

**As Introduced**

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

**S. B. No. 168**

**Senator Reynolds  
Cosponsor: Senator Brenner**

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**A BILL**

To amend sections 3301.0714, 3302.03, 3302.151, 1  
3311.80, 3312.02, 3313.413, 3313.48, 3313.92, 2  
3314.012, 3314.016, 3314.017, 3314.0211, 3  
3314.03, 3314.29, 3314.35, 3319.077, 3319.0811, 4  
3319.111, 3319.112, 3319.172, 3319.22, 3319.27, 5  
3319.291, 3323.251, 3326.11, and 5502.70; to 6  
enact sections 3319.225 and 3319.273; and to 7  
repeal sections 3301.0717, 3301.131, 3301.134, 8  
3301.14, 3301.30, 3302.22, 3313.6015, 3317.50, 9  
3317.51, 3319.234, 3319.55, 3319.56, and 3319.57 10  
of the Revised Code with regard to education 11  
regulation reform and to amend the versions of 12  
sections 3301.0714 and 3314.03 of the Revised 13  
Code that are scheduled to take effect January 14  
1, 2025, to continue the changes on and after 15  
that effective date. 16

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

**Section 1.** That sections 3301.0714, 3302.03, 3302.151, 17  
3311.80, 3312.02, 3313.413, 3313.48, 3313.92, 3314.012, 18  
3314.016, 3314.017, 3314.0211, 3314.03, 3314.29, 3314.35, 19

3319.077, 3319.0811, 3319.111, 3319.112, 3319.172, 3319.22, 20  
3319.27, 3319.291, 3323.251, 3326.11, and 5502.70 be amended and 21  
sections 3319.225 and 3319.273 of the Revised Code be enacted to 22  
read as follows: 23

**Sec. 3301.0714.** (A) The department of education and 24  
workforce shall adopt rules for a statewide education management 25  
information system. The rules shall require the department to 26  
establish guidelines for the establishment and maintenance of 27  
the system in accordance with this section and the rules adopted 28  
under this section. The guidelines shall include: 29

(1) Standards identifying and defining the types of data 30  
in the system in accordance with divisions (B) and (C) of this 31  
section; 32

(2) Procedures for annually collecting and reporting the 33  
data to the department in accordance with division (D) of this 34  
section; 35

(3) Procedures for annually compiling the data in 36  
accordance with division (G) of this section; 37

(4) Procedures for annually reporting the data to the 38  
public in accordance with division (H) of this section; 39

(5) Standards to provide strict safeguards to protect the 40  
confidentiality of personally identifiable student data. 41

(B) The guidelines adopted under this section shall 42  
require the data maintained in the education management 43  
information system to include at least the following: 44

(1) Student participation and performance data, for each 45  
grade in each school district as a whole and for each grade in 46  
each school building in each school district, that includes: 47

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

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

(c) Average student grades in each subject in grades nine through twelve;

(d) Academic achievement levels as assessed under sections 3301.0710, 3301.0711, and 3301.0712 of the Revised Code;

(e) The number of students designated as having a	78
disabling condition pursuant to division (C) (1) of section	79
3301.0711 of the Revised Code;	80
(f) The numbers of students reported to the department	81
pursuant to division (C) (2) of section 3301.0711 of the Revised	82
Code;	83
(g) Attendance rates and the average daily attendance for	84
the year. For purposes of this division, a student shall be	85
counted as present for any field trip that is approved by the	86
school administration.	87
(h) Expulsion rates;	88
(i) Suspension rates;	89
(j) Dropout rates;	90
(k) Rates of retention in grade;	91
(l) For pupils in grades nine through twelve, the average	92
number of carnegie units, as calculated in accordance with the	93
director's rules;	94
(m) Graduation rates, to be calculated in a manner	95
specified by the department that reflects the rate at which	96
students who were in the ninth grade three years prior to the	97
current year complete school and that is consistent with	98
nationally accepted reporting requirements;	99
(n) Results of diagnostic assessments administered to	100
kindergarten students as required under section 3301.0715 of the	101
Revised Code to permit a comparison of the academic readiness of	102
kindergarten students. However, no district shall be required to	103
report to the department the results of any diagnostic	104
assessment administered to a kindergarten student, except for	105

the language and reading assessment described in division (A) (2) 106  
of section 3301.0715 of the Revised Code, if the parent of that 107  
student requests the district not to report those results. 108

~~(o) Beginning on July 1, 2018, for each disciplinary 109  
action which is required to be reported under division (B) (5) of 110  
this section, districts and schools also shall include an 111  
identification of the person or persons, if any, at whom the 112  
student's violent behavior that resulted in discipline was 113  
directed. The person or persons shall be identified by the 114  
respective classification at the district or school, such as 115  
student, teacher, or nonteaching employee, but shall not be 116  
identified by name. 117~~

~~Division (B) (1) (o) of this section does not apply after 118  
the date that is two years following the submission of the 119  
report required by Section 733.13 of H.B. 49 of the 132nd 120  
general assembly. 121~~

~~(p)~~ The number of students earning each state diploma seal 122  
included in the system prescribed under division (A) of section 123  
3313.6114 of the Revised Code; 124

~~(q)~~ (p) The number of students demonstrating competency 125  
for graduation using each option described in divisions (B) (1) 126  
(a) to (d) of section 3313.618 of the Revised Code; 127

~~(r)~~ (q) The number of students completing each 128  
foundational and supporting option as part of the demonstration 129  
of competency for graduation pursuant to division (B) (1) (b) of 130  
section 3313.618 of the Revised Code; 131

