose of such levy 2373
may include the provision of funds for either or both permanent 2374
improvements and current operating expenses required as the 2375
share of such board of education under such agreement; 2376

(4) Contribute real and personal property for use under 2377
such agreement without necessity for competitive bidding on 2378
disposition of such property. 2379

(E) Funds provided by the parties to an agreement entered 2380
into under this section, whether by appropriation, the levy of 2381
taxes, the issuance of bonds or notes, or otherwise, shall be 2382
transferred to and placed in a separate fund or funds of such 2383
participating board of education as is designated the fiscal 2384
agent for such purpose under the agreement, shall be 2385
appropriated to and shall be applied for the purposes provided 2386
in such agreement, and shall be subject to audit and, pursuant 2387
to any determinations to be made as provided under such 2388
agreement, shall be deposited, invested, and disbursed under the 2389
provisions of law applicable to the board of education in whose 2390
custody those funds are held; and the records and reports of 2391
such board of education under Chapter 117. of the Revised Code 2392
with respect to those funds shall be sufficient without 2393
necessity for reports thereon by the other boards of education 2394
participating under such agreement. 2395

(F) As used in this section, "construction, acquisition, 2396
or improvement of any building, structure, or facility" also 2397
includes acquisition of real estate and interests in real estate 2398
therefor, site improvements, and furniture, furnishings, and 2399
equipment therefor. Buildings, structures, or facilities 2400
constructed, acquired, or improved under this section may, 2401
subject to the agreement, be used for any lawful purpose by each 2402
party so long as the use thereof is an authorized proper use for 2403
that party. 2404

(G) Any agreement entered into under this section shall be 2405
subject to any laws hereafter enacted making express reference 2406

therein to this section and requiring the transfer of any 2407
functions exercised or properties held under such agreement to 2408
any public officer, board, or body heretofore or hereafter 2409
established, or requiring the termination of such agreement, or 2410
otherwise affecting the agreement. 2411

(H) The powers granted in this section are supplementary 2412
to, and not in derogation of or restriction upon, all other 2413
powers of boards of education of school districts, and are to be 2414
liberally construed to permit the achievement of the objectives 2415
of this section and to permit the boards of education to take 2416
advantage of federal grant and loan programs, provided that the 2417
exercise of such powers shall be subject to such audit and 2418
regulation as would be applicable if exercised under any other 2419
provision of the Revised Code. 2420

Sec. 3314.012. (A) ~~The director of education and workforce~~ 2421
~~shall appoint representatives of the department of education and~~ 2422
~~workforce, including employees who work with the education~~ 2423
~~management information system, to a committee to develop report-~~ 2424
~~card models for community schools. The committee shall design~~ 2425
~~model report cards appropriate for the various types of~~ 2426
~~community schools approved to operate in the state. Sufficient~~ 2427
~~models shall be developed to reflect the variety of grade levels~~ 2428
~~served and the missions of the state's community schools. All~~ 2429
~~models shall include both financial and academic data.~~ 2430

~~(B)~~ Except as provided in section 3314.017 of the Revised 2431
Code, the department of education and workforce shall issue an 2432
annual report card for each community school, regardless of how 2433
long the school has been in operation. The report card shall 2434
report the academic and financial performance of the school 2435
~~utilizing one of the models developed under division (A) of this~~ 2436

~~section.~~ The report card shall include all information 2437
applicable to school buildings under section 3302.03 of the 2438
Revised Code. The ratings a community school receives under 2439
section 3302.03 of the Revised Code for its first two full 2440
school years shall not be considered toward automatic closure of 2441
the school under section 3314.35 of the Revised Code or any 2442
other matter that is based on report card ratings. 2443

~~(C)~~ (B) Upon receipt of a copy of a contract between a 2444
sponsor and a community school entered into under this chapter, 2445
the department shall notify the community school of the specific 2446
model report card that will be used for that school. 2447

~~(D)~~ (C) Report cards shall be distributed to the parents 2448
of all students in the community school, to the members of the 2449
board of education of the school district in which the community 2450
school is located, and to any person who requests one from the 2451
department. 2452

Sec. 3314.016. This section applies to any entity that 2453
sponsors a community school, regardless of whether section 2454
3314.021 or 3314.027 of the Revised Code exempts the entity from 2455
the requirement to be approved for sponsorship under divisions 2456
(A) (2) and (B) (1) of section 3314.015 of the Revised Code. The 2457
office of Ohio school sponsorship established under section 2458
3314.029 of the Revised Code shall be rated under division (B) 2459
of this section, but divisions (A) and (C) of this section do 2460
not apply to the office. 2461

(A) An entity that sponsors a community school shall be 2462
permitted to enter into contracts under section 3314.03 of the 2463
Revised Code to sponsor additional community schools only if the 2464
entity meets all of the following criteria: 2465

(1) The entity is in compliance with all provisions of 2466
this chapter requiring sponsors of community schools to report 2467
data or information to the department of education and 2468
workforce. 2469

(2) The entity is not rated as "ineffective" under 2470
division (B) (6) of this section. 2471

(3) Except as set forth in sections 3314.021 and 3314.027 2472
of the Revised Code, the entity has received approval from and 2473
entered into an agreement with the department pursuant to 2474
section 3314.015 of the Revised Code. 2475

(B) (1) The department shall develop and implement an 2476
evaluation system that annually rates and assigns an overall 2477
rating to each entity that sponsors a community school. The 2478
department, not later than the first day of February of each 2479
year, shall post on the department's web site the framework for 2480
the evaluation system, including technical documentation that 2481
the department intends to use to rate sponsors for the next 2482
school year. The department shall solicit public comment on the 2483
evaluation system for thirty consecutive days. Not later than 2484
the first day of April of each year, the department shall 2485
compile and post on the department's web site all public 2486
comments that were received during the public comment period. 2487
The evaluation system shall be posted on the department's web 2488
site by the fifteenth day of July of each school year. Any 2489
changes to the evaluation system after that date shall take 2490
effect the following year. The evaluation system shall be based 2491
on the following components: 2492

(a) Academic performance of students enrolled in community 2493
schools sponsored by the same entity. The academic performance 2494
component shall be derived from the performance measures 2495

prescribed for the state report cards under section 3302.03 or 2496
3314.017 of the Revised Code, and shall be based on the 2497
performance of the schools for the school year for which the 2498
evaluation is conducted. In addition to the academic performance 2499
for a specific school year, the academic performance component 2500
shall also include year-to-year changes in the overall sponsor 2501
portfolio. For a community school for which no graded 2502
performance measures are applicable or available, the department 2503
shall use nonreport card performance measures specified in the 2504
contract between the community school and the sponsor under 2505
division (A) (4) of section 3314.03 of the Revised Code. 2506

(b) Adherence by a sponsor to the quality practices 2507
prescribed by the department under division (B) (3) of this 2508
section. For a sponsor that was rated "effective" or "exemplary" 2509
on its most recent rating, the department may evaluate that 2510
sponsor's adherence to quality practices once over a period of 2511
three years. If the department elects to evaluate a sponsor once 2512
over a period of three years, the most recent rating for a 2513
sponsor's adherence to quality practices shall be used when 2514
determining an annual overall rating conducted under this 2515
section. 2516

(c) Compliance with all applicable laws and administrative 2517
rules by an entity that sponsors a community school. 2518

Under the evaluation system prescribed under division (B) 2519
(1) of this section, the department shall not assign an overall 2520
rating of "ineffective" or lower to an entity that sponsors a 2521
community school solely because that entity received no points 2522
on one of the components prescribed under that division. 2523

(2) In calculating an academic performance component, the 2524
department shall exclude all community schools that have been in 2525

operation for not more than two full school years and all 2526
community schools described in division ~~(A) (4) (b)~~ (B) (2) of 2527
section 3314.35 of the Revised Code. However, the academic 2528
performance of the community schools described in division ~~(A)~~ 2529
~~(4) (b)~~ (B) (2) of section 3314.35 of the Revised Code shall be 2530
reported, but shall not be used as a factor when determining a 2531
sponsoring entity's rating under this section. 2532

(3) The department, in consultation with entities that 2533
sponsor community schools, shall prescribe quality practices for 2534
community school sponsors and develop an instrument to measure 2535
adherence to those quality practices. The quality practices 2536
shall be based on standards developed by the national 2537
association of charter school authorizers or any other 2538
nationally organized community school organization. 2539

(4) (a) The department may permit peer review of a 2540
sponsor's adherence to the quality practices prescribed under 2541
division (B) (3) of this section. Peer reviewers shall be limited 2542
to individuals employed by sponsors rated "effective" or 2543
"exemplary" on the most recent ratings conducted under this 2544
section. 2545

(b) The department shall require individuals participating 2546
in peer review under division (B) (4) (a) of this section to 2547
complete training approved or established by the department. 2548

(c) The department may enter into an agreement with 2549
another entity to provide training to individuals conducting 2550
peer review of sponsors. Prior to entering into an agreement 2551
with an entity, the department shall review and approve of the 2552
entity's training program. 2553

(5) The director of education and workforce shall adopt 2554

rules in accordance with Chapter 119. of the Revised Code 2555
prescribing standards for measuring compliance with applicable 2556
laws and rules under division (B) (1) (c) of this section. 2557

(6) The department annually shall rate all entities that 2558
sponsor community schools as either "exemplary," "effective," 2559
"ineffective," or "poor," based on the components prescribed by 2560
division (B) of this section, where each component is weighted 2561
equally. A separate rating shall be given by the department for 2562
each component of the evaluation system. 2563

The department shall publish the ratings between the first 2564
day of October and the fifteenth day of November. 2565

Prior to the publication of the final ratings, the 2566
department shall designate and provide notice of a period of at 2567
least ten business days during which each sponsor may review the 2568
information used by the department to determine the sponsor's 2569
rating on the components prescribed by division (B) (1) of this 2570
section. If the sponsor believes there is an error in the 2571
department's evaluation, the sponsor may request adjustments to 2572
the rating of any of those components based on documentation 2573
previously submitted as part of an evaluation. The sponsor shall 2574
provide to the department any necessary evidence or information 2575
to support the requested adjustments. The department shall 2576
review the evidence and information, determine whether an 2577
adjustment is valid, and promptly notify the sponsor of its 2578
determination and reasons. If any adjustments to the data could 2579
result in a change to the rating on the applicable component or 2580
to the overall rating, the department shall recalculate the 2581
ratings prior to publication. 2582

The department shall provide training on an annual basis 2583
regarding the evaluation system prescribed under this section. 2584

The training shall, at a minimum, describe methodology, 2585
timelines, and data required for the evaluation system. The 2586
first training session shall occur not later than March 2, 2016. 2587
Beginning in 2018, the training shall be made available to each 2588
entity that sponsors a community school by the fifteenth day of 2589
July of each year and shall include guidance on any changes made 2590
to the evaluation system. 2591

(7) (a) Entities with an overall rating of "exemplary" for 2592
the two most recent years in which the entity was evaluated may 2593
take advantage of the following incentives: 2594

(i) Renewal of the written agreement with the department, 2595
not to exceed ten years, provided that the entity consents to 2596
continued evaluation of adherence to quality practices as 2597
described in division (B) (1) (b) of this section; 2598

(ii) The ability to extend the term of the contract 2599
between the sponsoring entity and the community school beyond 2600
the term described in the written agreement with the department; 2601

(iii) An exemption from the preliminary agreement and 2602
contract adoption and execution deadline requirements prescribed 2603
in division (D) of section 3314.02 of the Revised Code; 2604

(iv) An exemption from the automatic contract expiration 2605
requirement, should a new community school fail to open by the 2606
thirtieth day of September of the calendar year in which the 2607
community school contract is executed; 2608

(v) No limit on the number of community schools the entity 2609
may sponsor; 2610

(vi) No territorial restrictions on sponsorship. 2611

An entity may continue to sponsor any community schools 2612

with which it entered into agreements under division (B) (7) (a) 2613
(v) or (vi) of this section while rated "exemplary," 2614
notwithstanding the fact that the entity later receives a lower 2615
overall rating. 2616

(b) Entities with an overall rating of "exemplary" or 2617
"effective" for the three most recent years in which the entity 2618
was evaluated shall be evaluated by the department once every 2619
three years. 2620

(c) (i) Entities that receive an overall rating of 2621
"ineffective" shall be prohibited from sponsoring any new or 2622
additional community schools during the time in which the 2623
sponsor is rated as "ineffective" and shall be subject to a 2624
quality improvement plan based on correcting the deficiencies 2625
that led to the "ineffective" rating, with timelines and 2626
benchmarks that have been established by the department. 2627

(ii) Entities that receive an overall rating of 2628
"ineffective" on their three most recent ratings shall have all 2629
sponsorship authority revoked. Within thirty days after 2630
receiving its third rating of "ineffective," the entity may 2631
appeal the revocation of its sponsorship authority to the 2632
director, who shall appoint an independent hearing officer to 2633
conduct a hearing in accordance with Chapter 119. of the Revised 2634
Code. The hearing shall be conducted within thirty days after 2635
receipt of the notice of appeal. Within forty-five days after 2636
the hearing is completed, the director shall determine whether 2637
the revocation is appropriate based on the hearing conducted by 2638
the independent hearing officer, and if determined appropriate, 2639
the revocation shall be confirmed. 2640

(d) Entities that receive an overall rating of "poor" 2641
shall have all sponsorship authority revoked. Within thirty days 2642

after receiving a rating of "poor," the entity may appeal the 2643
revocation of its sponsorship authority to the director, who 2644
shall appoint an independent hearing officer to conduct a 2645
hearing in accordance with Chapter 119. of the Revised Code. The 2646
hearing shall be conducted within thirty days after receipt of 2647
the notice of appeal. Within forty-five days after the hearing 2648
is completed, the director shall determine whether the 2649
revocation is appropriate based on the hearing conducted by the 2650
independent hearing officer, and if determined appropriate, the 2651
revocation shall be confirmed. 2652

(8) For the 2014-2015 school year and each school year 2653
thereafter, student academic performance prescribed under 2654
division (B)(1)(a) of this section shall include student 2655
academic performance data from community schools that primarily 2656
serve students enrolled in a dropout prevention and recovery 2657
program. 2658

(C) If the governing authority of a community school 2659
enters into a contract with a sponsor prior to the date on which 2660
the sponsor is prohibited from sponsoring additional schools 2661
under division (A) of this section and the school has not opened 2662
for operation as of that date, that contract shall be void and 2663
the school shall not open until the governing authority secures 2664
a new sponsor by entering into a contract with the new sponsor 2665
under section 3314.03 of the Revised Code. However, the 2666
department's office of Ohio school sponsorship, established 2667
under section 3314.029 of the Revised Code, may assume the 2668
sponsorship of the school until the earlier of the expiration of 2669
two school years or until a new sponsor is secured by the 2670
school's governing authority. A community school sponsored by 2671
the department under this division shall not be included when 2672
calculating the maximum number of directly authorized community 2673

schools permitted under division (A) (3) of section 3314.029 of 2674
the Revised Code. 2675

(D) When an entity's authority to sponsor schools is 2676
revoked pursuant to division (B) (7) (c) or (d) of this section, 2677
the office of Ohio school sponsorship shall assume sponsorship 2678
of any schools with which the original sponsor has contracted 2679
for the remainder of that school year. The office may continue 2680
sponsoring those schools until the earlier of: 2681

(1) The expiration of two school years from the time that 2682
sponsorship is revoked; 2683

(2) When a new sponsor is secured by the governing 2684
authority pursuant to division (C) (1) of section 3314.02 of the 2685
Revised Code. 2686

Any community school sponsored under this division shall 2687
not be counted for purposes of directly authorized community 2688
schools under division (A) (3) of section 3314.029 of the Revised 2689
Code. 2690

(E) The department shall recalculate the rating for the 2691
2017-2018 school year for each sponsor of a community school 2692
that receives recalculated ratings pursuant to division (I) of 2693
section 3314.017 of the Revised Code. 2694

Sec. 3314.017. (A) The department of education and 2695
workforce shall prescribe by rules, adopted in accordance with 2696
Chapter 119. of the Revised Code, an academic performance rating 2697
and report card system that satisfies the requirements of this 2698
section for community schools that primarily serve students 2699
enrolled in dropout prevention and recovery programs as 2700
described in division ~~(A) (4) (a)~~ (B) (1) of section 3314.35 of the 2701
Revised Code, to be used in lieu of the system prescribed under 2702

sections 3302.03 and 3314.012 of the Revised Code beginning with 2703
the 2012-2013 school year. Each such school shall comply with 2704
the testing and reporting requirements of the system as 2705
prescribed by the department. 2706

(B) Nothing in this section shall at any time relieve a 2707
school from its obligations under the "No Child Left Behind Act 2708
of 2001" to make "adequate yearly progress," as both that act 2709
and that term are defined in section 3302.01 of the Revised 2710
Code, or a school's amenability to the provisions of section 2711
3302.04 or 3302.041 of the Revised Code. The department shall 2712
continue to report each school's performance as required by the 2713
act and to enforce applicable sanctions under section 3302.04 or 2714
3302.041 of the Revised Code. 2715

(C) The rules adopted by the department shall prescribe 2716
the following performance indicators for the rating and report 2717
card system required by this section: 2718

(1) Graduation rate for each of the following student 2719
cohorts: 2720

(a) The number of students who graduate in four years or 2721
less with a regular high school diploma divided by the number of 2722
students who form the adjusted cohort for the graduating class; 2723

(b) The number of students who graduate in five years with 2724
a regular high school diploma divided by the number of students 2725
who form the adjusted cohort for the four-year graduation rate; 2726

(c) The number of students who graduate in six years with 2727
a regular high school diploma divided by the number of students 2728
who form the adjusted cohort for the four-year graduation rate; 2729

(d) The number of students who graduate in seven years 2730
with a regular high school diploma divided by the number of 2731

students who form the adjusted cohort for the four-year 2732
graduation rate; 2733

(e) The number of students who graduate in eight years 2734
with a regular high school diploma divided by the number of 2735
students who form the adjusted cohort for the four-year 2736
graduation rate. 2737

(2) The percentage of twelfth-grade students currently 2738
enrolled in the school who have attained the designated passing 2739
score on all of the state high school achievement assessments 2740
required under division (B)(1) of section 3301.0710 of the 2741
Revised Code or the cumulative performance score on the end-of- 2742
course examinations prescribed under division (B)(2) of section 2743
3301.0712 of the Revised Code, whichever applies, and other 2744
students enrolled in the school, regardless of grade level, who 2745
are within three months of their twenty-second birthday and have 2746
attained the designated passing score on all of the state high 2747
school achievement assessments or the cumulative performance 2748
score on the end-of-course examinations, whichever applies, by 2749
their twenty-second birthday; 2750

(3) Annual measurable objectives as defined in section 2751
3302.01 of the Revised Code; 2752

(4) Growth in student achievement in reading, or 2753
mathematics, or both as measured by separate nationally norm- 2754
referenced assessments that have developed appropriate standards 2755
for students enrolled in dropout prevention and recovery 2756
programs, adopted or approved by the department. 2757