~~(s)~~ (r) The number of students enrolled in all-day 132  
kindergarten, as defined in section 3321.05 of the Revised Code. 133

(2) Personnel and classroom enrollment data for each 134

school district, including:	135
(a) The total numbers of licensed employees and	136
nonlicensed employees and the numbers of full-time equivalent	137
licensed employees and nonlicensed employees providing each	138
category of instructional service, instructional support	139
service, and administrative support service used pursuant to	140
division (C) (3) of this section. The guidelines adopted under	141
this section shall require these categories of data to be	142
maintained for the school district as a whole and, wherever	143
applicable, for each grade in the school district as a whole,	144
for each school building as a whole, and for each grade in each	145
school building.	146
(b) The total number of employees and the number of full-	147
time equivalent employees providing each category of service	148
used pursuant to divisions (C) (4) (a) and (b) of this section,	149
and the total numbers of licensed employees and nonlicensed	150
employees and the numbers of full-time equivalent licensed	151
employees and nonlicensed employees providing each category used	152
pursuant to division (C) (4) (c) of this section. The guidelines	153
adopted under this section shall require these categories of	154
data to be maintained for the school district as a whole and,	155
wherever applicable, for each grade in the school district as a	156
whole, for each school building as a whole, and for each grade	157
in each school building.	158
(c) The total number of regular classroom teachers	159
teaching classes of regular education and the average number of	160
pupils enrolled in each such class, in each of grades	161
kindergarten through five in the district as a whole and in each	162
school building in the school district.	163
(d) The number of lead teachers employed by each school	164

district and each school building. 165

(3) (a) Student demographic data for each school district, 166  
including information regarding the gender ratio of the school 167  
district's pupils, the racial make-up of the school district's 168  
pupils, the number of English learners in the district, and an 169  
appropriate measure of the number of the school district's 170  
pupils who reside in economically disadvantaged households. The 171  
demographic data shall be collected in a manner to allow 172  
correlation with data collected under division (B) (1) of this 173  
section. Categories for data collected pursuant to division (B) 174  
(3) of this section shall conform, where appropriate, to 175  
standard practices of agencies of the federal government. 176

(b) With respect to each student entering kindergarten, 177  
whether the student previously participated in a public 178  
preschool program, a private preschool program, or a head start 179  
program, and the number of years the student participated in 180  
each of these programs. 181

(4) (a) The core curriculum and instructional materials 182  
being used for English language arts in each of grades pre- 183  
kindergarten to five; 184

(b) The reading intervention programs being used in each 185  
of grades pre-kindergarten to twelve. 186

(5) Any data required to be collected pursuant to federal 187  
law. 188

(C) The education management information system shall 189  
include cost accounting data for each district as a whole and 190  
for each school building in each school district. The guidelines 191  
adopted under this section shall require the cost data for each 192  
school district to be maintained in a system of mutually 193

exclusive cost units and shall require all of the costs of each 194  
school district to be divided among the cost units. The 195  
guidelines shall require the system of mutually exclusive cost 196  
units to include at least the following: 197

(1) Administrative costs for the school district as a 198  
whole. The guidelines shall require the cost units under this 199  
division (C) (1) to be designed so that each of them may be 200  
compiled and reported in terms of average expenditure per pupil 201  
in enrolled ADM in the school district, as determined pursuant 202  
to section 3317.03 of the Revised Code. 203

(2) Administrative costs for each school building in the 204  
school district. The guidelines shall require the cost units 205  
under this division (C) (2) to be designed so that each of them 206  
may be compiled and reported in terms of average expenditure per 207  
full-time equivalent pupil receiving instructional or support 208  
services in each building. 209

(3) Instructional services costs for each category of 210  
instructional service provided directly to students and required 211  
by guidelines adopted pursuant to division (B) (1) (a) of this 212  
section. The guidelines shall require the cost units under 213  
division (C) (3) of this section to be designed so that each of 214  
them may be compiled and reported in terms of average 215  
expenditure per pupil receiving the service in the school 216  
district as a whole and average expenditure per pupil receiving 217  
the service in each building in the school district and in terms 218  
of a total cost for each category of service and, as a breakdown 219  
of the total cost, a cost for each of the following components: 220

(a) The cost of each instructional services category 221  
required by guidelines adopted under division (B) (1) (a) of this 222  
section that is provided directly to students by a classroom 223



teacher;	224
(b) The cost of the instructional support services, such	225
as services provided by a speech-language pathologist, classroom	226
aide, multimedia aide, or librarian, provided directly to	227
students in conjunction with each instructional services	228
category;	229
(c) The cost of the administrative support services	230
related to each instructional services category, such as the	231
cost of personnel that develop the curriculum for the	232
instructional services category and the cost of personnel	233
supervising or coordinating the delivery of the instructional	234
services category.	235
(4) Support or extracurricular services costs for each	236
category of service directly provided to students and required	237
by guidelines adopted pursuant to division (B) (1) (b) of this	238
section. The guidelines shall require the cost units under	239
division (C) (4) of this section to be designed so that each of	240
them may be compiled and reported in terms of average	241
expenditure per pupil receiving the service in the school	242
district as a whole and average expenditure per pupil receiving	243
the service in each building in the school district and in terms	244
of a total cost for each category of service and, as a breakdown	245
of the total cost, a cost for each of the following components:	246
(a) The cost of each support or extracurricular services	247
category required by guidelines adopted under division (B) (1) (b)	248
of this section that is provided directly to students by a	249
licensed employee, such as services provided by a guidance	250
counselor or any services provided by a licensed employee under	251
a supplemental contract;	252