(D)(1) The department's rules shall prescribe the expected 2758
performance levels and benchmarks for each of the indicators 2759
prescribed by division (C) of this section based on the data 2760

gathered by the department under division (G) of this section 2761
and simulations created by the department. Based on a school's 2762
level of attainment or nonattainment of the expected performance 2763
levels and benchmarks for each of the indicators, the department 2764
shall rate each school in one of the following categories: 2765

(a) Exceeds standards; 2766

(b) Meets standards; 2767

(c) Does not meet standards. 2768

(2) The department's rules shall establish all of the 2769
following: 2770

(a) Performance levels and benchmarks for the indicators 2771
described in divisions (C) (1) to (3) of this section; 2772

(b) Both of the following: 2773

(i) Performance levels and benchmarks for the indicator 2774
described in division (C) (4) of this section; 2775

(ii) Standards for awarding a community school described 2776
in division ~~(A) (4) (a)~~ (B) (1) of section 3314.35 of the Revised 2777
Code an overall designation, which shall be calculated as 2778
follows: 2779

(I) Thirty per cent of the score shall be based on the 2780
indicators described in division (C) (1) of this section that are 2781
applicable to the school year for which the overall designation 2782
is granted. 2783

(II) Thirty per cent of the score shall be based on the 2784
indicators described in division (C) (4) of this section. 2785

(III) Twenty per cent of the score shall be based on the 2786
indicators described in division (C) (2) of this section. 2787

(IV) Twenty per cent of the score shall be based on the 2788
indicators described in division (C)(3) of this section. 2789

(3) If both of the indicators described in divisions (C) 2790
(1) and (2) of this section improve by ten per cent for two 2791
consecutive years, a school shall be rated not less than "meets 2792
standards." 2793

The rating and the relevant performance data for each 2794
school shall be posted on the department's web site, and a copy 2795
of the rating and data shall be provided to the governing 2796
authority of the community school. 2797

(E)(1) For the 2012-2013 school year, the department shall 2798
issue a report card including the following performance 2799
measures, but without a performance rating as described in 2800
divisions (D)(1)(a) to (c) of this section, for each community 2801
school described in division ~~(A)(4)(a)~~ (B)(1) of section 3314.35 2802
of the Revised Code: 2803

(a) The graduation rates as described in divisions (C)(1) 2804
(a) to (c) of this section; 2805

(b) The percentage of twelfth-grade students and other 2806
students who have attained a designated passing score on high 2807
school achievement assessments as described in division (C)(2) 2808
of this section; 2809

(c) The statewide average for the graduation rates and 2810
assessment passage rates described in divisions (C)(1)(a) to (c) 2811
and (C)(2) of this section; 2812

(d) Annual measurable objectives described in division (C) 2813
(3) of this section. 2814

(2) For the 2013-2014 school year, the department shall 2815

issue a report card including the following performance measures 2816
for each community school described in division ~~(A) (4) (a)~~ (B) (1) 2817
of section 3314.35 of the Revised Code: 2818

(a) The graduation rates described in divisions (C) (1) (a) 2819
to (d) of this section, including a performance rating as 2820
described in divisions (D) (1) (a) to (c) of this section; 2821

(b) The percentage of twelfth-grade students and other 2822
students who have attained a designated passing score on high 2823
school achievement assessments as described in division (C) (2) 2824
of this section, including a performance rating as described in 2825
divisions (D) (1) (a) to (c) of this section; 2826

(c) Annual measurable objectives described in division (C) 2827
(3) of this section, including a performance rating as described 2828
in divisions (D) (1) (a) to (c) of this section; 2829

(d) Both of the following without an assigned rating: 2830

(i) Growth in annual student achievement in reading and 2831
mathematics described in division (C) (4) of this section, if 2832
available; 2833

(ii) Student outcome data, including postsecondary credit 2834
earned, nationally recognized career or technical certification, 2835
military enlistment, job placement, and attendance rate. 2836

(3) Beginning with the 2014-2015 school year, and annually 2837
thereafter, the department shall issue a report card for each 2838
community school described in division ~~(A) (4) (a)~~ (B) (1) of 2839
section 3314.35 of the Revised Code that includes all of the 2840
following performance measures, including a performance rating 2841
for each measure as described in divisions (D) (1) (a) to (c) of 2842
this section: 2843

(a) The graduation rates as described in division (C) (1) 2844
of this section; 2845

(b) The percentage of twelfth-grade students and other 2846
students who have attained a designated passing score on high 2847
school achievement assessments as described in division (C) (2) 2848
of this section; 2849

(c) Annual measurable objectives described in division (C) 2850
(3) of this section, including a performance rating as described 2851
in divisions (D) (1) (a) to (c) of this section; 2852

(d) Growth in annual student achievement in reading and 2853
mathematics as described in division (C) (4) of this section; 2854

(e) An overall performance designation for the school 2855
calculated under rules adopted under division (D) (2) of this 2856
section. 2857

The department shall also include student outcome data, 2858
including postsecondary credit earned, nationally recognized 2859
career or technical certification, military enlistment, job 2860
placement, attendance rate, and progress on closing achievement 2861
gaps for each school. This information shall not be included in 2862
the calculation of a school's performance rating. 2863

(F) Not later than the thirty-first day of July of each 2864
year, the department shall submit preliminary report card data 2865
for overall academic performance for each performance measure 2866
prescribed in division (E) (3) of this section for each community 2867
school to which this section applies. 2868

(G) For the purposes of prescribing performance levels and 2869
benchmarks under division (D) of this section, the department 2870
shall gather and analyze data from prior school years for each 2871
community school described in division ~~(A) (4) (a)~~ (B) (1) of 2872

section 3314.35 of the Revised Code. Each such school shall 2873
cooperate with the department. The department shall consult with 2874
stakeholder groups in performing its duties under this division. 2875

(H) The department shall review the performance levels and 2876
benchmarks for performance indicators in the report card issued 2877
under this section and may revise them based on the data 2878
collected under division (G) of this section. 2879

(I) For the purposes of division (F) of section 3314.351 2880
of the Revised Code, the department shall recalculate the 2881
ratings for each school under division (E)(3) of this section 2882
for the 2017-2018 school year and calculate the ratings under 2883
that division for the 2018-2019 school year using the indicators 2884
prescribed by division (C) of this section, as it exists on and 2885
after July 18, 2019. 2886

Sec. 3314.0211. (A) No community school to which either of 2887
the following applies shall be eligible to merge with one or 2888
more other community schools under this section: 2889

(1) The school has met the performance criteria for 2890
required closure specified in division (A) of section 3314.35 or 2891
division (A) of section 3314.351 of the Revised Code for at 2892
least one of the two most recent school years. 2893

(2) The school has been notified of the sponsor's intent 2894
to terminate or not renew the school's contract pursuant to 2895
section 3314.07 of the Revised Code. 2896

(B) Two or more community schools may merge upon the 2897
adoption of a resolution by the governing authority of each 2898
school involved in the merger. Any merger shall take effect on 2899
the first day of July of the year specified in the resolution. 2900

(C) Not less than sixty days prior to the effective date 2901

of a merger under division (B) of this section, each community 2902
school involved in the merger shall do both of the following: 2903

(1) Provide a copy of the resolution to the school's 2904
sponsor; 2905

(2) Notify the department of education and workforce of 2906
all of the following: 2907

(a) The impending merger; 2908

(b) The effective date of the merger; 2909

(c) The school that will be designated as the surviving 2910
school in accordance with section 1702.41 of the Revised Code; 2911

(d) The entity that will sponsor the surviving school. 2912

(D) Notwithstanding anything to the contrary in the 2913
Revised Code, the governing authority of the surviving community 2914
school shall enter into a new contract with the school's sponsor 2915
under section 3314.03 of the Revised Code. 2916

(E) No sponsor shall do either of the following: 2917

(1) Assign the sponsor's existing contract with a merging 2918
community school to the sponsor of the surviving community 2919
school; 2920

(2) Assume an existing contract from the sponsor of a 2921
community school involved in a merger under division (B) of this 2922
section. 2923

Division (E) of this section shall not apply to the office 2924
of Ohio school sponsorship established under section 3314.029 of 2925
the Revised Code. 2926

(F) (1) The department shall issue a report card under 2927
section 3302.03 or 3314.017 of the Revised Code for the 2928

surviving community school. 2929

(2) Notwithstanding anything to the contrary in division 2930
~~(B)~~ (A) of section 3314.012 of the Revised Code, all report card 2931
ratings associated with the surviving school, whether issued 2932
before or after the merger, shall be used for purposes of 2933
section 3314.35 or 3314.351 of the Revised Code and any other 2934
matter that is based on report card ratings or measures. 2935

(G) Nothing in this section shall exempt a community 2936
school from closure under section 3314.35 or 3314.351 of the 2937
Revised Code. 2938

Sec. 3314.03. A copy of every contract entered into under 2939
this section shall be filed with the director of education and 2940
workforce. The department of education and workforce shall make 2941
available on its web site a copy of every approved, executed 2942
contract filed with the director under this section. 2943

(A) Each contract entered into between a sponsor and the 2944
governing authority of a community school shall specify the 2945
following: 2946

(1) That the school shall be established as either of the 2947
following: 2948

(a) A nonprofit corporation established under Chapter 2949
1702. of the Revised Code, if established prior to April 8, 2950
2003; 2951

(b) A public benefit corporation established under Chapter 2952
1702. of the Revised Code, if established after April 8, 2003. 2953

(2) The education program of the school, including the 2954
school's mission, the characteristics of the students the school 2955
is expected to attract, the ages and grades of students, and the 2956

focus of the curriculum; 2957

(3) The academic goals to be achieved and the method of 2958
measurement that will be used to determine progress toward those 2959
goals, which shall include the statewide achievement 2960
assessments; 2961

(4) Performance standards, including but not limited to 2962
all applicable report card measures set forth in section 3302.03 2963
or 3314.017 of the Revised Code, by which the success of the 2964
school will be evaluated by the sponsor; 2965

(5) The admission standards of section 3314.06 of the 2966
Revised Code and, if applicable, section 3314.061 of the Revised 2967
Code; 2968

(6) (a) Dismissal procedures; 2969

(b) A requirement that the governing authority adopt an 2970
attendance policy that includes a procedure for automatically 2971
withdrawing a student from the school if the student without a 2972
legitimate excuse fails to participate in seventy-two 2973
consecutive hours of the learning opportunities offered to the 2974
student. 2975

(7) The ways by which the school will achieve racial and 2976
ethnic balance reflective of the community it serves; 2977

(8) Requirements for financial audits by the auditor of 2978
state. The contract shall require financial records of the 2979
school to be maintained in the same manner as are financial 2980
records of school districts, pursuant to rules of the auditor of 2981
state. Audits shall be conducted in accordance with section 2982
117.10 of the Revised Code. 2983

(9) An addendum to the contract outlining the facilities 2984

to be used that contains at least the following information: 2985

(a) A detailed description of each facility used for 2986
instructional purposes; 2987

(b) The annual costs associated with leasing each facility 2988
that are paid by or on behalf of the school; 2989

(c) The annual mortgage principal and interest payments 2990
that are paid by the school; 2991

(d) The name of the lender or landlord, identified as 2992
such, and the lender's or landlord's relationship to the 2993
operator, if any. 2994

(10) Qualifications of employees, including both of the 2995
following: 2996

(a) A requirement that the school's classroom teachers be 2997
licensed in accordance with sections 3319.22 to 3319.31 of the 2998
Revised Code, except that a community school may engage 2999
noncertificated persons to teach up to twelve hours or forty 3000
hours per week pursuant to section 3319.301 of the Revised Code; 3001

(b) A prohibition against the school employing an 3002
individual described in section 3314.104 of the Revised Code in 3003
any position. 3004

(11) That the school will comply with the following 3005
requirements: 3006

(a) The school will provide learning opportunities to a 3007
minimum of twenty-five students for a minimum of nine hundred 3008
twenty hours per school year. 3009

(b) The governing authority will purchase liability 3010
insurance, or otherwise provide for the potential liability of 3011

the school. 3012

(c) The school will be nonsectarian in its programs, 3013
admission policies, employment practices, and all other 3014
operations, and will not be operated by a sectarian school or 3015
religious institution. 3016

(d) The school will comply with sections 9.90, 9.91, 3017
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3018
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 3019
3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3020
3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, ~~3313.6015,~~ 3021
3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 3022
3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 3023
3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 3024
3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3025
3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 3026
3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 3027
3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3028
3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 3029
3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3320.01, 3320.02, 3030
3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 3031
3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 3032
4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 117., 3033
1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. of 3034
the Revised Code as if it were a school district and will comply 3035
with section 3301.0714 of the Revised Code in the manner 3036
specified in section 3314.17 of the Revised Code. 3037

(e) The school shall comply with Chapter 102. and section 3038
2921.42 of the Revised Code. 3039

(f) The school will comply with sections 3313.61, 3040
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 3041

Revised Code, except that for students who enter ninth grade for 3042
the first time before July 1, 2010, the requirement in sections 3043
3313.61 and 3313.611 of the Revised Code that a person must 3044
successfully complete the curriculum in any high school prior to 3045
receiving a high school diploma may be met by completing the 3046
curriculum adopted by the governing authority of the community 3047
school rather than the curriculum specified in Title XXXIII of 3048
the Revised Code or any rules of the department. Beginning with 3049
students who enter ninth grade for the first time on or after 3050
July 1, 2010, the requirement in sections 3313.61 and 3313.611 3051
of the Revised Code that a person must successfully complete the 3052
curriculum of a high school prior to receiving a high school 3053
diploma shall be met by completing the requirements prescribed 3054
in section 3313.6027 and division (C) of section 3313.603 of the 3055
Revised Code, unless the person qualifies under division (D) or 3056
(F) of that section. Each school shall comply with the plan for 3057
awarding high school credit based on demonstration of subject 3058
area competency, and beginning with the 2017-2018 school year, 3059
with the updated plan that permits students enrolled in seventh 3060
and eighth grade to meet curriculum requirements based on 3061
subject area competency adopted by the department under 3062
divisions (J) (1) and (2) of section 3313.603 of the Revised 3063
Code. Beginning with the 2018-2019 school year, the school shall 3064
comply with the framework for granting units of high school 3065
credit to students who demonstrate subject area competency 3066
through work-based learning experiences, internships, or 3067
cooperative education developed by the department under division 3068
(J) (3) of section 3313.603 of the Revised Code. 3069

(g) The school governing authority will submit within four 3070
months after the end of each school year a report of its 3071
activities and progress in meeting the goals and standards of 3072

divisions (A) (3) and (4) of this section and its financial 3073
status to the sponsor and the parents of all students enrolled 3074
in the school. 3075

(h) The school, unless it is an internet- or computer- 3076
based community school, will comply with section 3313.801 of the 3077
Revised Code as if it were a school district. 3078

(i) If the school is the recipient of moneys from a grant 3079
awarded under the federal race to the top program, Division (A), 3080
Title XIV, Sections 14005 and 14006 of the "American Recovery 3081
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 3082
the school will pay teachers based upon performance in 3083
accordance with section 3317.141 and will comply with section 3084
3319.111 of the Revised Code as if it were a school district. 3085

(j) If the school operates a preschool program that is 3086
licensed by the department under sections 3301.52 to 3301.59 of 3087
the Revised Code, the school shall comply with sections 3301.50 3088
to 3301.59 of the Revised Code and the minimum standards for 3089
preschool programs prescribed in rules adopted by the department 3090
under section 3301.53 of the Revised Code. 3091

(k) The school will comply with sections 3313.6021 and 3092
3313.6023 of the Revised Code as if it were a school district 3093
unless it is either of the following: 3094

(i) An internet- or computer-based community school; 3095

(ii) A community school in which a majority of the 3096
enrolled students are children with disabilities as described in 3097
division ~~(A) (4) (b)~~ (B) (2) of section 3314.35 of the Revised 3098
Code. 3099

(l) The school will comply with section 3321.191 of the 3100
Revised Code, unless it is an internet- or computer-based 3101

community school that is subject to section 3314.261 of the 3102
Revised Code. 3103

(12) Arrangements for providing health and other benefits 3104
to employees; 3105

(13) The length of the contract, which shall begin at the 3106
beginning of an academic year. No contract shall exceed five 3107
years unless such contract has been renewed pursuant to division 3108
(E) of this section. 3109

(14) The governing authority of the school, which shall be 3110
responsible for carrying out the provisions of the contract; 3111

(15) A financial plan detailing an estimated school budget 3112
for each year of the period of the contract and specifying the 3113
total estimated per pupil expenditure amount for each such year. 3114

(16) Requirements and procedures regarding the disposition 3115
of employees of the school in the event the contract is 3116
terminated or not renewed pursuant to section 3314.07 of the 3117
Revised Code; 3118

(17) Whether the school is to be created by converting all 3119
or part of an existing public school or educational service 3120
center building or is to be a new start-up school, and if it is 3121
a converted public school or service center building, 3122
specification of any duties or responsibilities of an employer 3123
that the board of education or service center governing board 3124
that operated the school or building before conversion is 3125
delegating to the governing authority of the community school 3126
with respect to all or any specified group of employees provided 3127
the delegation is not prohibited by a collective bargaining 3128
agreement applicable to such employees; 3129

(18) Provisions establishing procedures for resolving 3130

disputes or differences of opinion between the sponsor and the 3131
governing authority of the community school; 3132

(19) A provision requiring the governing authority to 3133
adopt a policy regarding the admission of students who reside 3134
outside the district in which the school is located. That policy 3135
shall comply with the admissions procedures specified in 3136
sections 3314.06 and 3314.061 of the Revised Code and, at the 3137
sole discretion of the authority, shall do one of the following: 3138

(a) Prohibit the enrollment of students who reside outside 3139
the district in which the school is located; 3140

(b) Permit the enrollment of students who reside in 3141
districts adjacent to the district in which the school is 3142
located; 3143

(c) Permit the enrollment of students who reside in any 3144
other district in the state. 3145

(20) A provision recognizing the authority of the 3146
department to take over the sponsorship of the school in 3147
accordance with the provisions of division (C) of section 3148
3314.015 of the Revised Code; 3149

(21) A provision recognizing the sponsor's authority to 3150
assume the operation of a school under the conditions specified 3151
in division (B) of section 3314.073 of the Revised Code; 3152

(22) A provision recognizing both of the following: 3153

(a) The authority of public health and safety officials to 3154
inspect the facilities of the school and to order the facilities 3155
closed if those officials find that the facilities are not in 3156
compliance with health and safety laws and regulations; 3157

(b) The authority of the department as the community 3158

school oversight body to suspend the operation of the school 3159
under section 3314.072 of the Revised Code if the department has 3160
evidence of conditions or violations of law at the school that 3161
pose an imminent danger to the health and safety of the school's 3162
students and employees and the sponsor refuses to take such 3163
action. 3164

(23) A description of the learning opportunities that will 3165
be offered to students including both classroom-based and non- 3166
classroom-based learning opportunities that is in compliance 3167
with criteria for student participation established by the 3168
department under division (H) (2) of section 3314.08 of the 3169
Revised Code; 3170

(24) The school will comply with sections 3302.04 and 3171
3302.041 of the Revised Code, except that any action required to 3172
be taken by a school district pursuant to those sections shall 3173
be taken by the sponsor of the school. 3174

(25) Beginning in the 2006-2007 school year, the school 3175
will open for operation not later than the thirtieth day of 3176
September each school year, unless the mission of the school as 3177
specified under division (A) (2) of this section is solely to 3178
serve dropouts. In its initial year of operation, if the school 3179
fails to open by the thirtieth day of September, or within one 3180
year after the adoption of the contract pursuant to division (D) 3181
of section 3314.02 of the Revised Code if the mission of the 3182
school is solely to serve dropouts, the contract shall be void. 3183

(26) Whether the school's governing authority is planning 3184
to seek designation for the school as a STEM school equivalent 3185
under section 3326.032 of the Revised Code; 3186

(27) That the school's attendance and participation 3187

policies will be available for public inspection; 3188

(28) That the school's attendance and participation 3189
records shall be made available to the department, auditor of 3190
state, and school's sponsor to the extent permitted under and in 3191
accordance with the "Family Educational Rights and Privacy Act 3192
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 3193
regulations promulgated under that act, and section 3319.321 of 3194
the Revised Code; 3195

(29) If a school operates using the blended learning 3196
model, as defined in section 3301.079 of the Revised Code, all 3197
of the following information: 3198

(a) An indication of what blended learning model or models 3199
will be used; 3200

(b) A description of how student instructional needs will 3201
be determined and documented; 3202

(c) The method to be used for determining competency, 3203
granting credit, and promoting students to a higher grade level; 3204

(d) The school's attendance requirements, including how 3205
the school will document participation in learning 3206
opportunities; 3207

(e) A statement describing how student progress will be 3208
monitored; 3209

(f) A statement describing how private student data will 3210
be protected; 3211

(g) A description of the professional development 3212
activities that will be offered to teachers. 3213

(30) A provision requiring that all moneys the school's 3214

operator loans to the school, including facilities loans or cash 3215
flow assistance, must be accounted for, documented, and bear 3216
interest at a fair market rate; 3217

(31) A provision requiring that, if the governing 3218
authority contracts with an attorney, accountant, or entity 3219
specializing in audits, the attorney, accountant, or entity 3220
shall be independent from the operator with which the school has 3221
contracted. 3222

(32) A provision requiring the governing authority to 3223
adopt an enrollment and attendance policy that requires a 3224
student's parent to notify the community school in which the 3225
student is enrolled when there is a change in the location of 3226
the parent's or student's primary residence. 3227

(33) A provision requiring the governing authority to 3228
adopt a student residence and address verification policy for 3229
students enrolling in or attending the school. 3230

(B) The community school shall also submit to the sponsor 3231
a comprehensive plan for the school. The plan shall specify the 3232
following: 3233

(1) The process by which the governing authority of the 3234
school will be selected in the future; 3235

(2) The management and administration of the school; 3236

(3) If the community school is a currently existing public 3237
school or educational service center building, alternative 3238
arrangements for current public school students who choose not 3239
to attend the converted school and for teachers who choose not 3240
to teach in the school or building after conversion; 3241

(4) The instructional program and educational philosophy 3242

of the school; 3243

(5) Internal financial controls. 3244

When submitting the plan under this division, the school 3245
shall also submit copies of all policies and procedures 3246
regarding internal financial controls adopted by the governing 3247
authority of the school. 3248

(C) A contract entered into under section 3314.02 of the 3249
Revised Code between a sponsor and the governing authority of a 3250
community school may provide for the community school governing 3251
authority to make payments to the sponsor, which is hereby 3252
authorized to receive such payments as set forth in the contract 3253
between the governing authority and the sponsor. The total 3254
amount of such payments for monitoring, oversight, and technical 3255
assistance of the school shall not exceed three per cent of the 3256
total amount of payments for operating expenses that the school 3257
receives from the state. 3258

(D) The contract shall specify the duties of the sponsor 3259
which shall be in accordance with the written agreement entered 3260
into with the department under division (B) of section 3314.015 3261
of the Revised Code and shall include the following: 3262

(1) Monitor the community school's compliance with all 3263
laws applicable to the school and with the terms of the 3264
contract; 3265

(2) Monitor and evaluate the academic and fiscal 3266
performance and the organization and operation of the community 3267
school on at least an annual basis; 3268

(3) Report on an annual basis the results of the 3269
evaluation conducted under division (D) (2) of this section to 3270
the department and to the parents of students enrolled in the 3271

community school; 3272

(4) Provide technical assistance to the community school 3273
in complying with laws applicable to the school and terms of the 3274
contract; 3275

(5) Take steps to intervene in the school's operation to 3276
correct problems in the school's overall performance, declare 3277
the school to be on probationary status pursuant to section 3278
3314.073 of the Revised Code, suspend the operation of the 3279
school pursuant to section 3314.072 of the Revised Code, or 3280
terminate the contract of the school pursuant to section 3314.07 3281
of the Revised Code as determined necessary by the sponsor; 3282

(6) Have in place a plan of action to be undertaken in the 3283
event the community school experiences financial difficulties or 3284
closes prior to the end of a school year. 3285

(E) Upon the expiration of a contract entered into under 3286
this section, the sponsor of a community school may, with the 3287
approval of the governing authority of the school, renew that 3288
contract for a period of time determined by the sponsor, but not 3289
ending earlier than the end of any school year, if the sponsor 3290
finds that the school's compliance with applicable laws and 3291
terms of the contract and the school's progress in meeting the 3292
academic goals prescribed in the contract have been 3293
satisfactory. Any contract that is renewed under this division 3294
remains subject to the provisions of sections 3314.07, 3314.072, 3295
and 3314.073 of the Revised Code. 3296

(F) If a community school fails to open for operation 3297
within one year after the contract entered into under this 3298
section is adopted pursuant to division (D) of section 3314.02 3299
of the Revised Code or permanently closes prior to the 3300

expiration of the contract, the contract shall be void and the 3301
school shall not enter into a contract with any other sponsor. A 3302
school shall not be considered permanently closed because the 3303
operations of the school have been suspended pursuant to section 3304
3314.072 of the Revised Code. 3305

Sec. 3314.11. (A) ~~The governing authority of each~~ 3306
~~community school established under this chapter monthly shall~~ 3307
~~review the residency records of students enrolled in that~~ 3308
~~community school.~~ Upon the enrollment of each student and on an 3309
annual basis, the governing authority of each community school 3310
established under this chapter shall verify to the department of 3311
education and workforce the school district in which the student 3312
is entitled to attend school under section 3313.64 or 3313.65 of 3313
the Revised Code. 3314

The school district may review the determination made by 3315
the community school under division (A) of this section. 3316

(B) (1) For purposes of its initial reporting of the school 3317
districts in which its students are entitled to attend school, 3318
the governing authority of a community school shall adopt a 3319
policy that prescribes the number of documents listed in 3320
division (E) of this section required to verify a student's 3321
residency. This policy shall supersede any policy concerning the 3322
number of documents for initial residency verification adopted 3323
by the district the student is entitled to attend. 3324

(2) For purposes of the annual reporting of the school 3325
districts in which its students are entitled to attend school, 3326
the governing authority of a community school shall adopt a 3327
policy that prescribes the information required to verify a 3328
student's residency. This information may be obtained through 3329
any type of document, including any of the documents listed in 3330

division (E) of this section, or any type of communication with 3331
a government official authorized to provide such information. 3332

(C) For purposes of making the determinations required 3333
under this section, the school district in which a parent or 3334
child resides is the location the parent or student has 3335
established as the primary residence and where substantial 3336
family activity takes place. 3337

(D) If a community school's determination under division 3338
(A) of this section of the school district a student is entitled 3339
to attend under section 3313.64 or 3313.65 of the Revised Code 3340
differs from a district's determination, the community school 3341
that made the determination under division (A) of this section 3342
shall provide the school district with documentation of the 3343
student's residency and shall make a good faith effort to 3344
accurately identify the correct residence of the student. 3345

(E) For purposes of this section, the following documents 3346
may serve as evidence of primary residence: 3347

(1) A deed, mortgage, lease, current home owner's or 3348
renter's insurance declaration page, or current real property 3349
tax bill; 3350

(2) A utility bill or receipt of utility installation 3351
issued within ninety days of enrollment; 3352

(3) A paycheck or paystub issued to the parent or student 3353
within ninety days of the date of enrollment that includes the 3354
address of the parent's or student's primary residence; 3355

(4) The most current available bank statement issued to 3356
the parent or student that includes the address of the parent's 3357
or student's primary residence; 3358

(5) Any other official document issued to the parent or 3359
student that includes the address of the parent's or student's 3360
primary residence. The department shall develop guidelines for 3361
determining what qualifies as an "official document" under this 3362
division. 3363

(F) When a student loses permanent housing and becomes a 3364
homeless child or youth, as defined in 42 U.S.C. 11434a, or when 3365
a child who is such a homeless child or youth changes temporary 3366
living arrangements, the district in which the student is 3367
entitled to attend school shall be determined in accordance with 3368
division (F)(13) of section 3313.64 of the Revised Code and the 3369
"McKinney-Vento Homeless Assistance Act," 42 U.S.C. 11431 et 3370
seq. 3371

(G) In the event of a disagreement as to which school 3372
district a student is entitled to attend, the community school, 3373
after complying with division (D) of this section, but not more 3374
than sixty days after the ~~monthly~~ deadline established by the 3375
department for reporting of community school enrollment, may 3376
present the matter to the director of education and workforce. 3377
Not later than thirty days after the community school presents 3378
the matter, the director, or the director's designee, shall 3379
determine which district the student is entitled to attend and 3380
shall direct any necessary adjustments to payments under section 3381
3317.022 of the Revised Code based on that determination. 3382

Sec. 3314.252. (A) As used in this section, "device" means 3383
any computer, laptop, or tablet. 3384

(B) This section applies to all internet- or computer- 3385
based community schools and to a community school in which a 3386
majority of the students are enrolled in a dropout prevention 3387
and recovery program that operates in an online format. 3388

(C) Any student enrolled in a school to which this section 3389
applies shall be permitted to complete any of the statewide 3390
achievement and diagnostic assessments prescribed under sections 3391
3301.079, 3301.0710, 3301.0712, and 3301.0715 of the Revised 3392
Code, except for the kindergarten readiness assessment, remotely 3393
in an online format if the following conditions are met: 3394

(1) The student takes the assessment during the testing 3395
windows prescribed by the director of education and workforce. 3396

(2) The student attends a synchronous assessment session 3397
initiated and managed by the school in which the student is 3398
enrolled. 3399

(3) The student takes the assessment using a device in 3400
which the student will be monitored by the assessment proctor 3401
through video and audio for the duration of the assessment 3402
administration. 3403

(4) The school to which this section applies maintains a 3404
ratio of ten to one, or lower, for students taking an assessment 3405
to an assessment proctor. 3406

(5) The student does not exit the assessment 3407
administration until instructed to do so by the assessment 3408
proctor. 3409

(6) The assessment proctor verifies the submission of the 3410
assessment. 3411

(D) (1) If the online assessment platform does not support 3412
integrated camera proctoring, the student shall use two devices 3413
for the duration of an assessment administration. One device 3414
shall be used for the student to take the assessment while on 3415
the second device an assessment proctor monitors the student for 3416
the duration of the assessment. The device used by a student to 3417

take an assessment shall be a computer. 3418

(2) If a student requires the use of a second device under 3419
division (D)(1) of this section, the school in which the student 3420
is enrolled shall not be required to supply or pay to procure 3421
that device. 3422

Sec. 3314.29. (A) This section applies to any internet- or 3423
computer-based community school that meets all of the following 3424
conditions: 3425

(1) Serves all of grades kindergarten through twelve; 3426

(2) Has an enrollment of at least two thousand students; 3427

(3) Has a sponsor that was not rated ineffective or poor 3428
on its most recent evaluation under section 3314.016 of the 3429
Revised Code. 3430

(B) Beginning with the 2018-2019 school year, the 3431
governing authority of a community school to which this section 3432
applies may adopt a resolution to divide the school into two or 3433
three separate schools as follows: 3434

(1) If the school is divided into two schools, one school 3435
shall serve grades kindergarten through eight and one school 3436
shall serve grades nine through twelve. 3437

(2) If the school is divided into three schools, one 3438
school shall serve grades kindergarten through five, one school 3439
shall serve grades six through eight, and one school shall serve 3440
grades nine through twelve. 3441

(C) The resolution adopted by the governing authority 3442
shall not be effective unless approved by the school's sponsor. 3443
Following approval of the resolution by the sponsor, and by the 3444
fifteenth day of March prior to the school year in which it will 3445

take effect, the governing authority shall file the resolution 3446
with the department of education and workforce. The division of 3447
the schools shall be effective on the first day of July 3448
succeeding the date the resolution is filed with the department. 3449

(D) All of the following shall apply to each new school 3450
created as a result of the resolution authorized by this section 3451
and to the school that is divided as a result of the resolution: 3452

(1) Each school shall have the same governing authority. 3453

(2) The sponsor and governing authority shall enter into a 3454
separate contract under section 3314.03 of the Revised Code for 3455
each school. 3456

(3) No school shall primarily serve students enrolled in a 3457
dropout prevention and recovery program operated by the school. 3458

(4) No school shall be permitted to divide again under 3459
this section. 3460

(5) Notwithstanding anything to the contrary in division 3461
(B) (2) of section 3314.016 of the Revised Code, each school 3462
shall be included in the calculation of the academic performance 3463
component for purposes of rating the schools' sponsor under the 3464
evaluation system prescribed by that section. 3465

(6) Each school shall be subject to the laws contained in 3466
Chapter 3314. of the Revised Code, except as otherwise specified 3467
in this section. 3468

(E) The department shall issue a report card under section 3469
3314.012 of the Revised Code for each new school created as a 3470
result of the resolution authorized by this section and for the 3471
school that is divided as a result of the resolution. For 3472
purposes of the report cards and other reporting requirements 3473

under this chapter, the department shall assign the school that serves the highest grades the same internal retrieval number previously used by the school that is divided under this section. The department shall assign a new internal retrieval number to each other school resulting from the division.

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

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

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

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

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

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

~~(iii) In at least two of the three most recent school years, the school showed less than one standard year of academic growth in either reading or mathematics, as determined by the department of education and workforce in accordance with rules—~~

~~adopted under division (A) of section 3302.021 of the Revised Code.—~~ 3503
3504

~~(c) The school offers any of grade levels ten to twelve and has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for three of the four most recent school years.—~~ 3505
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~~(2) Except as provided in division (A) (4) of this section, this section applies to any community school that meets one of the following criteria after July 1, 2011, but before July 1, 2013:—~~ 3509
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3512

~~(a) The school does not offer a grade level higher than three and has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for two of the three most recent school years.—~~ 3513
3514
3515
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~~(b) The school satisfies all of the following conditions:—~~ 3517

~~(i) The school offers any of grade levels four to eight but does not offer a grade level higher than nine.—~~ 3518
3519

~~(ii) The school has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for two of the three most recent school years.—~~ 3520
3521
3522

~~(iii) In at least two of the three most recent school years, the school showed less than one standard year of academic growth in either reading or mathematics, as determined by the department in accordance with rules adopted under division (A) of section 3302.021 of the Revised Code.—~~ 3523
3524
3525
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3527

~~(c) The school offers any of grade levels ten to twelve and has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for two of the three~~ 3528
3529
3530

~~most recent school years.~~

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

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

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

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

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

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

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

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

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~~(i) The school has been declared to be in a state of~~
~~academic emergency under section 3302.03 of the Revised Code, as~~

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~~it existed prior to March 22, 2013, and the school showed less~~ 3559
~~than one standard year of academic growth in either reading or~~ 3560
~~mathematics, as determined by the department in accordance with~~ 3561
~~rules adopted under division (A) of section 3302.021 of the~~ 3562
~~Revised Code;~~ 3563

~~(ii) The school has received a grade of "F" for the~~ 3564
~~performance index score under division (A) (1) (b), (B) (1) (b), or~~ 3565
~~(C) (1) (b) and a grade of "F" for the value added progress~~ 3566
~~dimension under division (A) (1) (e), (B) (1) (e), or (C) (1) (e) of~~ 3567
~~section 3302.03 of the Revised Code;~~ 3568

~~(iii) (a) The school has received a performance rating of~~ 3569
~~one star for both achievement under division (D) (3) (b) of~~ 3570
~~section 3302.03 of the Revised Code and progress under division~~ 3571
~~(D) (3) (c) of that section;~~ 3572

~~(iv) The school has received an overall grade of "F" under~~ 3573
~~division (C) and a grade of "F" for the value added progress~~ 3574
~~dimension under division (C) (1) (e) of section 3302.03 of the~~ 3575
~~Revised Code;~~ 3576

~~(v) (b) The school has received an overall performance~~ 3577
~~rating of less than two stars under division (D) of section~~ 3578
~~3302.03 of the Revised Code and a performance rating of one star~~ 3579
~~for progress under division (D) (3) (c) of that section.~~ 3580

~~(e) (3) The school offers any of grade levels ten to~~ 3581
~~twelve and, for the three most recent school years, satisfies~~ 3582
~~any either of the following criteria:~~ 3583

~~(i) The school has been declared to be in a state of~~ 3584
~~academic emergency under section 3302.03 of the Revised Code, as~~ 3585
~~it existed prior to March 22, 2013;~~ 3586

~~(ii) The school has received a grade of "F" for the~~ 3587

~~performance index score under division (A) (1) (b), (B) (1) (b), or~~ 3588
~~(C) (1) (b) and has not met annual measurable objectives under~~ 3589
~~division (A) (1) (a), (B) (1) (a), or (C) (1) (a) of section 3302.03~~ 3590
~~of the Revised Code;~~ 3591

~~(iii)~~ (a) The school has received a performance rating of 3592
"one star" for achievement under division (D) (3) (b) of section 3593
3302.03 of the Revised Code and has not met annual measurable 3594
objectives for gap closing under division (D) (3) (a) of that 3595
section, as determined by the department; 3596

~~(iv)~~ The school has received an overall grade of "F" under 3597
division (C) and a grade of "F" for the value added progress 3598
dimension under division (C) (1) (e) of section 3302.03 of the 3599
Revised Code; 3600

~~(v)~~ (b) The school has received an overall performance 3601
rating of less than two stars under division (D) of section 3602
3302.03 of the Revised Code and a performance rating of one star 3603
for progress under division (D) (1) (b) of that section. 3604

For purposes of division ~~(A) (3)~~ (A) of this section only, 3605
the department shall calculate the value-added progress 3606
dimension for a community school using assessment scores for 3607
only those students to whom the school has administered the 3608
achievement assessments prescribed by section 3301.0710 of the 3609
Revised Code for at least the two most recent school years but 3610
using value-added data from only the most recent school year. 3611