(b) The cost of each such services category provided 253  
directly to students by a nonlicensed employee, such as 254  
janitorial services, cafeteria services, or services of a sports 255  
trainer; 256

(c) The cost of the administrative services related to 257  
each services category in division (C) (4) (a) or (b) of this 258  
section, such as the cost of any licensed or nonlicensed 259  
employees that develop, supervise, coordinate, or otherwise are 260  
involved in administering or aiding the delivery of each 261  
services category. 262

(D) (1) The guidelines adopted under this section shall 263  
require school districts to collect information about individual 264  
students, staff members, or both in connection with any data 265  
required by division (B) or (C) of this section or other 266  
reporting requirements established in the Revised Code. The 267  
guidelines may also require school districts to report 268  
information about individual staff members in connection with 269  
any data required by division (B) or (C) of this section or 270  
other reporting requirements established in the Revised Code. 271  
The guidelines shall not authorize school districts to request 272  
social security numbers of individual students. The guidelines 273  
shall prohibit the reporting under this section of a student's 274  
name, address, and social security number to the department. The 275  
guidelines shall also prohibit the reporting under this section 276  
of any personally identifiable information about any student, 277  
except for the purpose of assigning the data verification code 278  
required by division (D) (2) of this section, to any other person 279  
unless such person is employed by the school district or the 280  
information technology center operated under section 3301.075 of 281  
the Revised Code and is authorized by the district or technology 282  
center to have access to such information or is employed by an 283

entity with which the department contracts for the scoring or 284  
the development of state assessments. The guidelines may require 285  
school districts to provide the social security numbers of 286  
individual staff members and the county of residence for a 287  
student. Nothing in this section prohibits the department from 288  
providing a student's county of residence to the department of 289  
taxation to facilitate the distribution of tax revenue. 290

(2) (a) The guidelines shall provide for each school 291  
district or community school to assign a data verification code 292  
that is unique on a statewide basis over time to each student 293  
whose initial Ohio enrollment is in that district or school and 294  
to report all required individual student data for that student 295  
utilizing such code. The guidelines shall also provide for 296  
assigning data verification codes to all students enrolled in 297  
districts or community schools on the effective date of the 298  
guidelines established under this section. The assignment of 299  
data verification codes for other entities, as described in 300  
division (D) (2) (d) of this section, the use of those codes, and 301  
the reporting and use of associated individual student data 302  
shall be coordinated by the department of education and 303  
workforce in accordance with state and federal law. 304

School districts shall report individual student data to 305  
the department through the information technology centers 306  
utilizing the code. The entities described in division (D) (2) (d) 307  
of this section shall report individual student data to the 308  
department in the manner prescribed by the department. 309

(b) (i) Except as provided in sections 3301.941, 3310.11, 310  
3310.42, 3310.63, 3313.978, 3317.20, and 5747.057 of the Revised 311  
Code, and in division (D) (2) (b) (ii) of this section, at no time 312  
shall the department have access to information that would 313

enable any data verification code to be matched to personally 314  
identifiable student data. 315

(ii) For the purpose of making per-pupil payments to 316  
community schools under section 3317.022 of the Revised Code, 317  
the department shall have access to information that would 318  
enable any data verification code to be matched to personally 319  
identifiable student data. 320

(c) Each school district and community school shall ensure 321  
that the data verification code is included in the student's 322  
records reported to any subsequent school district, community 323  
school, or state institution of higher education, as defined in 324  
section 3345.011 of the Revised Code, in which the student 325  
enrolls. Any such subsequent district or school shall utilize 326  
the same identifier in its reporting of data under this section. 327

(d) (i) The director of any state agency that administers a 328  
publicly funded program providing services to children who are 329  
younger than compulsory school age, as defined in section 330  
3321.01 of the Revised Code, including the directors of health, 331  
job and family services, mental health and addiction services, 332  
and developmental disabilities, shall request and receive, 333  
pursuant to sections 3301.0723 and 5123.0423 of the Revised 334  
Code, a data verification code for a child who is receiving 335  
those services. 336

(ii) The director of developmental disabilities, director 337  
of health, director of job and family services, director of 338  
mental health and addiction services, medicaid director, 339  
executive director of the commission on minority health, 340  
executive director of the opportunities for Ohioans with 341  
disabilities agency, or director of education and workforce, on 342  
behalf of a program that receives public funds and provides 343

services to children who are younger than compulsory school age, 344  
may request and receive, pursuant to section 3301.0723 of the 345  
Revised Code, a data verification code for a child who is 346  
receiving services from the program. 347

(E) The guidelines adopted under this section may require 348  
school districts to collect and report data, information, or 349  
reports other than that described in divisions (A), (B), and (C) 350  
of this section for the purpose of complying with other 351  
reporting requirements established in the Revised Code. The 352  
other data, information, or reports may be maintained in the 353  
education management information system but are not required to 354  
be compiled as part of the profile formats required under 355  
division (G) of this section or the annual statewide report 356  
required under division (H) of this section. 357

(F) The board of education of each school district shall 358  
annually collect and report to the department, in accordance 359  
with the guidelines established by the department, the data 360  
required pursuant to this section. A school district may collect 361  
and report these data notwithstanding section 2151.357 or 362  
3319.321 of the Revised Code. 363