~~(4)~~ (B) This section does not apply to either of the 3612
following: 3613

~~(a)~~ (1) Any community school in which a majority of the 3614
students are enrolled in a dropout prevention and recovery 3615
program that is operated by the school. Rather, such schools 3616

shall be subject to closure only as provided in section 3314.351 3617
of the Revised Code. However, prior to July 1, 2014, a community 3618
school in which a majority of the students are enrolled in a 3619
dropout prevention and recovery program shall be exempt from 3620
this section only if it has been granted a waiver under section 3621
3314.36 of the Revised Code. 3622

~~(b)~~ (2) Any community school in which a majority of the 3623
enrolled students are children with disabilities receiving 3624
special education and related services in accordance with 3625
Chapter 3323. of the Revised Code. 3626

~~(B)~~ (C) Any community school to which this section applies 3627
shall permanently close at the conclusion of the school year in 3628
which the school first becomes subject to this section. The 3629
sponsor and governing authority of the school shall comply with 3630
all procedures for closing a community school adopted by the 3631
department under division (E) of section 3314.015 of the Revised 3632
Code. The governing authority of the school shall not enter into 3633
a contract with any other sponsor under section 3314.03 of the 3634
Revised Code after the school closes. 3635

~~(C) In accordance with division (B) of section 3314.012 of~~ 3636
~~the Revised Code, the department shall not consider the~~ 3637
~~performance ratings assigned to a community school for its first~~ 3638
~~two years of operation when determining whether the school meets~~ 3639
~~the criteria prescribed by division (A)(1) or (2) of this~~ 3640
~~section.~~ 3641

(D) Nothing in this section or in any other provision of 3642
the Revised Code prohibits the sponsor of a community school 3643
from exercising its option not to renew a contract for any 3644
reason or from terminating a contract prior to its expiration 3645
for any of the reasons set forth in section 3314.07 of the 3646

Revised Code. 3647

Sec. 3319.077. (A) As used in this section: 3648

(1) "Dyslexia" has the same meaning as in section 3323.25 3649
of the Revised Code. 3650

(2) "Ohio dyslexia committee" means the committee 3651
established under section 3325.25 of the Revised Code. 3652

(3) "Special education" has the same meaning as in section 3653
3323.01 of the Revised Code. 3654

(4) "Teacher" does not include any teacher who provides 3655
instruction in fine arts, music, or physical education. 3656

(B) (1) The department of education and workforce, in 3657
collaboration with the Ohio dyslexia committee, shall maintain a 3658
list of training that fulfills the professional development 3659
requirements prescribed in division (C) of this section. The 3660
list may consist of online or classroom learning models. 3661

(2) Each approved training shall align with the guidebook 3662
developed under section 3323.25 of the Revised Code, be 3663
evidence-based, and require instruction and training for 3664
identifying characteristics of dyslexia and understanding the 3665
pedagogy for instructing students with dyslexia. 3666

(3) The Ohio dyslexia committee shall prescribe a total 3667
number of clock hours of instruction in training approved under 3668
this section for a teacher to complete to satisfy the 3669
professional development requirements prescribed in division (C) 3670
of this section. The Ohio dyslexia committee shall prescribe a 3671
total number of clock hours that is not less than six clock 3672
hours and not more than eighteen clock hours. However, a school 3673
district or school may determine the number of hours, which must 3674

be between six and eighteen clock hours, that a teacher employed 3675
by the school district or school shall complete to satisfy the 3676
professional development requirements prescribed in division (C) 3677
of this section. 3678

(C) (1) Division (C) (1) of this section applies to any 3679
teacher who was employed by a local, city, or exempted village 3680
school district on April 12, 2021, and is still employed by that 3681
district on the dates specified under division (C) (1) (a), (b), 3682
or (c) of this section as follows: 3683

(a) Not later than the beginning of the 2023-2024 school 3684
year, each district teacher employed by a local, city, or 3685
exempted village school district who provides instruction for 3686
students in kindergarten and first grade, including those 3687
providing special education instruction, shall complete the 3688
number of instructional hours in approved professional 3689
development training required by the committee or school 3690
district or school under this section. 3691

(b) Not later than September 15, 2024, each district 3692
teacher employed by a school district who provides instruction 3693
for students in grades two and three, including those providing 3694
special education instruction, shall complete the number of 3695
instructional hours in approved professional development 3696
training required by the committee or school district or school 3697
under this section. 3698

(c) Not later than September 15, 2025, each district 3699
teacher employed by a school district who provides special 3700
education instruction for students in grades four through twelve 3701
shall complete a professional development training approved 3702
under division (B) of this section. 3703

(2) Any teacher hired by a local, city, or exempted
village school district after April 12, 2021, who provides
instruction for students in any of grades kindergarten through
three, including a teacher providing special education
instruction, or who provides special education instruction for
students in any of grades four through twelve shall complete
professional development training in accordance with division
(C) (1) (a), (b), or (c) of this section by the later of two years
after the date of hire or the date specified under division (C)
(1) (a), (b), or (c) of this section, unless the teacher
completed the training while employed by a different district
under division (C) (1) of this section.

(D) Any professional development training completed by a
teacher prior to April 12, 2021, that is then included on the
list of training approved under division (B) (1) of this section
shall count toward the number of instructional hours in approved
professional development training required under division (C) of
this section.

(E) Nothing in this section shall prohibit a school
district from requiring employees who are not subject to this
section from completing professional development training
approved under division (B) of this section.

Sec. 3319.0811. If the board of education of a school
district offers to students of compulsory school age courses for
high school credit that are taught at times outside the
district's normal school day, the board ~~shall~~ may enter into
supplemental contracts under section 3319.08 of the Revised Code
with the teachers assigned to teach those courses and shall not
include such assignment of duties within the teachers' regular
employment contracts under that section.

Sec. 3319.111. Notwithstanding section 3319.09 of the 3734
Revised Code, this section applies to any person who is employed 3735
under a teacher license issued under this chapter, or under a 3736
professional or permanent teacher's certificate issued under 3737
former section 3319.222 of the Revised Code, and who spends at 3738
least fifty per cent of the time employed providing student 3739
instruction. However, this section does not apply to any person 3740
who is employed as a substitute teacher or as an instructor of 3741
adult education. 3742

(A) The board of education of each school district, in 3743
consultation with teachers employed by the board, shall update 3744
its standards-based teacher evaluation policy to conform with 3745
either the framework for evaluation of teachers adopted under 3746
section 3319.112 of the Revised Code or a framework created or 3747
adopted by the board. The policy shall become operative at the 3748
expiration of any collective bargaining agreement covering 3749
teachers employed by the board that is in effect on November 2, 3750
2018, and shall be included in any renewal or extension of such 3751
an agreement. 3752

(B) When using measures of student performance as evidence 3753
in a teacher's evaluation, those measures shall be high-quality 3754
student data. The board of education of each school district may 3755
use data from the assessments on the list developed under 3756
division (B) (2) of section 3319.112 of the Revised Code as high- 3757
quality student data. 3758

(C) (1) The board shall conduct an evaluation of each 3759
teacher employed by the board at least once each school year, 3760
except as provided in division (C) (2) of this section. The 3761
evaluation shall be completed by the first day of May and the 3762
teacher shall receive a written report of the results of the 3763

evaluation by the tenth day of May. 3764

(2) (a) The board may evaluate each teacher who received a 3765
rating of accomplished on the teacher's most recent evaluation 3766
conducted under this section once every three school years, so 3767
long as the teacher submits a self-directed professional growth 3768
plan to the evaluator that focuses on specific areas identified 3769
in the observations and evaluation and the evaluator determines 3770
that the teacher is making progress on that plan. 3771

(b) The board may evaluate each teacher who received a 3772
rating of skilled on the teacher's most recent evaluation 3773
conducted under this section once every two years, so long as 3774
the teacher and evaluator jointly develop a professional growth 3775
plan for the teacher that focuses on specific areas identified 3776
in the observations and evaluation and the evaluator determines 3777
that the teacher is making progress on that plan. 3778

(c) For each teacher who is evaluated pursuant to division 3779
(C) (2) of this section, the evaluation shall be completed by the 3780
first day of May of the applicable school year, and the teacher 3781
shall receive a written report of the results of the evaluation 3782
by the tenth day of May of that school year. 3783

(d) The board may elect not to conduct an evaluation of a 3784
teacher who meets one of the following requirements: 3785

(i) The teacher was on leave from the school district for 3786
fifty per cent or more of the school year, as calculated by the 3787
board. 3788

(ii) The teacher has submitted notice of retirement and 3789
that notice has been accepted by the board not later than the 3790
first day of December of the school year in which the evaluation 3791
is otherwise scheduled to be conducted. 3792

(e) The board may elect not to conduct an evaluation of a 3793
teacher who is participating in the teacher residency program 3794
established under section 3319.223 of the Revised Code for the 3795
year during which that teacher takes, for the first time, at 3796
least half of the performance-based assessment prescribed by the 3797
state board of education for resident educators. 3798

(3) In any year that a teacher is not formally evaluated 3799
pursuant to division (C) of this section as a result of 3800
receiving a rating of accomplished or skilled on the teacher's 3801
most recent evaluation, an individual qualified to evaluate a 3802
teacher under division (D) of this section shall conduct at 3803
least one observation of the teacher and hold at least one 3804
conference with the teacher. The conference shall include a 3805
discussion of progress on the teacher's professional growth 3806
plan. 3807

(D) Each evaluation conducted pursuant to this section 3808
shall be conducted by one or more of the following persons who 3809
hold a credential established by the state board of education 3810
for being an evaluator: 3811

(1) A person who is under contract with the board pursuant 3812
to section 3319.01 or 3319.02 of the Revised Code and holds a 3813
license designated for being a superintendent, assistant 3814
superintendent, or principal issued under section 3319.22 of the 3815
Revised Code; 3816

(2) A person who is under contract with the board pursuant 3817
to section 3319.02 of the Revised Code and holds a license 3818
designated for being a vocational director, administrative 3819
specialist, or supervisor in any educational area issued under 3820
section 3319.22 of the Revised Code; 3821

(3) A person designated to conduct evaluations under an 3822
agreement entered into by the board, including an agreement 3823
providing for peer review entered into by the board and 3824
representatives of teachers employed by the board; 3825

(4) A person who is employed by an entity contracted by 3826
the board to conduct evaluations and who holds a license 3827
designated for being a superintendent, assistant superintendent, 3828
principal, vocational director, administrative specialist, or 3829
supervisor in any educational area issued under section 3319.22 3830
of the Revised Code or is qualified to conduct evaluations. 3831

(E) Notwithstanding division (A) (3) of section 3319.112 of 3832
the Revised Code, the board shall require at least three formal 3833
observations of each teacher who is under consideration for 3834
nonrenewal and with whom the board has entered into a limited 3835
contract or an extended limited contract under section 3319.11 3836
of the Revised Code. 3837

(F) The board shall include in its evaluation policy 3838
procedures for using the evaluation results for retention and 3839
promotion decisions and for removal of poorly performing 3840
teachers. Seniority shall not be the basis for a decision to 3841
retain a teacher, except when making a decision between teachers 3842
who have comparable evaluations. 3843

(G) For purposes of section 3333.0411 of the Revised Code, 3844
the board annually shall report to the state board the number of 3845
teachers for whom an evaluation was conducted under this section 3846
and the number of teachers assigned each rating prescribed under 3847
division (B) (1) of section 3319.112 of the Revised Code or the 3848
equivalent framework created or adopted by the board, aggregated 3849
by the teacher preparation programs from which and the years in 3850
which the teachers graduated. The state board shall establish 3851

guidelines for reporting the information required by this 3852
division. The guidelines shall not permit or require that the 3853
name of, or any other personally identifiable information about, 3854
any teacher be reported under this division. 3855

(H) Notwithstanding any provision to the contrary in 3856
Chapter 4117. of the Revised Code, the requirements of this 3857
section prevail over any conflicting provisions of a collective 3858
bargaining agreement entered into on or after November 2, 2018. 3859

Sec. 3319.112. (A) The state board of education shall 3860
revise the standards-based state framework for the evaluation of 3861
teachers based on the recommendations of the educator standards 3862
board established under section 3319.60 of the Revised Code. The 3863
state board shall hold at least one public hearing on the 3864
revised framework and shall make the full text of the revised 3865
framework available at each hearing it holds on the revised 3866
framework. The state board shall adopt the revised framework. 3867
The state board may update the framework periodically by 3868
adoption of a resolution. The framework shall establish an 3869
evaluation system that does the following: 3870

(1) Provides for multiple evaluation factors; 3871

(2) Is aligned with the standards for teachers adopted 3872
under section 3319.61 of the Revised Code; 3873

(3) Requires observation of the teacher being evaluated, 3874
including at least two formal observations by the evaluator of 3875
at least thirty minutes each and classroom walk-throughs; 3876

(4) Assigns a rating on each evaluation in accordance with 3877
division (B) of this section; 3878

(5) Requires each teacher to be provided with a written 3879
report of the results of the teacher's evaluation; 3880

(6) Uses at least two measures of high-quality student 3881
data to provide evidence of student learning attributable to the 3882
teacher being evaluated. The state board shall define "high- 3883
quality student data" for this purpose. When applicable to the 3884
grade level or subject area taught by a teacher, high-quality 3885
student data shall include the value-added progress dimension 3886
established under section 3302.021 of the Revised Code, but the 3887
teacher or evaluator shall use at least one other measure of 3888
high-quality student data to demonstrate student learning. In 3889
accordance with the guidance described in division (D)(3) of 3890
this section, high-quality student data may be used as evidence 3891
in any component of the evaluation related to the following: 3892

(a) Knowledge of the students to whom the teacher provides 3893
instruction; 3894

(b) The teacher's use of differentiated instructional 3895
practices based on the needs or abilities of individual 3896
students; 3897

(c) Assessment of student learning; 3898

(d) The teacher's use of assessment data; 3899

(e) Professional responsibility and growth. 3900

(7) Prohibits the shared attribution of student 3901
performance data among all teachers in a district, building, 3902
grade, content area, or other group; 3903

(8) Includes development of a professional growth plan or 3904
improvement plan for the teacher that is based on the results of 3905
the evaluation and is aligned to any school district or building 3906
improvement plan required for the teacher's district or building 3907
under the "Elementary and Secondary Education Act of 1965," as 3908
amended by the "Every Student Succeeds Act of 2015," Pub. L. No. 3909

114-95, 20 U.S.C. 6301 et seq.; 3910

(9) Provides for professional development to accelerate 3911
and continue teacher growth and provide support to poorly 3912
performing teachers; 3913

(10) Provides for the allocation of financial resources to 3914
support professional development; 3915

(11) Prohibits the use of student learning objectives. 3916

(B) For purposes of the framework adopted under this 3917
section, the state board also shall do the following: 3918

(1) Revise, as necessary, specific standards and criteria 3919
that distinguish between the following levels of performance for 3920
teachers and principals for the purpose of assigning ratings on 3921
~~the any~~ evaluations conducted under sections 3311.80, 3311.84, 3922
3319.02, and 3319.111 of the Revised Code using the framework 3923
prescribed by this section: 3924

(a) Accomplished; 3925

(b) Skilled; 3926

(c) Developing; 3927

(d) Ineffective. 3928

(2) Develop a list of student assessments that measure 3929
mastery of the course content for the appropriate grade level, 3930
which may include nationally normed standardized assessments, 3931
industry certification examinations, or end-of-course 3932
examinations. The data from these assessments may be considered 3933
high-quality student data. 3934

(C) The state board shall consult with experts, teachers 3935
and principals employed in public schools, the educator 3936

standards board, and representatives of stakeholder groups in 3937
revising the standards and criteria required by division (B) (1) 3938
of this section. 3939

(D) To assist school districts in developing evaluation 3940
policies under sections 3311.80, 3311.84, 3319.02, and 3319.111 3941
of the Revised Code, the state board shall do all of the 3942
following: 3943

(1) Serve as a clearinghouse of promising evaluation 3944
procedures and evaluation models that districts may use; 3945

(2) Provide technical assistance to districts in creating 3946
evaluation policies; 3947

(3) Provide guidance to districts on how high-quality 3948
student data may be used as evidence of student learning 3949
attributable to a particular teacher, including examples of 3950
appropriate use of that data within the framework adopted under 3951
this section; 3952

(4) Provide guidance to districts on how information from 3953
student surveys, student portfolios, peer review evaluations, 3954
teacher self-evaluations, and other components determined 3955
appropriate by the district may be used as part of the 3956
evaluation process. 3957

(E) Not later than July 1, 2020, the state board, in 3958
consultation with state agencies that employ teachers, shall 3959
update its standards-based framework for the evaluation of 3960
teachers employed by those agencies. Each state agency that 3961
employs teachers shall adopt a standards-based teacher 3962
evaluation policy to conform with the framework. The policy 3963
shall become operative at the expiration of any collective 3964
bargaining agreement covering teachers employed by the agency 3965

that is in effect on November 2, 2018, and shall be included in 3966
any renewal or extension of such an agreement. However, this 3967
division does not apply to any person who is employed as a 3968
substitute teacher or as an instructor of adult education. 3969

Sec. 3319.172. The board of education of each school 3970
district wherein the provisions of Chapter 124. of the Revised 3971
Code do not apply and the governing board of each educational 3972
service center may adopt a resolution ordering reasonable 3973
reductions in the number of nonteaching employees for any of the 3974
reasons for which the board of education or governing board may 3975
make reductions in teaching employees, as set forth in division 3976
(B) of section 3319.17 of the Revised Code. 3977

In making any reduction under this section, the board of 3978
education or governing board shall proceed to suspend contracts 3979
in accordance with the recommendation of the superintendent of 3980
the district or service center who shall, within each pay 3981
classification affected, give preference first to employees 3982
under continuing contracts and ~~then to employees on the basis of~~ 3983
~~seniority~~shall not give preference on the basis of seniority 3984
except when making a decision between two employees with 3985
comparable evaluations. On a case-by-case basis, in lieu of 3986
suspending a contract in whole, a board may suspend a contract 3987
in part, so that an individual is required to work a percentage 3988
of the time the employee otherwise is required to work under the 3989
contract and receives a commensurate percentage of the full 3990
compensation the employee otherwise would receive under the 3991
contract. 3992

Any nonteaching employee whose continuing contract is 3993
suspended under this section shall have the right of restoration 3994
to continuing service status by the board of education or 3995

governing board that suspended that contract ~~in order of~~ 3996
~~seniority of service in the district or service center~~, if and 3997
when a nonteaching position for which the employee is qualified 3998
becomes vacant or is created. No nonteaching employee whose 3999
continuing contract has been suspended under this section shall 4000
lose that right of restoration to continuing service status by 4001
reason of having declined recall to a position requiring fewer 4002
regularly scheduled hours of work than required by the position 4003
the employee last held while employed in the district or service 4004
center. 4005

Notwithstanding any provision to the contrary in Chapter 4006
4117. of the Revised Code, the requirements of this section 4007
prevail over any conflicting provisions of agreements between 4008
employee organizations and public employers entered into after 4009
the effective date of this section. 4010

Sec. 3319.22. (A) (1) The state board of education shall 4011
issue the following educator licenses: 4012

(a) A resident educator license, which shall be valid for 4013
two years and shall be renewable for reasons specified by rules 4014
adopted by the state board pursuant to division (A) (3) of this 4015
section. The state board, on a case-by-case basis, may extend 4016
the license's duration as necessary to enable the license holder 4017
to complete the Ohio teacher residency program established under 4018
section 3319.223 of the Revised Code; 4019

(b) A professional educator license, which shall be valid 4020
for five years and shall be renewable; 4021

(c) A senior professional educator license, which shall be 4022
valid for five years and shall be renewable; 4023

(d) A lead professional educator license, which shall be 4024

valid for five years and shall be renewable.