(G) The department shall, in accordance with the 364  
procedures it adopts, annually compile the data reported by each 365  
school district pursuant to division (D) of this section. The 366  
department shall design formats for profiling each school 367  
district as a whole and each school building within each 368  
district and shall compile the data in accordance with these 369  
formats. These profile formats shall: 370

(1) Include all of the data gathered under this section in 371  
a manner that facilitates comparison among school districts and 372  
among school buildings within each school district; 373

(2) Present the data on academic achievement levels as 374  
assessed by the testing of student achievement maintained 375  
pursuant to division (B) (1) (d) of this section. 376

(H) (1) The department shall, in accordance with the 377  
procedures it adopts, annually prepare a statewide report for 378  
all school districts and the general public that includes the 379  
profile of each of the school districts developed pursuant to 380  
division (G) of this section. Copies of the report shall be sent 381  
to each school district. 382

(2) The department shall, in accordance with the 383  
procedures it adopts, annually prepare an individual report for 384  
each school district and the general public that includes the 385  
profiles of each of the school buildings in that school district 386  
developed pursuant to division (G) of this section. ~~Copies of~~ 387  
~~the report shall be sent to the superintendent of the district~~ 388  
~~and to each member of the district board of education.~~ 389

~~(3) Copies of the reports prescribed in divisions (H) (1)~~ 390  
~~and (2) of this section shall be made available to the general~~ 391  
~~public at each school district's offices. Each district board of~~ 392  
~~education shall make copies of each report available to any~~ 393  
~~person upon request and payment of a reasonable fee for the cost~~ 394  
~~of reproducing the report. The board shall annually publish in a~~ 395  
~~newspaper of general circulation in the school district, at~~ 396  
~~least twice during the two weeks prior to the week in which the~~ 397  
~~reports will first be available, a notice containing the address~~ 398  
~~where the reports are available and the date on which the~~ 399  
~~reports will be available.~~ 400

(I) Any data that is collected or maintained pursuant to 401  
this section and that identifies an individual pupil is not a 402  
public record for the purposes of section 149.43 of the Revised 403

Code.	404
(J) As used in this section:	405
(1) "School district" means any city, local, exempted village, or joint vocational school district and, in accordance with section 3314.17 of the Revised Code, any community school. As used in division (L) of this section, "school district" also includes any educational service center or other educational entity required to submit data using the system established under this section.	406 407 408 409 410 411 412
(2) "Cost" means any expenditure for operating expenses made by a school district excluding any expenditures for debt retirement except for payments made to any commercial lending institution for any loan approved pursuant to section 3313.483 of the Revised Code.	413 414 415 416 417
(K) Any person who removes data from the information system established under this section for the purpose of releasing it to any person not entitled under law to have access to such information is subject to section 2913.42 of the Revised Code prohibiting tampering with data.	418 419 420 421 422
(L) (1) In accordance with division (L) (2) of this section and the rules adopted under division (L) (10) of this section, the department may sanction any school district that reports incomplete or inaccurate data, reports data that does not conform to data requirements and descriptions published by the department, fails to report data in a timely manner, or otherwise does not make a good faith effort to report data as required by this section.	423 424 425 426 427 428 429 430
(2) If the department decides to sanction a school district under this division, the department shall take the	431 432

following sequential actions: 433

(a) Notify the district in writing that the department has 434  
determined that data has not been reported as required under 435  
this section and require the district to review its data 436  
submission and submit corrected data by a deadline established 437  
by the department. The department also may require the district 438  
to develop a corrective action plan, which shall include 439  
provisions for the district to provide mandatory staff training 440  
on data reporting procedures. 441

(b) Withhold up to ten per cent of the total amount of 442  
state funds due to the district for the current fiscal year and, 443  
if not previously required under division (L) (2) (a) of this 444  
section, require the district to develop a corrective action 445  
plan in accordance with that division; 446

(c) Withhold an additional amount of up to twenty per cent 447  
of the total amount of state funds due to the district for the 448  
current fiscal year; 449

(d) Direct department staff or an outside entity to 450  
investigate the district's data reporting practices and make 451  
recommendations for subsequent actions. The recommendations may 452  
include one or more of the following actions: 453

(i) Arrange for an audit of the district's data reporting 454  
practices by department staff or an outside entity; 455

(ii) Conduct a site visit and evaluation of the district; 456

(iii) Withhold an additional amount of up to thirty per 457  
cent of the total amount of state funds due to the district for 458  
the current fiscal year; 459

(iv) Continue monitoring the district's data reporting; 460



(v) Assign department staff to supervise the district's data management system; 461  
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(vi) Conduct an investigation to determine whether to suspend or revoke the license of any district employee in accordance with division (N) of this section; 463  
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(vii) If the district is issued a report card under section 3302.03 of the Revised Code, indicate on the report card that the district has been sanctioned for failing to report data as required by this section; 466  
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(viii) If the district is issued a report card under section 3302.03 of the Revised Code and incomplete or inaccurate data submitted by the district likely caused the district to receive a higher performance rating than it deserved under that section, issue a revised report card for the district; 470  
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(ix) Any other action designed to correct the district's data reporting problems. 475  
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(3) Any time the department takes an action against a school district under division (L)(2) of this section, the department shall make a report of the circumstances that prompted the action. The department shall send a copy of the report to the district superintendent or chief administrator and maintain a copy of the report in its files. 477  
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(4) If any action taken under division (L)(2) of this section resolves a school district's data reporting problems to the department's satisfaction, the department shall not take any further actions described by that division. If the department withheld funds from the district under that division, the department may release those funds to the district, except that if the department withheld funding under division (L)(2)(c) of 483  
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this section, the department shall not release the funds 490  
withheld under division (L) (2) (b) of this section and, if the 491  
department withheld funding under division (L) (2) (d) of this 492  
section, the department shall not release the funds withheld 493  
under division (L) (2) (b) or (c) of this section. 494