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Licenses issued under division (A)(1) of this section on
and after ~~the effective date of this amendment~~ December 29,
2023, shall specify whether the educator is licensed to teach
grades pre-kindergarten through eight or grades six through
twelve. The changes to the grade band specifications under this
section shall not apply to a person who holds a license under
division (A)(1) of this section prior to ~~the effective date of~~
~~this amendment~~ December 29, 2023. Further, the changes to the
grade band specifications under this section shall not apply to
any license issued to teach in the area of computer information
science, bilingual education, dance, drama or theater, world
language, health, library or media, music, physical education,
teaching English to speakers of other languages, career-
technical education, or visual arts or to any license issued to
an intervention specialist, including a gifted intervention
specialist, or to any other license that does not align to the
grade band specifications.

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(2)(a) Except as provided in division (A)(2)(b) of this
section, the state board may issue any additional educator
licenses of categories, types, and levels the board elects to
provide.

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(b) Not later than December 31, 2024, the state board
shall cease licensing school psychologists. The state board
shall coordinate with the state board of psychology to
transition to licensure under Chapter 4732. of the Revised Code
any school psychologists licensed under rules adopted in
accordance with sections 3301.07 and 3319.22 of the Revised
Code.

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(3) Except as provided in division (I) of this section,

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the state board shall adopt rules establishing the standards and 4055
requirements for obtaining each educator license issued under 4056
this section. The rules shall also include the reasons for which 4057
a resident educator license may be renewed under division (A) (1) 4058
(a) of this section. 4059

(B) Except as provided in division (I) of this section, 4060
the rules adopted under this section shall require at least the 4061
following standards and qualifications for the educator licenses 4062
described in division (A) (1) of this section: 4063

(1) An applicant for a resident educator license shall 4064
hold at least a bachelor's degree from an accredited teacher 4065
preparation program or be a participant in the teach for America 4066
program and meet the qualifications required under section 4067
3319.227 of the Revised Code. 4068

(2) An applicant for a professional educator license 4069
shall: 4070

(a) Hold at least a bachelor's degree from an institution 4071
of higher education accredited by a regional accrediting 4072
organization; 4073

(b) Have successfully completed the Ohio teacher residency 4074
program established under section 3319.223 of the Revised Code, 4075
if the applicant's current or most recently issued license is a 4076
resident educator license issued under this section or an 4077
alternative resident educator license issued under section 4078
3319.26 of the Revised Code. 4079

(3) An applicant for a senior professional educator 4080
license shall: 4081

(a) Hold at least a ~~master's~~ bachelor's degree from an 4082
institution of higher education accredited by a regional 4083

accrediting organization; 4084

(b) Have previously held a professional educator license 4085
issued under this section or section 3319.222 or under former 4086
section 3319.22 of the Revised Code; 4087

(c) Meet the criteria for the accomplished or 4088
distinguished level of performance, as described in the 4089
standards for teachers adopted by the state board under section 4090
3319.61 of the Revised Code. 4091

(4) An applicant for a lead professional educator license 4092
shall: 4093

(a) Hold at least a ~~master's~~ bachelor's degree from an 4094
institution of higher education accredited by a regional 4095
accrediting organization; 4096

(b) Have previously held a professional educator license 4097
or a senior professional educator license issued under this 4098
section or a professional educator license issued under section 4099
3319.222 or former section 3319.22 of the Revised Code; 4100

(c) Meet the criteria for the distinguished level of 4101
performance, as described in the standards for teachers adopted 4102
by the state board under section 3319.61 of the Revised Code; 4103

(d) Either hold a valid certificate issued by the national 4104
board for professional teaching standards or meet the criteria 4105
for a master teacher or other criteria for a lead teacher 4106
adopted by the educator standards board under division (F) (4) or 4107
(5) of section 3319.61 of the Revised Code. 4108

(C) The state board shall align the standards and 4109
qualifications for obtaining a principal license with the 4110
standards for principals adopted by the state board under 4111

section 3319.61 of the Revised Code. 4112

(D) If the state board requires any examinations for 4113
educator licensure, the state board shall provide the results of 4114
such examinations received by the state board to the chancellor 4115
of higher education, in the manner and to the extent permitted 4116
by state and federal law. 4117

(E) Any rules the state board of education adopts, amends, 4118
or rescinds for educator licenses under this section or any 4119
other law shall be adopted, amended, or rescinded under Chapter 4120
119. of the Revised Code except as follows: 4121

(1) Notwithstanding division (E) of section 119.03 and 4122
division (A)(1) of section 119.04 of the Revised Code, in the 4123
case of the adoption of any rule or the amendment or rescission 4124
of any rule that necessitates institutions' offering preparation 4125
programs for educators and other school personnel that are 4126
approved by the chancellor of higher education under section 4127
3333.048 of the Revised Code to revise the curriculum of those 4128
programs, the effective date shall not be as prescribed in 4129
division (E) of section 119.03 and division (A)(1) of section 4130
119.04 of the Revised Code. Instead, the effective date of such 4131
rules, or the amendment or rescission of such rules, shall be 4132
the date prescribed by section 3333.048 of the Revised Code. 4133

(2) Notwithstanding the authority to adopt, amend, or 4134
rescind emergency rules in division (G) of section 119.03 of the 4135
Revised Code, this authority shall not apply to the state board 4136
of education with regard to rules for educator licenses. 4137

(F)(1) The rules adopted under this section establishing 4138
standards requiring additional coursework for the renewal of any 4139
educator license shall require a school district and a chartered 4140

nonpublic school to establish local professional development 4141
committees. In a nonpublic school, the chief administrative 4142
officer shall establish the committees in any manner acceptable 4143
to such officer. The committees established under this division 4144
shall determine whether coursework that a district or chartered 4145
nonpublic school teacher proposes to complete meets the 4146
requirement of the rules. The state board shall provide 4147
technical assistance and support to committees as the committees 4148
incorporate the professional development standards adopted 4149
pursuant to section 3319.61 of the Revised Code into their 4150
review of coursework that is appropriate for license renewal. 4151
The rules shall establish a procedure by which a teacher may 4152
appeal the decision of a local professional development 4153
committee. 4154

(2) In any school district in which there is no exclusive 4155
representative established under Chapter 4117. of the Revised 4156
Code, the professional development committees shall be 4157
established as described in division (F) (2) of this section. 4158

Not later than the effective date of the rules adopted 4159
under this section, the board of education of each school 4160
district shall establish the structure for one or more local 4161
professional development committees to be operated by such 4162
school district. The committee structure so established by a 4163
district board shall remain in effect unless within thirty days 4164
prior to an anniversary of the date upon which the current 4165
committee structure was established, the board provides notice 4166
to all affected district employees that the committee structure 4167
is to be modified. Professional development committees may have 4168
a district-level or building-level scope of operations, and may 4169
be established with regard to particular grade or age levels for 4170
which an educator license is designated. 4171

Each professional development committee shall consist of 4172
at least three classroom teachers employed by the district, one 4173
principal employed by the district, and one other employee of 4174
the district appointed by the district superintendent. For 4175
committees with a building-level scope, the teacher and 4176
principal members shall be assigned to that building, and the 4177
teacher members shall be elected by majority vote of the 4178
classroom teachers assigned to that building. For committees 4179
with a district-level scope, the teacher members shall be 4180
elected by majority vote of the classroom teachers of the 4181
district, and the principal member shall be elected by a 4182
majority vote of the principals of the district, unless there 4183
are two or fewer principals employed by the district, in which 4184
case the one or two principals employed shall serve on the 4185
committee. If a committee has a particular grade or age level 4186
scope, the teacher members shall be licensed to teach such grade 4187
or age levels, and shall be elected by majority vote of the 4188
classroom teachers holding such a license and the principal 4189
shall be elected by all principals serving in buildings where 4190
any such teachers serve. The district superintendent shall 4191
appoint a replacement to fill any vacancy that occurs on a 4192
professional development committee, except in the case of 4193
vacancies among the elected classroom teacher members, which 4194
shall be filled by vote of the remaining members of the 4195
committee so selected. 4196

Terms of office on professional development committees 4197
shall be prescribed by the district board establishing the 4198
committees. The conduct of elections for members of professional 4199
development committees shall be prescribed by the district board 4200
establishing the committees. A professional development 4201
committee may include additional members, except that the 4202

majority of members on each such committee shall be classroom 4203
teachers employed by the district. Any member appointed to fill 4204
a vacancy occurring prior to the expiration date of the term for 4205
which a predecessor was appointed shall hold office as a member 4206
for the remainder of that term. 4207

The initial meeting of any professional development 4208
committee, upon election and appointment of all committee 4209
members, shall be called by a member designated by the district 4210
superintendent. At this initial meeting, the committee shall 4211
select a chairperson and such other officers the committee deems 4212
necessary, and shall adopt rules for the conduct of its 4213
meetings. Thereafter, the committee shall meet at the call of 4214
the chairperson or upon the filing of a petition with the 4215
district superintendent signed by a majority of the committee 4216
members calling for the committee to meet. 4217

(3) In the case of a school district in which an exclusive 4218
representative has been established pursuant to Chapter 4117. of 4219
the Revised Code, professional development committees shall be 4220
established in accordance with any collective bargaining 4221
agreement in effect in the district that includes provisions for 4222
such committees. 4223

If the collective bargaining agreement does not specify a 4224
different method for the selection of teacher members of the 4225
committees, the exclusive representative of the district's 4226
teachers shall select the teacher members. 4227

If the collective bargaining agreement does not specify a 4228
different structure for the committees, the board of education 4229
of the school district shall establish the structure, including 4230
the number of committees and the number of teacher and 4231
administrative members on each committee; the specific 4232

administrative members to be part of each committee; whether the 4233
scope of the committees will be district levels, building 4234
levels, or by type of grade or age levels for which educator 4235
licenses are designated; the lengths of terms for members; the 4236
manner of filling vacancies on the committees; and the frequency 4237
and time and place of meetings. However, in all cases, except as 4238
provided in division (F)(4) of this section, there shall be a 4239
majority of teacher members of any professional development 4240
committee, there shall be at least five total members of any 4241
professional development committee, and the exclusive 4242
representative shall designate replacement members in the case 4243
of vacancies among teacher members, unless the collective 4244
bargaining agreement specifies a different method of selecting 4245
such replacements. 4246

(4) Whenever an administrator's coursework plan is being 4247
discussed or voted upon, the local professional development 4248
committee shall, at the request of one of its administrative 4249
members, cause a majority of the committee to consist of 4250
administrative members by reducing the number of teacher members 4251
voting on the plan. 4252

(5) A professional development committee may grant an 4253
individual seeking to renew a license under this section credit 4254
towards continuing education requirements for completion of a 4255
statutorily required professional development training. Such an 4256
individual shall receive continuing education credit for one 4257
completed professional development course per licensure renewal 4258
period. To qualify for continuing education credit under this 4259
division, a professional development course shall be completed 4260
during the time in which an individual holds a valid license 4261
under this section. 4262

(G) (1) The department of education and workforce, 4263
educational service centers, county boards of developmental 4264
disabilities, college and university departments of education, 4265
head start programs, and the Ohio education computer network may 4266
establish local professional development committees to determine 4267
whether the coursework proposed by their employees who are 4268
licensed or certificated under this section or section 3319.222 4269
of the Revised Code, or under the former version of either 4270
section as it existed prior to October 16, 2009, meet the 4271
requirements of the rules adopted under this section. They may 4272
establish local professional development committees on their own 4273
or in collaboration with a school district or other agency 4274
having authority to establish them. 4275

Local professional development committees established by 4276
county boards of developmental disabilities shall be structured 4277
in a manner comparable to the structures prescribed for school 4278
districts in divisions (F) (2) and (3) of this section, as shall 4279
the committees established by any other entity specified in 4280
division (G) (1) of this section that provides educational 4281
services by employing or contracting for services of classroom 4282
teachers licensed or certificated under this section or section 4283
3319.222 of the Revised Code, or under the former version of 4284
either section as it existed prior to October 16, 2009. All 4285
other entities specified in division (G) (1) of this section 4286
shall structure their committees in accordance with guidelines 4287
which shall be issued by the department. 4288

(2) Educational service centers may establish local 4289
professional development committees to serve educators who are 4290
not employed in schools in this state, including pupil services 4291
personnel who are licensed under this section. Local 4292
professional development committees shall be structured in a 4293

manner comparable to the structures prescribed for school 4294
districts in divisions (F) (2) and (3) of this section. 4295

These committees may agree to review the coursework, 4296
continuing education units, or other equivalent activities 4297
related to classroom teaching or the area of licensure that is 4298
proposed by an individual who satisfies both of the following 4299
conditions: 4300

(a) The individual is licensed or certificated under this 4301
section or under the former version of this section as it 4302
existed prior to October 16, 2009. 4303

(b) The individual is not currently employed as an 4304
educator or is not currently employed by an entity that operates 4305
a local professional development committee under this section. 4306

Any committee that agrees to work with such an individual 4307
shall work to determine whether the proposed coursework, 4308
continuing education units, or other equivalent activities meet 4309
the requirements of the rules adopted by the state board under 4310
this section. 4311

(3) Any public agency that is not specified in division 4312
(G) (1) or (2) of this section but provides educational services 4313
and employs or contracts for services of classroom teachers 4314
licensed or certificated under this section or section 3319.222 4315
of the Revised Code, or under the former version of either 4316
section as it existed prior to October 16, 2009, may establish a 4317
local professional development committee, subject to the 4318
approval of the department of education and workforce. The 4319
committee shall be structured in accordance with guidelines 4320
issued by the department. 4321

(H) Not later than July 1, 2016, the state board, in 4322

accordance with Chapter 119. of the Revised Code, shall adopt 4323
rules pursuant to division (A) (3) of this section that do both 4324
of the following: 4325

(1) Exempt consistently high-performing teachers from the 4326
requirement to complete any additional coursework for the 4327
renewal of an educator license issued under this section or 4328
section 3319.26 of the Revised Code. The rules also shall 4329
specify that such teachers are exempt from any requirements 4330
prescribed by professional development committees established 4331
under divisions (F) and (G) of this section. 4332

(2) For purposes of division (H) (1) of this section, the 4333
state board shall define the term "consistently high-performing 4334
teacher." 4335

(I) The state board shall issue a resident educator 4336
license, professional educator license, senior professional 4337
educator license, lead professional educator license, or any 4338
other educator license in accordance with Chapter 4796. of the 4339
Revised Code to an applicant if either of the following applies: 4340

(1) The applicant holds a license in another state. 4341

(2) The applicant has satisfactory work experience, a 4342
government certification, or a private certification as 4343
described in that chapter as a resident educator, professional 4344
educator, senior professional educator, lead professional 4345
educator, or any other type of educator in a state that does not 4346
issue one or more of those licenses. 4347

Sec. 3319.225. (A) The board of education of any school 4348
district, governing authority of a community school established 4349
under Chapter 3314. of the Revised Code, or governing body of a 4350
STEM school established under Chapter 3326. of the Revised Code, 4351

may employ an individual who is not certificated or licensed as 4352
required by Chapter 3319. of the Revised Code, but who meets 4353
both of the following qualifications, as a teacher in the 4354
schools of the district or school: 4355

(1) The individual holds at least a master's degree from 4356
an institution of higher education accredited by a regional 4357
accrediting agency; 4358

(2) The individual has successfully completed an 4359
examination prescribed by the state board of education for the 4360
subject area in which the individual will teach. 4361

(B) A person employed by a school district or school in 4362
accordance with this section shall be required to apply for and 4363
receive a registration from the department of education and 4364
workforce. As a condition of registration under this section, an 4365
individual shall be subject to a criminal records check as 4366
prescribed by section 3319.391 of the Revised Code. In the 4367
manner prescribed by the department, the individual shall submit 4368
the criminal records check to the department. The department 4369
shall use the information submitted to enroll the individual in 4370
the retained applicant fingerprint database, established under 4371
section 109.5721 of the Revised Code, in the same manner as any 4372
teacher licensed under sections 3319.22 to 3319.31 of the 4373
Revised Code. 4374

If the department receives notification of the arrest or 4375
conviction of an individual registered under division (B) of 4376
this section, the department shall promptly notify the employing 4377
district or school and may take any action authorized under 4378
sections 3319.31 and 3319.311 of the Revised Code that it 4379
considers appropriate. No district or school shall employ any 4380
individual under division (A) of this section if the district or 4381

school learns that the individual has plead guilty to, has been
found guilty by a jury or court of, or has been convicted of any
of the offenses listed in division (C) of section 3319.31 of the
Revised Code.

(C) Each individual employed under this section shall meet
the requirement to successfully complete fifteen hours, or the
equivalent, of coursework every five years that is approved by
the local professional development committee as is required of
other teachers licensed in accordance with Chapter 3319. of the
Revised Code.