(5) Notwithstanding anything in this section to the 495  
contrary, the department may use its own staff or an outside 496  
entity to conduct an audit of a school district's data reporting 497  
practices any time the department has reason to believe the 498  
district has not made a good faith effort to report data as 499  
required by this section. If any audit conducted by an outside 500  
entity under division (L) (2) (d) (i) or (5) of this section 501  
confirms that a district has not made a good faith effort to 502  
report data as required by this section, the district shall 503  
reimburse the department for the full cost of the audit. The 504  
department may withhold state funds due to the district for this 505  
purpose. 506

(6) Prior to issuing a revised report card for a school 507  
district under division (L) (2) (d) (viii) of this section, the 508  
department may hold a hearing to provide the district with an 509  
opportunity to demonstrate that it made a good faith effort to 510  
report data as required by this section. The hearing shall be 511  
conducted by a referee appointed by the department. Based on the 512  
information provided in the hearing, the referee shall recommend 513  
whether the department should issue a revised report card for 514  
the district. If the referee affirms the department's contention 515  
that the district did not make a good faith effort to report 516  
data as required by this section, the district shall bear the 517  
full cost of conducting the hearing and of issuing any revised 518  
report card. 519

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

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

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

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

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

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

information system. 549

(O) No person shall release or maintain any information 550  
about any student in violation of this section. Whoever violates 551  
this division is guilty of a misdemeanor of the fourth degree. 552

(P) The department shall disaggregate the data collected 553  
under division (B) (1) (n) of this section according to the race 554  
and socioeconomic status of the students assessed. 555

(Q) If the department cannot compile any of the 556  
information required by division (I) of section 3302.03 of the 557  
Revised Code based upon the data collected under this section, 558  
the department shall develop a plan and a reasonable timeline 559  
for the collection of any data necessary to comply with that 560  
division. 561

**Sec. 3302.03.** Not later than the thirty-first day of July 562  
of each year, the department of education and workforce shall 563  
submit preliminary report card data for overall academic 564  
performance and for each separate performance measure for each 565  
school district, and each school building, in accordance with 566  
this section. 567

Annually, not later than the fifteenth day of September or 568  
the preceding Friday when that day falls on a Saturday or 569  
Sunday, the department shall assign a letter grade or 570  
performance rating for overall academic performance and for each 571  
separate performance measure for each school district, and each 572  
school building in a district, in accordance with this section. 573  
The department shall adopt rules pursuant to Chapter 119. of the 574  
Revised Code to implement this section. The department's rules 575  
shall establish performance criteria for each letter grade or 576  
performance rating and prescribe a method by which the 577

department assigns each letter grade or performance rating. For 578  
a school building to which any of the performance measures do 579  
not apply, due to grade levels served by the building, the 580  
department shall designate the performance measures that are 581  
applicable to the building and that must be calculated 582  
separately and used to calculate the building's overall grade or 583  
performance rating. The department shall issue annual report 584  
cards reflecting the performance of each school district, each 585  
building within each district, and for the state as a whole 586  
using the performance measures and letter grade or performance 587  
rating system described in this section. The department shall 588  
include on the report card for each district and each building 589  
within each district the most recent two-year trend data in 590  
student achievement for each subject and each grade. 591

(A) (1) For the 2012-2013 school year, the department shall 592  
issue grades as described in division (F) of this section for 593  
each of the following performance measures: 594

(a) Annual measurable objectives; 595

(b) Performance index score for a school district or 596  
building. Grades shall be awarded as a percentage of the total 597  
possible points on the performance index system as adopted by 598  
the department. In adopting benchmarks for assigning letter 599  
grades under division (A) (1) (b) of this section, the department 600  
shall designate ninety per cent or higher for an "A," at least 601  
seventy per cent but not more than eighty per cent for a "C," 602  
and less than fifty per cent for an "F." 603

(c) The extent to which the school district or building 604  
meets each of the applicable performance indicators established 605  
by the department under section 3302.02 of the Revised Code and 606  
the percentage of applicable performance indicators that have 607

been achieved. In adopting benchmarks for assigning letter 608  
grades under division (A) (1) (c) of this section, the department 609  
shall designate ninety per cent or higher for an "A." 610

(d) The four- and five-year adjusted cohort graduation 611  
rates. 612

In adopting benchmarks for assigning letter grades under 613  
division (A) (1) (d), (B) (1) (d), or (C) (1) (d) of this section, the 614  
department shall designate a four-year adjusted cohort 615  
graduation rate of ninety-three per cent or higher for an "A" 616  
and a five-year cohort graduation rate of ninety-five per cent 617  
or higher for an "A." 618

(e) The overall score under the value-added progress 619  
dimension of a school district or building, for which the 620  
department shall use up to three years of value-added data as 621  
available. The letter grade assigned for this growth measure 622  
shall be as follows: 623

(i) A score that is at least one standard error of measure 624  
above the mean score shall be designated as an "A." 625

(ii) A score that is less than one standard error of 626  
measure above but greater than one standard error of measure 627  
below the mean score shall be designated as a "B." 628

(iii) A score that is less than or equal to one standard 629  
error of measure below the mean score but greater than two 630  
standard errors of measure below the mean score shall be 631  
designated as a "C." 632

(iv) A score that is less than or equal to two standard 633  
errors of measure below the mean score but is greater than three 634  
standard errors of measure below the mean score shall be 635  
designated as a "D." 636

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

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

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

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

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

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

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

(a) Annual measurable objectives;

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

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

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

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

(f) The value-added progress dimension score for a school district or building disaggregated for each of the following



subgroups: students identified as gifted in superior cognitive 696  
ability and specific academic ability fields under Chapter 3324. 697  
of the Revised Code, students with disabilities, and students 698  
whose performance places them in the lowest quintile for 699  
achievement on a statewide basis. Each subgroup shall be a 700  
separate graded measure. 701

(g) Whether a school district or building is making 702  
progress in improving literacy in grades kindergarten through 703  
three, as determined using a method prescribed by the 704  
department. The department shall adopt rules to prescribe 705  
benchmarks and standards for assigning grades to districts and 706  
buildings for purposes of division (B) (1) (g) of this section. In 707  
adopting benchmarks for assigning letter grades under divisions 708  
(B) (1) (g) and (C) (1) (g) of this section, the department shall 709  
determine progress made based on the reduction in the total 710  
percentage of students scoring below grade level, or below 711  
proficient, compared from year to year on the reading and 712  
writing diagnostic assessments administered under section 713  
3301.0715 of the Revised Code and the third grade English 714  
language arts assessment under section 3301.0710 of the Revised 715  
Code, as applicable. The department shall designate for a "C" 716  
grade a value that is not lower than the statewide average value 717  
for this measure. No grade shall be issued under divisions (B) 718  
(1) (g) and (C) (1) (g) of this section for a district or building 719  
in which less than five per cent of students have scored below 720  
grade level on the diagnostic assessment administered to 721  
students in kindergarten under division (B) (1) of section 722  
3313.608 of the Revised Code. 723

(h) For a high mobility school district or building, an 724  
additional value-added progress dimension score. For this 725  
measure, the department shall use value-added data from the most 726

recent school year available and shall use assessment scores for 727  
only those students to whom the district or building has 728  
administered the assessments prescribed by section 3301.0710 of 729  
the Revised Code for each of the two most recent consecutive 730  
school years. 731

As used in this division, "high mobility school district 732  
or building" means a school district or building where at least 733  
twenty-five per cent of its total enrollment is made up of 734  
students who have attended that school district or building for 735  
less than one year. 736

(2) In addition to the graded measures in division (B) (1) 737  
of this section, the department shall include on a school 738  
district's or building's report card all of the following 739  
without an assigned letter grade: 740

(a) The percentage of students enrolled in a district or 741  
building participating in advanced placement classes and the 742  
percentage of those students who received a score of three or 743  
better on advanced placement examinations; 744

(b) The number of a district's or building's students who 745  
have earned at least three college credits through dual 746  
enrollment or advanced standing programs, such as the post- 747  
secondary enrollment options program under Chapter 3365. of the 748  
Revised Code and state-approved career-technical courses offered 749  
through dual enrollment or statewide articulation, that appear 750  
on a student's transcript or other official document, either of 751  
which is issued by the institution of higher education from 752  
which the student earned the college credit. The credits earned 753  
that are reported under divisions (B) (2) (b) and (C) (2) (c) of 754  
this section shall not include any that are remedial or 755  
developmental and shall include those that count toward the 756

curriculum requirements established for completion of a degree. 757

(c) The percentage of students enrolled in a district or 758  
building who have taken a national standardized test used for 759  
college admission determinations and the percentage of those 760  
students who are determined to be remediation-free in accordance 761  
with standards adopted under division (F) of section 3345.061 of 762  
the Revised Code; 763

(d) The percentage of the district's or the building's 764  
students who receive industry-recognized credentials as approved 765  
under section 3313.6113 of the Revised Code. 766

(e) The percentage of students enrolled in a district or 767  
building who are participating in an international baccalaureate 768  
program and the percentage of those students who receive a score 769  
of four or better on the international baccalaureate 770  
examinations. 771

(f) The percentage of the district's or building's 772  
students who receive an honors diploma under division (B) of 773  
section 3313.61 of the Revised Code. 774

(3) The department shall adopt rules in accordance with 775  
Chapter 119. of the Revised Code that prescribe the methods by 776  
which the performance measures under divisions (B) (1) (f) and (B) 777  
(1) (g) of this section will be assessed and assigned a letter 778  
grade, including performance benchmarks for each grade. 779

At least forty-five days prior to the department's 780  
adoption of rules to prescribe the methods by which the 781  
performance measures under division (B) (1) of this section shall 782  
be assessed and assigned a letter grade, the department shall 783  
conduct a public presentation before the standing committees of 784  
the house of representatives and the senate that consider 785

education legislation describing such methods, including 786  
performance benchmarks. 787

(4) There shall not be an overall letter grade for a 788  
school district or building for the 2013-2014, 2014-2015, 2015- 789  
2016, and 2016-2017 school years. 790

(C) (1) For the 2014-2015, 2015-2016, 2016-2017, 2017-2018, 791  
2018-2019, 2019-2020, and 2020-2021 school years, the department 792  
shall issue grades as described in division (F) of this section 793  
for each of the performance measures prescribed in division (C) 794  
(1) of this section. The graded measures are as follows: 795

(a) Annual measurable objectives. For the 2017-2018 school 796  
year, the department shall not include any subgroup data in the 797  
annual measurable objectives that includes data from fewer than 798  
twenty-five students. For the 2018-2019 school year, the 799  
department shall not include any subgroup data in the annual 800  
measurable objectives that includes data from fewer than twenty 801  
students. Beginning with the 2019-2020 school year, the 802  
department shall not include any subgroup data in the annual 803  
measurable objectives that includes data from fewer than fifteen 804  
students. 805