Sec. 3319.2210. (A) The state board of education shall
issue a one-year nonrenewable out-of-state educator license,
valid for teaching the grade levels and curriculum areas named
in such license, upon the request of an employing school
district to a qualified applicant who meets all of the following
requirements:

(1) Is deemed to be of good moral character;

(2) Is an out-of-state applicant and the holder of a valid
out-of-state teaching license who has completed a baccalaureate
degree, an approved teacher preparation program, and the
examination prescribed by the state in which the licensure is
held, but who has not yet successfully completed the examination
prescribed by the state board for Ohio licensure;

(3) Except as provided in division (B) of this section,
has completed at least six of the required twelve semester hours
of coursework in the teaching of reading as described in section
3319.24 of the Revised Code for educators requesting an early
childhood, primary, middle childhood, intervention specialist,
early childhood intervention specialist, or primary intervention

specialist license. The remaining coursework requirement shall 4411
be listed as a limitation on the license and must be completed 4412
before the out-of-state license expires. 4413

(B) An applicant for a one-year nonrenewable out-of-state 4414
educator license who successfully completes Ohio's foundations 4415
of reading exam on the applicant's first attempt shall not be 4416
required to have completed at least six of the required twelve 4417
semester hours of coursework in the teaching of reading as 4418
described in section 3319.24 of the Revised Code prior to 4419
receipt of the license. 4420

Sec. 3319.27. (A) Except as provided in division (C) of 4421
this section, the state board of education shall adopt rules 4422
that establish an alternative principal license. The rules 4423
establishing an alternative principal license shall include a 4424
requirement that an applicant have obtained classroom teaching 4425
experience. Beginning on the effective date of the rules, the 4426
state board shall cease to issue temporary educator licenses 4427
pursuant to former section 3319.225 as it existed prior to April 4428
12, 2021, of the Revised Code for employment as a principal. Any 4429
person who on the effective date of the rules holds a valid 4430
temporary educator license issued under that section and is 4431
employed as a principal shall be allowed to continue employment 4432
as a principal until the expiration of the license. Employment 4433
of any such person as a principal by a school district after the 4434
expiration of the temporary educator license shall be contingent 4435
upon the state board issuing the person an alternative principal 4436
license in accordance with the rules adopted under this 4437
division. 4438

(B) Except as provided in division (C) of this section, 4439
the state board shall adopt rules that establish an alternative 4440

administrator license, which shall be valid for employment as a 4441
superintendent or in any other administrative position except 4442
principal. Beginning on the effective date of the rules, the 4443
state board shall cease to issue temporary educator licenses 4444
pursuant to former section 3319.225 of the Revised Code as it 4445
existed prior to April 12, 2021, for employment as a 4446
superintendent or in any other administrative position except 4447
principal. Any person who on the effective date of the rules 4448
holds a valid temporary educator license issued under that 4449
section and is employed as a superintendent or in any other 4450
administrative position except principal shall be allowed to 4451
continue employment in that position until the expiration of the 4452
license. Employment of any such person as a superintendent or in 4453
any other administrative position except principal by a school 4454
district after the expiration of the temporary educator license 4455
shall be contingent upon the state board issuing the person an 4456
alternative administrator license in accordance with the rules 4457
adopted under this division. 4458

(C) The state board shall issue an alternative principal 4459
or alternative administrator license in accordance with Chapter 4460
4796. of the Revised Code to an applicant if either of the 4461
following applies: 4462

(1) The applicant holds a license in another state. 4463

(2) The applicant has satisfactory work experience, a 4464
government certification, or a private certification as 4465
described in that chapter as a school principal or school 4466
administrator in a state that does not issue one or both of 4467
those licenses. 4468

Sec. 3319.273. (A) A professional administrator license 4469
shall be issued to an individual who holds at least a bachelor's 4470

degree from an institution of higher education accredited by a 4471
regional accrediting agency, provided the individual satisfies 4472
all other criteria for that license prescribed by rule of the 4473
state board of education. 4474

(B) An alternative superintendent license shall be issued 4475
to an individual who holds at least a bachelor's degree from an 4476
institution of higher education accredited by a regional 4477
accrediting agency, provided the individual satisfies all other 4478
criteria for that license prescribed by rule of the state board. 4479

Sec. 3319.291. (A) The state board of education shall 4480
require each of the following persons, at the times prescribed 4481
by division (A) of this section, to undergo a criminal records 4482
check, unless the person has undergone a records check under 4483
this section or a former version of this section less than five 4484
years prior to that time. 4485

(1) Any person initially applying for any certificate, 4486
license, or permit described in this chapter or in division (B) 4487
of section 3301.071 or in section 3301.074 of the Revised Code 4488
at the time that application is made; 4489

(2) Any person applying for renewal of any certificate, 4490
license, or permit described in division (A)(1) of this section 4491
at the time that application is made; 4492

(3) Any person who is teaching under a professional 4493
teaching certificate issued under former section 3319.222 of the 4494
Revised Code upon a date prescribed by the state board; 4495

(4) Any person who is teaching under a permanent teaching 4496
certificate issued under former section 3319.22 as it existed 4497
prior to October 29, 1996, or under former section 3319.222 of 4498
the Revised Code upon a date prescribed by the state board and 4499

every five years thereafter; 4500

(5) Any person employed in accordance with section 4501
3319.225 of the Revised Code. 4502

(B) (1) Except as otherwise provided in division (B) (2) of 4503
this section, the state board shall require each person subject 4504
to a criminal records check under this section to submit two 4505
complete sets of fingerprints and written permission that 4506
authorizes the superintendent of public instruction to forward 4507
the fingerprints to the bureau of criminal identification and 4508
investigation pursuant to division (F) of section 109.57 of the 4509
Revised Code and that authorizes that bureau to forward the 4510
fingerprints to the federal bureau of investigation for purposes 4511
of obtaining any criminal records that the federal bureau 4512
maintains on the person. 4513

(2) If both of the following conditions apply to a person 4514
subject to a criminal records check under this section, the 4515
state board shall require the person to submit one complete set 4516
of fingerprints and written permission that authorizes the 4517
superintendent of public instruction to forward the fingerprints 4518
to the bureau of criminal identification and investigation so 4519
that bureau may forward the fingerprints to the federal bureau 4520
of investigation for purposes of obtaining any criminal records 4521
that the federal bureau maintains on the person: 4522

(a) Under this section or any former version of this 4523
section, the state board or the superintendent of public 4524
instruction previously requested the superintendent of the 4525
bureau of criminal identification and investigation to determine 4526
whether the bureau has any information, gathered pursuant to 4527
division (A) of section 109.57 of the Revised Code, on the 4528
person. 4529

(b) The person presents proof that the person has been a 4530
resident of this state for the five-year period immediately 4531
prior to the date upon which the person becomes subject to a 4532
criminal records check under this section. 4533

(C) Except as provided in division (D) of this section, 4534
prior to issuing or renewing any certificate, license, or permit 4535
for a person described in division (A) (1) or (2) of this section 4536
who is subject to a criminal records check and in the case of a 4537
person described in division (A) (3) or (4) of this section who 4538
is subject to a criminal records check, the state board or the 4539
superintendent of public instruction shall do one of the 4540
following: 4541

(1) If the person is required to submit fingerprints and 4542
written permission under division (B) (1) of this section, 4543
request the superintendent of the bureau of criminal 4544
identification and investigation to determine whether the bureau 4545
has any information, gathered pursuant to division (A) of 4546
section 109.57 of the Revised Code, pertaining to the person and 4547
to obtain any criminal records that the federal bureau of 4548
investigation has on the person. 4549

(2) If the person is required to submit fingerprints and 4550
written permission under division (B) (2) of this section, 4551
request the superintendent of the bureau of criminal 4552
identification and investigation to obtain any criminal records 4553
that the federal bureau of investigation has on the person. 4554

(D) The state board or the superintendent of public 4555
instruction may choose not to request any information about a 4556
person required by division (C) of this section if the person 4557
provides proof that a criminal records check that satisfies the 4558
requirements of that division was conducted on the person as a 4559

condition of employment pursuant to section 3319.39 of the 4560
Revised Code within the immediately preceding year. The state 4561
board or the superintendent of public instruction may accept a 4562
certified copy of records that were issued by the bureau of 4563
criminal identification and investigation and that are presented 4564
by the person in lieu of requesting that information under 4565
division (C) of this section if the records were issued by the 4566
bureau within the immediately preceding year. 4567

(E) (1) If a person described in division (A) (3) or (4) of 4568
this section who is subject to a criminal records check fails to 4569
submit fingerprints and written permission by the date specified 4570
in the applicable division, and the state board or the 4571
superintendent of public instruction does not apply division (D) 4572
of this section to the person, or if a person who is subject to 4573
division (G) of this section fails to submit fingerprints and 4574
written permission by the date prescribed under that division, 4575
the superintendent shall prepare a written notice to be sent to 4576
the person by mail or electronically stating that if the person 4577
does not submit the fingerprints and written permission within 4578
fifteen days after the date the notice was mailed or sent 4579
electronically, the person's application will be rejected or the 4580
person's professional or permanent teaching certificate or 4581
license will be inactivated. The superintendent shall send the 4582
notification by regular mail to the person's last known 4583
residence address or last known place of employment, as 4584
indicated in the state board's records, or both. If the notice 4585
is sent electronically, the notification shall be sent via 4586
electronic mail to the person's last known electronic mail 4587
address. 4588

If the person fails to submit the fingerprints and written 4589
permission within fifteen days after the date the notice was 4590

mailed, the superintendent of public instruction, on behalf of 4591
the state board, shall issue a written order rejecting the 4592
application or inactivating the person's professional or 4593
permanent teaching certificate or license. The rejection or 4594
inactivation shall remain in effect until the person submits the 4595
fingerprints and written permission. The superintendent shall 4596
send the order by regular mail or electronic mail to the 4597
person's last known residence address, last known electronic 4598
mail address, or last known place of employment, as indicated in 4599
the state board's records. The order shall state the reason for 4600
the rejection or inactivation and shall explain that the 4601
rejection or inactivation remains in effect until the person 4602
submits the fingerprints and written permission. 4603

The rejection or inactivation of a professional or 4604
permanent teaching certificate or license under division (E) (1) 4605
of this section does not constitute a suspension or revocation 4606
of the certificate or license by the state board under section 4607
3319.31 of the Revised Code and the state board and the 4608
superintendent of public instruction need not provide the person 4609
with an opportunity for a hearing with respect to the rejection 4610
or inactivation. 4611

(2) If a person whose professional or permanent teaching 4612
certificate or license has been rejected or inactivated under 4613
division (E) (1) of this section submits fingerprints and written 4614
permission as required by division (B) or (G) of this section, 4615
the superintendent of public instruction, on behalf of the state 4616
board, shall issue a written order issuing or reactivating the 4617
certificate or license. The superintendent shall send the order 4618
to the person by regular mail or electronic mail. 4619

(F) Notwithstanding divisions (A) to (C) of this section, 4620

if a person holds more than one certificate, license, or permit 4621
described in division (A) (1) of this section, the following 4622
shall apply: 4623

(1) If the certificates, licenses, or permits are of 4624
different durations, the person shall be subject to divisions 4625
(A) to (C) of this section only when applying for renewal of the 4626
certificate, license, or permit that is of the longest duration. 4627
Prior to renewing any certificate, license, or permit with a 4628
shorter duration, the state board or the superintendent of 4629
public instruction shall determine whether the state board has 4630
received any information about the person pursuant to section 4631
109.5721 of the Revised Code, but the person shall not be 4632
subject to divisions (A) to (C) of this section as long as the 4633
person's certificate, license, or permit with the longest 4634
duration is valid. 4635

(2) If the certificates, licenses, or permits are of the 4636
same duration but do not expire in the same year, the person 4637
shall designate one of the certificates, licenses, or permits as 4638
the person's primary certificate, license, or permit and shall 4639
notify the state board of that designation. The person shall be 4640
subject to divisions (A) to (C) of this section only when 4641
applying for renewal of the person's primary certificate, 4642
license, or permit. Prior to renewing any certificate, license, 4643
or permit that is not the person's primary certificate, license, 4644
or permit, the state board or the superintendent of public 4645
instruction shall determine whether the state board has received 4646
any information about the person pursuant to section 109.5721 of 4647
the Revised Code, but the person shall not be subject to 4648
divisions (A) to (C) of this section as long as the person's 4649
primary certificate, license, or permit is valid. 4650

(3) If the certificates, licenses, or permits are of the 4651
same duration and expire in the same year and the person applies 4652
for renewal of the certificates, licenses, or permits at the 4653
same time, the state board or the superintendent of public 4654
instruction shall request only one criminal records check of the 4655
person under division (C) of this section. 4656

(G) If the state board is unable to enroll a person who 4657
has submitted an application for licensure, or to whom the state 4658
board has issued a license, in the retained applicant 4659
fingerprint database established under section 109.5721 of the 4660
Revised Code because the person has not satisfied the 4661
requirements for enrollment, the board shall require the person 4662
to satisfy the requirements for enrollment, including requiring 4663
the person to submit, by a date prescribed by the state board, 4664
one complete set of fingerprints and written permission that 4665
authorizes the superintendent of public instruction to forward 4666
the fingerprints to the bureau of criminal identification and 4667
investigation for the purpose of enrolling the person in the 4668
database. If the person fails to comply by the prescribed date, 4669
the state board shall reject the application or shall take 4670
action to inactivate the person's license in accordance with 4671
division (E) of this section. 4672

Sec. 3319.316. The state board of education shall be a 4673
participating public office for purposes of the retained 4674
applicant fingerprint database established under section 4675
109.5721 of the Revised Code and shall receive notification from 4676
the bureau of criminal identification and investigation of the 4677
arrest or conviction of the following persons: 4678

(A) Persons to whom the state board has issued a license, 4679
as defined in section 3319.31 of the Revised Code; 4680

(B) On behalf of ~~employers~~a school district, educational 4681
service center, or chartered nonpublic school described in 4682
section 3319.391 or 3327.10 of the Revised Code, persons who are 4683
not required to hold a license issued by the state board and are 4684
employed in or contracted for a position that the district, 4685
service center, or school reasonably determines may involve 4686
routine interaction with a child or regular responsibility for 4687
the care, custody, or control of a child, including persons who 4688
operate a school bus or motor van. Notwithstanding anything to 4689
the contrary in division (E) of section 109.5721 of the Revised 4690
Code, the state board is authorized to and promptly shall 4691
transmit any notification received regarding a person under this 4692
division to the ~~person's employer~~employing or contracting 4693
district, service center, or school. 4694

Sec. 3326.11. Each science, technology, engineering, and 4695
mathematics school established under this chapter and its 4696
governing body shall comply with sections 9.90, 9.91, 109.65, 4697
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 4698
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 4699
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 4700
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3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 4716
5705.391 and Chapters 102., 117., 1347., 2744., 3307., 3309., 4717
3365., 3742., 4112., 4123., 4141., and 4167. of the Revised Code 4718
as if it were a school district. 4719

Sec. 5502.70. (A) There is hereby created in the 4720
department of public safety the Ohio mobile training team, which 4721
shall be administered by a chief mobile training officer. The 4722
team shall provide services to public and nonpublic schools 4723
regarding school safety and security. 4724

(B) Not later than ~~ninety days after the effective date of~~ 4725
~~this section~~ December 11, 2022, the director of public safety 4726
shall appoint an individual who satisfies the criteria specified 4727
in division (B) of section 5502.701 of the Revised Code as the 4728
chief mobile training officer, who shall serve at the pleasure 4729
of the director. To carry out the duties prescribed by this 4730
section or sections 5502.702 and 5502.703 of the Revised Code, 4731
the chief mobile training officer may hire and maintain 4732
necessary staff and may enter into any necessary agreements. 4733

(C) Not later than ninety days after the appointment of 4734
the chief mobile training officer, the director of public safety 4735
shall appoint sixteen regional mobile training officers, each of 4736
whom shall satisfy the criteria specified in division (B) of 4737
section 5502.701 of the Revised Code, to conduct the duties 4738
described in sections 5502.702 and 5502.703 of the Revised Code. 4739

The regions shall be the same as those described in 4740
~~division (A) of~~ section 3312.02 of the Revised Code. To carry 4741

out the duties prescribed by sections 5502.702 and 5502.703 of 4742
the Revised Code, a regional mobile training officer may hire 4743
and maintain necessary staff and may enter into any necessary 4744
agreements. 4745

(D) Except as otherwise provided by law, nothing in this 4746
section or in sections 5502.702 and 5502.703 of the Revised Code 4747
shall be construed to give the director of public safety, the 4748
chief mobile training officer, or a regional mobile training 4749
officer authority over the incident management structure or 4750
responsibilities of local emergency response personnel. 4751

(E) The department of public safety, in accordance with 4752
Chapter 119. of the Revised Code, shall adopt rules with respect 4753
to the Ohio mobile training team. The rules shall be made 4754
available for public inspection at the department of public 4755
safety and at other places and during reasonable hours as fixed 4756
by the chief mobile training officer of the Ohio mobile training 4757
team. 4758

Section 2. That existing sections 3301.0714, 3302.03, 4759
3302.12, 3302.151, 3311.80, 3312.02, 3313.26, 3313.413, 3313.48, 4760
3313.92, 3314.012, 3314.016, 3314.017, 3314.0211, 3314.03, 4761
3314.11, 3314.29, 3314.35, 3319.077, 3319.0811, 3319.111, 4762
3319.112, 3319.172, 3319.22, 3319.2210, 3319.27, 3319.291, 4763
3319.316, 3326.11, and 5502.70 of the Revised Code are hereby 4764
repealed. 4765

Section 3. That sections 3301.0717, 3301.131, 3301.134, 4766
3301.14, 3301.30, 3302.22, 3313.6015, 3314.20, 3317.50, 3317.51, 4767
3319.234, 3319.55, 3319.56, and 3319.57 of the Revised Code are 4768
hereby repealed. 4769

Section 4. That the versions of sections 3301.0714 and 4770

3314.03 of the Revised Code that are scheduled to take effect on 4771
January 1, 2025, be amended to read as follows: 4772

Sec. 3301.0714. (A) The department of education and 4773
workforce shall adopt rules for a statewide education management 4774
information system. The rules shall require the department to 4775
establish guidelines for the establishment and maintenance of 4776
the system in accordance with this section and the rules adopted 4777
under this section. The guidelines shall include: 4778

(1) Standards identifying and defining the types of data 4779
in the system in accordance with divisions (B) and (C) of this 4780
section; 4781

(2) Procedures for annually collecting and reporting the 4782
data to the department in accordance with division (D) of this 4783
section; 4784

(3) Procedures for annually compiling the data in 4785
accordance with division (G) of this section; 4786

(4) Procedures for annually reporting the data to the 4787
public in accordance with division (H) of this section; 4788

(5) Standards to provide strict safeguards to protect the 4789
confidentiality of personally identifiable student data. 4790

(B) The guidelines adopted under this section shall 4791
require the data maintained in the education management 4792
information system to include at least the following: 4793

(1) Student participation and performance data, for each 4794
grade in each school district as a whole and for each grade in 4795
each school building in each school district, that includes: 4796

(a) The numbers of students receiving each category of 4797
instructional service offered by the school district, such as 4798

regular education instruction, vocational education instruction, 4799
specialized instruction programs or enrichment instruction that 4800
is part of the educational curriculum, instruction for gifted 4801
students, instruction for students with disabilities, and 4802
remedial instruction. The guidelines shall require instructional 4803
services under this division to be divided into discrete 4804
categories if an instructional service is limited to a specific 4805
subject, a specific type of student, or both, such as regular 4806
instructional services in mathematics, remedial reading 4807
instructional services, instructional services specifically for 4808
students gifted in mathematics or some other subject area, or 4809
instructional services for students with a specific type of 4810
disability. The categories of instructional services required by 4811
the guidelines under this division shall be the same as the 4812
categories of instructional services used in determining cost 4813
units pursuant to division (C) (3) of this section. 4814

(b) The numbers of students receiving support or 4815
extracurricular services for each of the support services or 4816
extracurricular programs offered by the school district, such as 4817
counseling services, health services, and extracurricular sports 4818
and fine arts programs. The categories of services required by 4819
the guidelines under this division shall be the same as the 4820
categories of services used in determining cost units pursuant 4821
to division (C) (4) (a) of this section. 4822

(c) Average student grades in each subject in grades nine 4823
through twelve; 4824

(d) Academic achievement levels as assessed under sections 4825
3301.0710, 3301.0711, and 3301.0712 of the Revised Code; 4826

(e) The number of students designated as having a 4827
disabling condition pursuant to division (C) (1) of section 4828

3301.0711 of the Revised Code; 4829

(f) The numbers of students reported to the department 4830
pursuant to division (C) (2) of section 3301.0711 of the Revised 4831
Code; 4832

(g) Attendance rates and the average daily attendance for 4833
the year. For purposes of this division, a student shall be 4834
counted as present for any field trip that is approved by the 4835
school administration. 4836

(h) Expulsion rates; 4837

(i) Suspension rates; 4838

(j) Dropout rates; 4839

(k) Rates of retention in grade; 4840

(l) For pupils in grades nine through twelve, the average 4841
number of carnegie units, as calculated in accordance with the 4842
director's rules; 4843

(m) Graduation rates, to be calculated in a manner 4844
specified by the department that reflects the rate at which 4845
students who were in the ninth grade three years prior to the 4846
current year complete school and that is consistent with 4847
nationally accepted reporting requirements; 4848

(n) Results of diagnostic assessments administered to 4849
kindergarten students as required under section 3301.0715 of the 4850
Revised Code to permit a comparison of the academic readiness of 4851
kindergarten students. However, no district shall be required to 4852
report to the department the results of any diagnostic 4853
assessment administered to a kindergarten student, except for 4854
the language and reading assessment described in division (A) (2) 4855
of section 3301.0715 of the Revised Code, if the parent of that 4856

student requests the district not to report those results. 4857

~~(o) Beginning on July 1, 2018, for each disciplinary 4858
action which is required to be reported under division (B) (5) of 4859
this section, districts and schools also shall include an 4860
identification of the person or persons, if any, at whom the 4861
student's violent behavior that resulted in discipline was 4862
directed. The person or persons shall be identified by the 4863
respective classification at the district or school, such as 4864
student, teacher, or nonteaching employee, but shall not be 4865
identified by name. 4866~~

~~Division (B) (1) (o) of this section does not apply after 4867
the date that is two years following the submission of the 4868
report required by Section 733.13 of H.B. 49 of the 132nd 4869
general assembly. 4870~~

~~(p)~~ The number of students earning each state diploma seal 4871
included in the system prescribed under division (A) of section 4872
3313.6114 of the Revised Code; 4873

~~(q)~~ (p) The number of students demonstrating competency 4874
for graduation using each option described in divisions (B) (1) 4875
(a) to (d) of section 3313.618 of the Revised Code; 4876

~~(r)~~ (q) The number of students completing each 4877
foundational and supporting option as part of the demonstration 4878
of competency for graduation pursuant to division (B) (1) (b) of 4879
section 3313.618 of the Revised Code; 4880

~~(s)~~ (r) The number of students enrolled in all-day 4881
kindergarten, as defined in section 3321.05 of the Revised Code. 4882

(2) Personnel and classroom enrollment data for each 4883
school district, including: 4884

(a) The total numbers of licensed employees and 4885
nonlicensed employees and the numbers of full-time equivalent 4886
licensed employees and nonlicensed employees providing each 4887
category of instructional service, instructional support 4888
service, and administrative support service used pursuant to 4889
division (C) (3) of this section. The guidelines adopted under 4890
this section shall require these categories of data to be 4891
maintained for the school district as a whole and, wherever 4892
applicable, for each grade in the school district as a whole, 4893
for each school building as a whole, and for each grade in each 4894
school building. 4895

(b) The total number of employees and the number of full- 4896
time equivalent employees providing each category of service 4897
used pursuant to divisions (C) (4) (a) and (b) of this section, 4898
and the total numbers of licensed employees and nonlicensed 4899
employees and the numbers of full-time equivalent licensed 4900
employees and nonlicensed employees providing each category used 4901
pursuant to division (C) (4) (c) of this section. The guidelines 4902
adopted under this section shall require these categories of 4903
data to be maintained for the school district as a whole and, 4904
wherever applicable, for each grade in the school district as a 4905
whole, for each school building as a whole, and for each grade 4906
in each school building. 4907

(c) The total number of regular classroom teachers 4908
teaching classes of regular education and the average number of 4909
pupils enrolled in each such class, in each of grades 4910
kindergarten through five in the district as a whole and in each 4911
school building in the school district. 4912

(d) The number of lead teachers employed by each school 4913
district and each school building. 4914

(3) (a) Student demographic data for each school district, 4915
including information regarding the gender ratio of the school 4916
district's pupils, the racial make-up of the school district's 4917
pupils, the number of English learners in the district, and an 4918
appropriate measure of the number of the school district's 4919
pupils who reside in economically disadvantaged households. The 4920
demographic data shall be collected in a manner to allow 4921
correlation with data collected under division (B) (1) of this 4922
section. Categories for data collected pursuant to division (B) 4923
(3) of this section shall conform, where appropriate, to 4924
standard practices of agencies of the federal government. 4925

(b) With respect to each student entering kindergarten, 4926
whether the student previously participated in a public 4927
preschool program, a private preschool program, or a head start 4928
program, and the number of years the student participated in 4929
each of these programs. 4930

(4) (a) The core curriculum and instructional materials 4931
being used for English language arts in each of grades pre- 4932
kindergarten to five; 4933

(b) The reading intervention programs being used in each 4934
of grades pre-kindergarten to twelve. 4935

(5) Any data required to be collected pursuant to federal 4936
law. 4937

(C) The education management information system shall 4938
include cost accounting data for each district as a whole and 4939
for each school building in each school district. The guidelines 4940
adopted under this section shall require the cost data for each 4941
school district to be maintained in a system of mutually 4942
exclusive cost units and shall require all of the costs of each 4943

school district to be divided among the cost units. The 4944
guidelines shall require the system of mutually exclusive cost 4945
units to include at least the following: 4946

(1) Administrative costs for the school district as a 4947
whole. The guidelines shall require the cost units under this 4948
division (C) (1) to be designed so that each of them may be 4949
compiled and reported in terms of average expenditure per pupil 4950
in enrolled ADM in the school district, as determined pursuant 4951
to section 3317.03 of the Revised Code. 4952

(2) Administrative costs for each school building in the 4953
school district. The guidelines shall require the cost units 4954
under this division (C) (2) to be designed so that each of them 4955
may be compiled and reported in terms of average expenditure per 4956
full-time equivalent pupil receiving instructional or support 4957
services in each building. 4958

(3) Instructional services costs for each category of 4959
instructional service provided directly to students and required 4960
by guidelines adopted pursuant to division (B) (1) (a) of this 4961
section. The guidelines shall require the cost units under 4962
division (C) (3) of this section to be designed so that each of 4963
them may be compiled and reported in terms of average 4964
expenditure per pupil receiving the service in the school 4965
district as a whole and average expenditure per pupil receiving 4966
the service in each building in the school district and in terms 4967
of a total cost for each category of service and, as a breakdown 4968
of the total cost, a cost for each of the following components: 4969

(a) The cost of each instructional services category 4970
required by guidelines adopted under division (B) (1) (a) of this 4971
section that is provided directly to students by a classroom 4972
teacher; 4973

(b) The cost of the instructional support services, such 4974
as services provided by a speech-language pathologist, classroom 4975
aide, multimedia aide, or librarian, provided directly to 4976
students in conjunction with each instructional services 4977
category; 4978

(c) The cost of the administrative support services 4979
related to each instructional services category, such as the 4980
cost of personnel that develop the curriculum for the 4981
instructional services category and the cost of personnel 4982
supervising or coordinating the delivery of the instructional 4983
services category. 4984

(4) Support or extracurricular services costs for each 4985
category of service directly provided to students and required 4986
by guidelines adopted pursuant to division (B) (1) (b) of this 4987
section. The guidelines shall require the cost units under 4988
division (C) (4) of this section to be designed so that each of 4989
them may be compiled and reported in terms of average 4990
expenditure per pupil receiving the service in the school 4991
district as a whole and average expenditure per pupil receiving 4992
the service in each building in the school district and in terms 4993
of a total cost for each category of service and, as a breakdown 4994
of the total cost, a cost for each of the following components: 4995

(a) The cost of each support or extracurricular services 4996
category required by guidelines adopted under division (B) (1) (b) 4997
of this section that is provided directly to students by a 4998
licensed employee, such as services provided by a guidance 4999
counselor or any services provided by a licensed employee under 5000
a supplemental contract; 5001

(b) The cost of each such services category provided 5002
directly to students by a nonlicensed employee, such as 5003

janitorial services, cafeteria services, or services of a sports 5004
trainer; 5005

(c) The cost of the administrative services related to 5006
each services category in division (C) (4) (a) or (b) of this 5007
section, such as the cost of any licensed or nonlicensed 5008
employees that develop, supervise, coordinate, or otherwise are 5009
involved in administering or aiding the delivery of each 5010
services category. 5011

(D) (1) The guidelines adopted under this section shall 5012
require school districts to collect information about individual 5013
students, staff members, or both in connection with any data 5014
required by division (B) or (C) of this section or other 5015
reporting requirements established in the Revised Code. The 5016
guidelines may also require school districts to report 5017
information about individual staff members in connection with 5018
any data required by division (B) or (C) of this section or 5019
other reporting requirements established in the Revised Code. 5020
The guidelines shall not authorize school districts to request 5021
social security numbers of individual students. The guidelines 5022
shall prohibit the reporting under this section of a student's 5023
name, address, and social security number to the department. The 5024
guidelines shall also prohibit the reporting under this section 5025
of any personally identifiable information about any student, 5026
except for the purpose of assigning the data verification code 5027
required by division (D) (2) of this section, to any other person 5028
unless such person is employed by the school district or the 5029
information technology center operated under section 3301.075 of 5030
the Revised Code and is authorized by the district or technology 5031
center to have access to such information or is employed by an 5032
entity with which the department contracts for the scoring or 5033
the development of state assessments. The guidelines may require 5034

school districts to provide the social security numbers of 5035
individual staff members and the county of residence for a 5036
student. Nothing in this section prohibits the department from 5037
providing a student's county of residence to the department of 5038
taxation to facilitate the distribution of tax revenue. 5039

(2) (a) The guidelines shall provide for each school 5040
district or community school to assign a data verification code 5041
that is unique on a statewide basis over time to each student 5042
whose initial Ohio enrollment is in that district or school and 5043
to report all required individual student data for that student 5044
utilizing such code. The guidelines shall also provide for 5045
assigning data verification codes to all students enrolled in 5046
districts or community schools on the effective date of the 5047
guidelines established under this section. The assignment of 5048
data verification codes for other entities, as described in 5049
division (D) (2) (d) of this section, the use of those codes, and 5050
the reporting and use of associated individual student data 5051
shall be coordinated by the department of education and 5052
workforce in accordance with state and federal law. 5053

School districts shall report individual student data to 5054
the department through the information technology centers 5055
utilizing the code. The entities described in division (D) (2) (d) 5056
of this section shall report individual student data to the 5057
department in the manner prescribed by the department. 5058

(b) (i) Except as provided in sections 3301.941, 3310.11, 5059
3310.42, 3310.63, 3313.978, 3317.20, and 5747.057 of the Revised 5060
Code, and in division (D) (2) (b) (ii) of this section, at no time 5061
shall the department have access to information that would 5062
enable any data verification code to be matched to personally 5063
identifiable student data. 5064

(ii) For the purpose of making per-pupil payments to 5065
community schools under section 3317.022 of the Revised Code, 5066
the department shall have access to information that would 5067
enable any data verification code to be matched to personally 5068
identifiable student data. 5069

(c) Each school district and community school shall ensure 5070
that the data verification code is included in the student's 5071
records reported to any subsequent school district, community 5072
school, or state institution of higher education, as defined in 5073
section 3345.011 of the Revised Code, in which the student 5074
enrolls. Any such subsequent district or school shall utilize 5075
the same identifier in its reporting of data under this section. 5076

(d) (i) The director of any state agency that administers a 5077
publicly funded program providing services to children who are 5078
younger than compulsory school age, as defined in section 5079
3321.01 of the Revised Code, including the directors of health, 5080
job and family services, mental health and addiction services, 5081
children and youth, and developmental disabilities, shall 5082
request and receive, pursuant to sections 3301.0723 and 5180.33 5083
of the Revised Code, a data verification code for a child who is 5084
receiving those services. 5085

(ii) The director of developmental disabilities, director 5086
of health, director of job and family services, director of 5087
mental health and addiction services, medicaid director, 5088
executive director of the commission on minority health, 5089
executive director of the opportunities for Ohioans with 5090
disabilities agency, or director of education and workforce, on 5091
behalf of a program that receives public funds and provides 5092
services to children who are younger than compulsory school age, 5093
may request and receive, pursuant to section 3301.0723 of the 5094

Revised Code, a data verification code for a child who is 5095
receiving services from the program. 5096

(E) The guidelines adopted under this section may require 5097
school districts to collect and report data, information, or 5098
reports other than that described in divisions (A), (B), and (C) 5099
of this section for the purpose of complying with other 5100
reporting requirements established in the Revised Code. The 5101
other data, information, or reports may be maintained in the 5102
education management information system but are not required to 5103
be compiled as part of the profile formats required under 5104
division (G) of this section or the annual statewide report 5105
required under division (H) of this section. 5106

(F) The board of education of each school district shall 5107
annually collect and report to the department, in accordance 5108
with the guidelines established by the department, the data 5109
required pursuant to this section. A school district may collect 5110
and report these data notwithstanding section 2151.357 or 5111
3319.321 of the Revised Code. 5112

(G) The department shall, in accordance with the 5113
procedures it adopts, annually compile the data reported by each 5114
school district pursuant to division (D) of this section. The 5115
department shall design formats for profiling each school 5116
district as a whole and each school building within each 5117
district and shall compile the data in accordance with these 5118
formats. These profile formats shall: 5119

(1) Include all of the data gathered under this section in 5120
a manner that facilitates comparison among school districts and 5121
among school buildings within each school district; 5122

(2) Present the data on academic achievement levels as 5123

assessed by the testing of student achievement maintained 5124
pursuant to division (B) (1) (d) of this section. 5125

(H) (1) The department shall, in accordance with the 5126
procedures it adopts, annually prepare a statewide report for 5127
all school districts and the general public that includes the 5128
profile of each of the school districts developed pursuant to 5129
division (G) of this section. Copies of the report shall be sent 5130
to each school district. 5131

(2) The department shall, in accordance with the 5132
procedures it adopts, annually prepare an individual report for 5133
each school district and the general public that includes the 5134
profiles of each of the school buildings in that school district 5135
developed pursuant to division (G) of this section. ~~Copies of~~ 5136
~~the report shall be sent to the superintendent of the district~~ 5137
~~and to each member of the district board of education.~~ 5138

~~(3) Copies of the reports prescribed in divisions (H) (1)~~ 5139
~~and (2) of this section shall be made available to the general~~ 5140
~~public at each school district's offices. Each district board of~~ 5141
~~education shall make copies of each report available to any~~ 5142
~~person upon request and payment of a reasonable fee for the cost~~ 5143
~~of reproducing the report. The board shall annually publish in a~~ 5144
~~newspaper of general circulation in the school district, at~~ 5145
~~least twice during the two weeks prior to the week in which the~~ 5146
~~reports will first be available, a notice containing the address~~ 5147
~~where the reports are available and the date on which the~~ 5148
~~reports will be available.~~ 5149

(I) Any data that is collected or maintained pursuant to 5150
this section and that identifies an individual pupil is not a 5151
public record for the purposes of section 149.43 of the Revised 5152
Code. 5153

(J) As used in this section: 5154

(1) "School district" means any city, local, exempted 5155
village, or joint vocational school district and, in accordance 5156
with section 3314.17 of the Revised Code, any community school. 5157
As used in division (L) of this section, "school district" also 5158
includes any educational service center or other educational 5159
entity required to submit data using the system established 5160
under this section. 5161

(2) "Cost" means any expenditure for operating expenses 5162
made by a school district excluding any expenditures for debt 5163
retirement except for payments made to any commercial lending 5164
institution for any loan approved pursuant to section 3313.483 5165
of the Revised Code. 5166

(K) Any person who removes data from the information 5167
system established under this section for the purpose of 5168
releasing it to any person not entitled under law to have access 5169
to such information is subject to section 2913.42 of the Revised 5170
Code prohibiting tampering with data. 5171

(L) (1) In accordance with division (L) (2) of this section 5172
and the rules adopted under division (L) (10) of this section, 5173
the department may sanction any school district that reports 5174
incomplete or inaccurate data, reports data that does not 5175
conform to data requirements and descriptions published by the 5176
department, fails to report data in a timely manner, or 5177
otherwise does not make a good faith effort to report data as 5178
required by this section. 5179

(2) If the department decides to sanction a school 5180
district under this division, the department shall take the 5181
following sequential actions: 5182

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

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

(c) Withhold an additional amount of up to twenty per cent
of the total amount of state funds due to the district for the
current fiscal year;

(d) Direct department staff or an outside entity to
investigate the district's data reporting practices and make
recommendations for subsequent actions. The recommendations may
include one or more of the following actions:

(i) Arrange for an audit of the district's data reporting
practices by department staff or an outside entity;

(ii) Conduct a site visit and evaluation of the district;

(iii) Withhold an additional amount of up to thirty per
cent of the total amount of state funds due to the district for
the current fiscal year;

(iv) Continue monitoring the district's data reporting;

(v) Assign department staff to supervise the district's

data management system; 5211

(vi) Conduct an investigation to determine whether to 5212
suspend or revoke the license of any district employee in 5213
accordance with division (N) of this section; 5214

(vii) If the district is issued a report card under 5215
section 3302.03 of the Revised Code, indicate on the report card 5216
that the district has been sanctioned for failing to report data 5217
as required by this section; 5218

(viii) If the district is issued a report card under 5219
section 3302.03 of the Revised Code and incomplete or inaccurate 5220
data submitted by the district likely caused the district to 5221
receive a higher performance rating than it deserved under that 5222
section, issue a revised report card for the district; 5223

(ix) Any other action designed to correct the district's 5224
data reporting problems. 5225

(3) Any time the department takes an action against a 5226
school district under division (L)(2) of this section, the 5227
department shall make a report of the circumstances that 5228
prompted the action. The department shall send a copy of the 5229
report to the district superintendent or chief administrator and 5230
maintain a copy of the report in its files. 5231

(4) If any action taken under division (L)(2) of this 5232
section resolves a school district's data reporting problems to 5233
the department's satisfaction, the department shall not take any 5234
further actions described by that division. If the department 5235
withheld funds from the district under that division, the 5236
department may release those funds to the district, except that 5237
if the department withheld funding under division (L)(2)(c) of 5238
this section, the department shall not release the funds 5239

withheld under division (L) (2) (b) of this section and, if the
department withheld funding under division (L) (2) (d) of this
section, the department shall not release the funds withheld
under division (L) (2) (b) or (c) of this section.