(b) Performance index score for a school district or 806  
building. Grades shall be awarded as a percentage of the total 807  
possible points on the performance index system as created by 808  
the department. In adopting benchmarks for assigning letter 809  
grades under division (C) (1) (b) of this section, the department 810  
shall designate ninety per cent or higher for an "A," at least 811  
seventy per cent but not more than eighty per cent for a "C," 812  
and less than fifty per cent for an "F." 813

(c) The extent to which the school district or building 814

meets each of the applicable performance indicators established 815  
by the department under section 3302.03 of the Revised Code and 816  
the percentage of applicable performance indicators that have 817  
been achieved. In adopting benchmarks for assigning letter 818  
grades under division (C) (1) (c) of this section, the department 819  
shall designate ninety per cent or higher for an "A." 820

(d) The four- and five-year adjusted cohort graduation 821  
rates; 822

(e) The overall score under the value-added progress 823  
dimension, or another measure of student academic progress if 824  
adopted by the department, of a school district or building, for 825  
which the department shall use up to three years of value-added 826  
data as available. 827

In adopting benchmarks for assigning letter grades for 828  
overall score on value-added progress dimension under division 829  
(C) (1) (e) of this section, the department shall prohibit the 830  
assigning of a grade of "A" for that measure unless the 831  
district's or building's grade assigned for value-added progress 832  
dimension for all subgroups under division (C) (1) (f) of this 833  
section is a "C" or higher. 834

For the metric prescribed by division (C) (1) (e) of this 835  
section, the department may adopt a student academic progress 836  
measure to be used instead of the value-added progress 837  
dimension. If the department adopts such a measure, it also 838  
shall prescribe a method for assigning letter grades for the new 839  
measure that is comparable to the method prescribed in division 840  
(A) (1) (e) of this section. 841

(f) The value-added progress dimension score of a school 842  
district or building disaggregated for each of the following 843

subgroups: students identified as gifted in superior cognitive 844  
ability and specific academic ability fields under Chapter 3324. 845  
of the Revised Code, students with disabilities, and students 846  
whose performance places them in the lowest quintile for 847  
achievement on a statewide basis, as determined by a method 848  
prescribed by the department. Each subgroup shall be a separate 849  
graded measure. 850

The department may adopt student academic progress 851  
measures to be used instead of the value-added progress 852  
dimension. If the department adopts such measures, it also shall 853  
prescribe a method for assigning letter grades for the new 854  
measures that is comparable to the method prescribed in division 855  
(A) (1) (e) of this section. 856

(g) Whether a school district or building is making 857  
progress in improving literacy in grades kindergarten through 858  
three, as determined using a method prescribed by the 859  
department. The department shall adopt rules to prescribe 860  
benchmarks and standards for assigning grades to a district or 861  
building for purposes of division (C) (1) (g) of this section. The 862  
department shall designate for a "C" grade a value that is not 863  
lower than the statewide average value for this measure. No 864  
grade shall be issued under division (C) (1) (g) of this section 865  
for a district or building in which less than five per cent of 866  
students have scored below grade level on the kindergarten 867  
diagnostic assessment under division (B) (1) of section 3313.608 868  
of the Revised Code. 869

(h) For a high mobility school district or building, an 870  
additional value-added progress dimension score. For this 871  
measure, the department shall use value-added data from the most 872  
recent school year available and shall use assessment scores for 873

only those students to whom the district or building has 874  
administered the assessments prescribed by section 3301.0710 of 875  
the Revised Code for each of the two most recent consecutive 876  
school years. 877

As used in this division, "high mobility school district 878  
or building" means a school district or building where at least 879  
twenty-five per cent of its total enrollment is made up of 880  
students who have attended that school district or building for 881  
less than one year. 882

(2) In addition to the graded measures in division (C) (1) 883  
of this section, the department shall include on a school 884  
district's or building's report card all of the following 885  
without an assigned letter grade: 886

(a) The percentage of students enrolled in a district or 887  
building who have taken a national standardized test used for 888  
college admission determinations and the percentage of those 889  
students who are determined to be remediation-free in accordance 890  
with the standards adopted under division (F) of section 891  
3345.061 of the Revised Code; 892

(b) The percentage of students enrolled in a district or 893  
building participating in advanced placement classes and the 894  
percentage of those students who received a score of three or 895  
better on advanced placement examinations; 896

(c) The percentage of a district's or building's students 897  
who have earned at least three college credits through advanced 898  
standing programs, such as the college credit plus program under 899  
Chapter 3365. of the Revised Code and state-approved career- 900  
technical courses offered through dual enrollment or statewide 901  
articulation, that appear on a student's college transcript 902

issued by the institution of higher education from which the 903  
student earned the college credit. The credits earned that are 904  
reported under divisions (B) (2) (b) and (C) (2) (c) of this section 905  
shall not include any that are remedial or developmental and 906  
shall include those that count toward the curriculum 907  
requirements established for completion of a degree. 908

(d) The percentage of the district's or building's 909  
students who receive an honor's diploma under division (B) of 910  
section 3313.61 of the Revised Code; 911

(e) The percentage of the district's or building's 912  
students who receive industry-recognized credentials as approved 913  
under section 3313.6113 of the Revised Code; 914