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

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

(7) If the department determines that any inaccurate data

reported under this section caused a school district to receive 5270
excess state funds in any fiscal year, the district shall 5271
reimburse the department an amount equal to the excess funds, in 5272
accordance with a payment schedule determined by the department. 5273
The department may withhold state funds due to the district for 5274
this purpose. 5275

(8) Any school district that has funds withheld under 5276
division (L) (2) of this section may appeal the withholding in 5277
accordance with Chapter 119. of the Revised Code. 5278

(9) In all cases of a disagreement between the department 5279
and a school district regarding the appropriateness of an action 5280
taken under division (L) (2) of this section, the burden of proof 5281
shall be on the district to demonstrate that it made a good 5282
faith effort to report data as required by this section. 5283

(10) The director of education and workforce shall adopt 5284
rules under Chapter 119. of the Revised Code to implement 5285
division (L) of this section. 5286

(M) No information technology center or school district 5287
shall acquire, change, or update its student administration 5288
software package to manage and report data required to be 5289
reported to the department unless it converts to a student 5290
software package that is certified by the department. 5291

(N) The state board of education, in accordance with 5292
sections 3319.31 and 3319.311 of the Revised Code, may suspend 5293
or revoke a license as defined under division (A) of section 5294
3319.31 of the Revised Code that has been issued to any school 5295
district employee found to have willfully reported erroneous, 5296
inaccurate, or incomplete data to the education management 5297
information system. 5298

(O) No person shall release or maintain any information 5299
about any student in violation of this section. Whoever violates 5300
this division is guilty of a misdemeanor of the fourth degree. 5301

(P) The department shall disaggregate the data collected 5302
under division (B) (1) (n) of this section according to the race 5303
and socioeconomic status of the students assessed. 5304

(Q) If the department cannot compile any of the 5305
information required by division (I) of section 3302.03 of the 5306
Revised Code based upon the data collected under this section, 5307
the department shall develop a plan and a reasonable timeline 5308
for the collection of any data necessary to comply with that 5309
division. 5310

Sec. 3314.03. A copy of every contract entered into under 5311
this section shall be filed with the director of education and 5312
workforce. The department of education and workforce shall make 5313
available on its web site a copy of every approved, executed 5314
contract filed with the director under this section. 5315

(A) Each contract entered into between a sponsor and the 5316
governing authority of a community school shall specify the 5317
following: 5318

(1) That the school shall be established as either of the 5319
following: 5320

(a) A nonprofit corporation established under Chapter 5321
1702. of the Revised Code, if established prior to April 8, 5322
2003; 5323

(b) A public benefit corporation established under Chapter 5324
1702. of the Revised Code, if established after April 8, 2003. 5325

(2) The education program of the school, including the 5326

school's mission, the characteristics of the students the school 5327
is expected to attract, the ages and grades of students, and the 5328
focus of the curriculum; 5329

(3) The academic goals to be achieved and the method of 5330
measurement that will be used to determine progress toward those 5331
goals, which shall include the statewide achievement 5332
assessments; 5333

(4) Performance standards, including but not limited to 5334
all applicable report card measures set forth in section 3302.03 5335
or 3314.017 of the Revised Code, by which the success of the 5336
school will be evaluated by the sponsor; 5337

(5) The admission standards of section 3314.06 of the 5338
Revised Code and, if applicable, section 3314.061 of the Revised 5339
Code; 5340

(6) (a) Dismissal procedures; 5341

(b) A requirement that the governing authority adopt an 5342
attendance policy that includes a procedure for automatically 5343
withdrawing a student from the school if the student without a 5344
legitimate excuse fails to participate in seventy-two 5345
consecutive hours of the learning opportunities offered to the 5346
student. 5347

(7) The ways by which the school will achieve racial and 5348
ethnic balance reflective of the community it serves; 5349

(8) Requirements for financial audits by the auditor of 5350
state. The contract shall require financial records of the 5351
school to be maintained in the same manner as are financial 5352
records of school districts, pursuant to rules of the auditor of 5353
state. Audits shall be conducted in accordance with section 5354
117.10 of the Revised Code. 5355

(9) An addendum to the contract outlining the facilities 5356
to be used that contains at least the following information: 5357

(a) A detailed description of each facility used for 5358
instructional purposes; 5359

(b) The annual costs associated with leasing each facility 5360
that are paid by or on behalf of the school; 5361

(c) The annual mortgage principal and interest payments 5362
that are paid by the school; 5363

(d) The name of the lender or landlord, identified as 5364
such, and the lender's or landlord's relationship to the 5365
operator, if any. 5366

(10) Qualifications of employees, including both of the 5367
following: 5368

(a) A requirement that the school's classroom teachers be 5369
licensed in accordance with sections 3319.22 to 3319.31 of the 5370
Revised Code, except that a community school may engage 5371
noncertificated persons to teach up to twelve hours or forty 5372
hours per week pursuant to section 3319.301 of the Revised Code; 5373

(b) A prohibition against the school employing an 5374
individual described in section 3314.104 of the Revised Code in 5375
any position. 5376

(11) That the school will comply with the following 5377
requirements: 5378

(a) The school will provide learning opportunities to a 5379
minimum of twenty-five students for a minimum of nine hundred 5380
twenty hours per school year. 5381

(b) The governing authority will purchase liability 5382

insurance, or otherwise provide for the potential liability of 5383
the school. 5384

(c) The school will be nonsectarian in its programs, 5385
admission policies, employment practices, and all other 5386
operations, and will not be operated by a sectarian school or 5387
religious institution. 5388

(d) The school will comply with sections 9.90, 9.91, 5389
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 5390
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 5391
3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 5392
3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, ~~3313.6015,~~ 5393
3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 5394
3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 5395
3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 5396
3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 5397
3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 5398
3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 5399
3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 5400
3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 5401
3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3320.01, 3320.02, 5402
3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 5403
3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 5404
4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 117., 5405
1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. of 5406
the Revised Code as if it were a school district and will comply 5407
with section 3301.0714 of the Revised Code in the manner 5408
specified in section 3314.17 of the Revised Code. 5409

(e) The school shall comply with Chapter 102. and section 5410
2921.42 of the Revised Code. 5411

(f) The school will comply with sections 3313.61, 5412

3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 5413
Revised Code, except that for students who enter ninth grade for 5414
the first time before July 1, 2010, the requirement in sections 5415
3313.61 and 3313.611 of the Revised Code that a person must 5416
successfully complete the curriculum in any high school prior to 5417
receiving a high school diploma may be met by completing the 5418
curriculum adopted by the governing authority of the community 5419
school rather than the curriculum specified in Title XXXIII of 5420
the Revised Code or any rules of the department. Beginning with 5421
students who enter ninth grade for the first time on or after 5422
July 1, 2010, the requirement in sections 3313.61 and 3313.611 5423
of the Revised Code that a person must successfully complete the 5424
curriculum of a high school prior to receiving a high school 5425
diploma shall be met by completing the requirements prescribed 5426
in section 3313.6027 and division (C) of section 3313.603 of the 5427
Revised Code, unless the person qualifies under division (D) or 5428
(F) of that section. Each school shall comply with the plan for 5429
awarding high school credit based on demonstration of subject 5430
area competency, and beginning with the 2017-2018 school year, 5431
with the updated plan that permits students enrolled in seventh 5432
and eighth grade to meet curriculum requirements based on 5433
subject area competency adopted by the department under 5434
divisions (J) (1) and (2) of section 3313.603 of the Revised 5435
Code. Beginning with the 2018-2019 school year, the school shall 5436
comply with the framework for granting units of high school 5437
credit to students who demonstrate subject area competency 5438
through work-based learning experiences, internships, or 5439
cooperative education developed by the department under division 5440
(J) (3) of section 3313.603 of the Revised Code. 5441

(g) The school governing authority will submit within four 5442
months after the end of each school year a report of its 5443

activities and progress in meeting the goals and standards of 5444
divisions (A) (3) and (4) of this section and its financial 5445
status to the sponsor and the parents of all students enrolled 5446
in the school. 5447

(h) The school, unless it is an internet- or computer- 5448
based community school, will comply with section 3313.801 of the 5449
Revised Code as if it were a school district. 5450

(i) If the school is the recipient of moneys from a grant 5451
awarded under the federal race to the top program, Division (A), 5452
Title XIV, Sections 14005 and 14006 of the "American Recovery 5453
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 5454
the school will pay teachers based upon performance in 5455
accordance with section 3317.141 and will comply with section 5456
3319.111 of the Revised Code as if it were a school district. 5457

(j) If the school operates a preschool program that is 5458
licensed by the department under sections 3301.52 to 3301.59 of 5459
the Revised Code, the school shall comply with sections 3301.50 5460
to 3301.59 of the Revised Code and the minimum standards for 5461
preschool programs prescribed in rules adopted by the department 5462
of children and youth under section 3301.53 of the Revised Code. 5463

(k) The school will comply with sections 3313.6021 and 5464
3313.6023 of the Revised Code as if it were a school district 5465
unless it is either of the following: 5466

(i) An internet- or computer-based community school; 5467

(ii) A community school in which a majority of the 5468
enrolled students are children with disabilities as described in 5469
division ~~(A) (4) (b)~~ (B) (2) of section 3314.35 of the Revised 5470
Code. 5471

(l) The school will comply with section 3321.191 of the 5472

Revised Code, unless it is an internet- or computer-based 5473
community school that is subject to section 3314.261 of the 5474
Revised Code. 5475

(12) Arrangements for providing health and other benefits 5476
to employees; 5477

(13) The length of the contract, which shall begin at the 5478
beginning of an academic year. No contract shall exceed five 5479
years unless such contract has been renewed pursuant to division 5480
(E) of this section. 5481

(14) The governing authority of the school, which shall be 5482
responsible for carrying out the provisions of the contract; 5483

(15) A financial plan detailing an estimated school budget 5484
for each year of the period of the contract and specifying the 5485
total estimated per pupil expenditure amount for each such year. 5486

(16) Requirements and procedures regarding the disposition 5487
of employees of the school in the event the contract is 5488
terminated or not renewed pursuant to section 3314.07 of the 5489
Revised Code; 5490

(17) Whether the school is to be created by converting all 5491
or part of an existing public school or educational service 5492
center building or is to be a new start-up school, and if it is 5493
a converted public school or service center building, 5494
specification of any duties or responsibilities of an employer 5495
that the board of education or service center governing board 5496
that operated the school or building before conversion is 5497
delegating to the governing authority of the community school 5498
with respect to all or any specified group of employees provided 5499
the delegation is not prohibited by a collective bargaining 5500
agreement applicable to such employees; 5501

(18) Provisions establishing procedures for resolving 5502
disputes or differences of opinion between the sponsor and the 5503
governing authority of the community school; 5504

(19) A provision requiring the governing authority to 5505
adopt a policy regarding the admission of students who reside 5506
outside the district in which the school is located. That policy 5507
shall comply with the admissions procedures specified in 5508
sections 3314.06 and 3314.061 of the Revised Code and, at the 5509
sole discretion of the authority, shall do one of the following: 5510

(a) Prohibit the enrollment of students who reside outside 5511
the district in which the school is located; 5512

(b) Permit the enrollment of students who reside in 5513
districts adjacent to the district in which the school is 5514
located; 5515

(c) Permit the enrollment of students who reside in any 5516
other district in the state. 5517

(20) A provision recognizing the authority of the 5518
department to take over the sponsorship of the school in 5519
accordance with the provisions of division (C) of section 5520
3314.015 of the Revised Code; 5521

(21) A provision recognizing the sponsor's authority to 5522
assume the operation of a school under the conditions specified 5523
in division (B) of section 3314.073 of the Revised Code; 5524

(22) A provision recognizing both of the following: 5525

(a) The authority of public health and safety officials to 5526
inspect the facilities of the school and to order the facilities 5527
closed if those officials find that the facilities are not in 5528
compliance with health and safety laws and regulations; 5529

(b) The authority of the department as the community 5530
school oversight body to suspend the operation of the school 5531
under section 3314.072 of the Revised Code if the department has 5532
evidence of conditions or violations of law at the school that 5533
pose an imminent danger to the health and safety of the school's 5534
students and employees and the sponsor refuses to take such 5535
action. 5536

(23) A description of the learning opportunities that will 5537
be offered to students including both classroom-based and non- 5538
classroom-based learning opportunities that is in compliance 5539
with criteria for student participation established by the 5540
department under division (H) (2) of section 3314.08 of the 5541
Revised Code; 5542

(24) The school will comply with sections 3302.04 and 5543
3302.041 of the Revised Code, except that any action required to 5544
be taken by a school district pursuant to those sections shall 5545
be taken by the sponsor of the school. 5546

(25) Beginning in the 2006-2007 school year, the school 5547
will open for operation not later than the thirtieth day of 5548
September each school year, unless the mission of the school as 5549
specified under division (A) (2) of this section is solely to 5550
serve dropouts. In its initial year of operation, if the school 5551
fails to open by the thirtieth day of September, or within one 5552
year after the adoption of the contract pursuant to division (D) 5553
of section 3314.02 of the Revised Code if the mission of the 5554
school is solely to serve dropouts, the contract shall be void. 5555

(26) Whether the school's governing authority is planning 5556
to seek designation for the school as a STEM school equivalent 5557
under section 3326.032 of the Revised Code; 5558

(27) That the school's attendance and participation 5559
policies will be available for public inspection; 5560

(28) That the school's attendance and participation 5561
records shall be made available to the department, auditor of 5562
state, and school's sponsor to the extent permitted under and in 5563
accordance with the "Family Educational Rights and Privacy Act 5564
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 5565
regulations promulgated under that act, and section 3319.321 of 5566
the Revised Code; 5567

(29) If a school operates using the blended learning 5568
model, as defined in section 3301.079 of the Revised Code, all 5569
of the following information: 5570

(a) An indication of what blended learning model or models 5571
will be used; 5572

(b) A description of how student instructional needs will 5573
be determined and documented; 5574

(c) The method to be used for determining competency, 5575
granting credit, and promoting students to a higher grade level; 5576

(d) The school's attendance requirements, including how 5577
the school will document participation in learning 5578
opportunities; 5579

(e) A statement describing how student progress will be 5580
monitored; 5581

(f) A statement describing how private student data will 5582
be protected; 5583

(g) A description of the professional development 5584
activities that will be offered to teachers. 5585

(30) A provision requiring that all moneys the school's 5586
operator loans to the school, including facilities loans or cash 5587
flow assistance, must be accounted for, documented, and bear 5588
interest at a fair market rate; 5589

(31) A provision requiring that, if the governing 5590
authority contracts with an attorney, accountant, or entity 5591
specializing in audits, the attorney, accountant, or entity 5592
shall be independent from the operator with which the school has 5593
contracted. 5594

(32) A provision requiring the governing authority to 5595
adopt an enrollment and attendance policy that requires a 5596
student's parent to notify the community school in which the 5597
student is enrolled when there is a change in the location of 5598
the parent's or student's primary residence. 5599

(33) A provision requiring the governing authority to 5600
adopt a student residence and address verification policy for 5601
students enrolling in or attending the school. 5602

(B) The community school shall also submit to the sponsor 5603
a comprehensive plan for the school. The plan shall specify the 5604
following: 5605

(1) The process by which the governing authority of the 5606
school will be selected in the future; 5607

(2) The management and administration of the school; 5608

(3) If the community school is a currently existing public 5609
school or educational service center building, alternative 5610
arrangements for current public school students who choose not 5611
to attend the converted school and for teachers who choose not 5612
to teach in the school or building after conversion; 5613

(4) The instructional program and educational philosophy 5614
of the school; 5615

(5) Internal financial controls. 5616

When submitting the plan under this division, the school 5617
shall also submit copies of all policies and procedures 5618
regarding internal financial controls adopted by the governing 5619
authority of the school. 5620

(C) A contract entered into under section 3314.02 of the 5621
Revised Code between a sponsor and the governing authority of a 5622
community school may provide for the community school governing 5623
authority to make payments to the sponsor, which is hereby 5624
authorized to receive such payments as set forth in the contract 5625
between the governing authority and the sponsor. The total 5626
amount of such payments for monitoring, oversight, and technical 5627
assistance of the school shall not exceed three per cent of the 5628
total amount of payments for operating expenses that the school 5629
receives from the state. 5630

(D) The contract shall specify the duties of the sponsor 5631
which shall be in accordance with the written agreement entered 5632
into with the department under division (B) of section 3314.015 5633
of the Revised Code and shall include the following: 5634

(1) Monitor the community school's compliance with all 5635
laws applicable to the school and with the terms of the 5636
contract; 5637

(2) Monitor and evaluate the academic and fiscal 5638
performance and the organization and operation of the community 5639
school on at least an annual basis; 5640

(3) Report on an annual basis the results of the 5641
evaluation conducted under division (D) (2) of this section to 5642

the department and to the parents of students enrolled in the 5643
community school; 5644

(4) Provide technical assistance to the community school 5645
in complying with laws applicable to the school and terms of the 5646
contract; 5647

(5) Take steps to intervene in the school's operation to 5648
correct problems in the school's overall performance, declare 5649
the school to be on probationary status pursuant to section 5650
3314.073 of the Revised Code, suspend the operation of the 5651
school pursuant to section 3314.072 of the Revised Code, or 5652
terminate the contract of the school pursuant to section 3314.07 5653
of the Revised Code as determined necessary by the sponsor; 5654

(6) Have in place a plan of action to be undertaken in the 5655
event the community school experiences financial difficulties or 5656
closes prior to the end of a school year. 5657

(E) Upon the expiration of a contract entered into under 5658
this section, the sponsor of a community school may, with the 5659
approval of the governing authority of the school, renew that 5660
contract for a period of time determined by the sponsor, but not 5661
ending earlier than the end of any school year, if the sponsor 5662
finds that the school's compliance with applicable laws and 5663
terms of the contract and the school's progress in meeting the 5664
academic goals prescribed in the contract have been 5665
satisfactory. Any contract that is renewed under this division 5666
remains subject to the provisions of sections 3314.07, 3314.072, 5667
and 3314.073 of the Revised Code. 5668

(F) If a community school fails to open for operation 5669
within one year after the contract entered into under this 5670
section is adopted pursuant to division (D) of section 3314.02 5671

of the Revised Code or permanently closes prior to the 5672
expiration of the contract, the contract shall be void and the 5673
school shall not enter into a contract with any other sponsor. A 5674
school shall not be considered permanently closed because the 5675
operations of the school have been suspended pursuant to section 5676
3314.072 of the Revised Code. 5677

Section 5. That the existing versions of sections 5678
3301.0714 and 3314.03 of the Revised Code that are scheduled to 5679
take effect January 1, 2025, are hereby repealed. 5680

Section 6. Sections 4 and 5 of this act take effect on 5681
January 1, 2025. 5682