(f) The percentage of students enrolled in a district or 915  
building who are participating in an international baccalaureate 916  
program and the percentage of those students who receive a score 917  
of four or better on the international baccalaureate 918  
examinations; 919

(g) The results of the college and career-ready 920  
assessments administered under division (B) (1) of section 921  
3301.0712 of the Revised Code; 922

(h) Whether the school district or building has 923  
implemented a positive behavior intervention and supports 924  
framework in compliance with the requirements of section 3319.46 925  
of the Revised Code, notated as a "yes" or "no" answer. 926

(3) The department shall adopt rules pursuant to Chapter 927  
119. of the Revised Code that establish a method to assign an 928  
overall grade for a school district or school building for the 929  
2017-2018 school year and each school year thereafter. The rules 930  
shall group the performance measures in divisions (C) (1) and (2) 931



of this section into the following components:	932
(a) Gap closing, which shall include the performance measure in division (C)(1)(a) of this section;	933 934
(b) Achievement, which shall include the performance measures in divisions (C)(1)(b) and (c) of this section;	935 936
(c) Progress, which shall include the performance measures in divisions (C)(1)(e) and (f) of this section;	937 938
(d) Graduation, which shall include the performance measure in division (C)(1)(d) of this section;	939 940
(e) Kindergarten through third-grade literacy, which shall include the performance measure in division (C)(1)(g) of this section;	941 942 943
(f) Prepared for success, which shall include the performance measures in divisions (C)(2)(a), (b), (c), (d), (e), and (f) of this section. The department shall develop a method to determine a grade for the component in division (C)(3)(f) of this section using the performance measures in divisions (C)(2)(a), (b), (c), (d), (e), and (f) of this section. When available, the department may incorporate the performance measure under division (C)(2)(g) of this section into the component under division (C)(3)(f) of this section. When determining the overall grade for the prepared for success component prescribed by division (C)(3)(f) of this section, no individual student shall be counted in more than one performance measure. However, if a student qualifies for more than one performance measure in the component, the department may, in its method to determine a grade for the component, specify an additional weight for such a student that is not greater than or equal to 1.0. In determining the overall score under division	944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960

(C) (3) (f) of this section, the department shall ensure that the 961  
pool of students included in the performance measures aggregated 962  
under that division are all of the students included in the 963  
four- and five-year adjusted graduation cohort. 964

In the rules adopted under division (C) (3) of this 965  
section, the department shall adopt a method for determining a 966  
grade for each component in divisions (C) (3) (a) to (f) of this 967  
section. The department also shall establish a method to assign 968  
an overall grade of "A," "B," "C," "D," or "F" using the grades 969  
assigned for each component. The method the department adopts 970  
for assigning an overall grade shall give equal weight to the 971  
components in divisions (C) (3) (b) and (c) of this section. 972

At least forty-five days prior to the department's 973  
adoption of rules to prescribe the methods for calculating the 974  
overall grade for the report card, as required by this division, 975  
the department shall conduct a public presentation before the 976  
standing committees of the house of representatives and the 977  
senate that consider education legislation describing the format 978  
for the report card, weights that will be assigned to the 979  
components of the overall grade, and the method for calculating 980  
the overall grade. 981

(D) For the 2021-2022 school year and each school year 982  
thereafter, all of the following apply: 983

(1) The department shall include on a school district's or 984  
building's report card all of the following performance measures 985  
without an assigned performance rating: 986

(a) Whether the district or building meets the gifted 987  
performance indicator under division (A) (2) of section 3302.02 988  
of the Revised Code and the extent to which the district or 989

building meets gifted indicator performance benchmarks;	990
(b) The extent to which the district or building meets the	991
chronic absenteeism indicator under division (A) (3) of section	992
3302.02 of the Revised Code;	993
(c) Performance index score percentage for a district or	994
building, which shall be calculated by dividing the district's	995
or building's performance index score according to the	996
performance index system created by the department by the	997
maximum performance index score for a district or building. The	998
maximum performance index score shall be as follows:	999
(i) For a building, the average of the highest two per	1000
cent of performance index scores achieved by a building for the	1001
school year for which a report card is issued;	1002
(ii) For a district, the average of the highest two per	1003
cent of performance index scores achieved by a district for the	1004
school year for which a report card is issued.	1005
(d) The overall score under the value-added progress	1006
dimension of a district or building, for which the department	1007
shall use three consecutive years of value-added data. In using	1008
three years of value-added data to calculate the measure	1009
prescribed under division (D) (1) (d) of this section, the	1010
department shall assign a weight of fifty per cent to the most	1011
recent year's data and a weight of twenty-five per cent to the	1012
data of each of the other years. However, if three consecutive	1013
years of value-added data is not available, the department shall	1014
use prior years of value-added data to calculate the measure, as	1015
follows:	1016
(i) If two consecutive years of value-added data is not	1017
available, the department shall use one year of value-added data	1018

to calculate the measure. 1019

(ii) If two consecutive years of value-added data is 1020  
available, the department shall use two consecutive years of 1021  
value-added data to calculate the measure. In using two years of 1022  
value-added data to calculate the measure, the department shall 1023  
assign a weight of sixty-seven per cent to the most recent 1024  
year's data and a weight of thirty-three per cent to the data of 1025  
the other year. 1026

(e) The four-year adjusted cohort graduation rate. 1027

(f) The five-year adjusted cohort graduation rate. 1028

(g) The percentage of students in the district or building 1029  
who score proficient or higher on the reading segment of the 1030  
third grade English language arts assessment under section 1031  
3301.0710 of the Revised Code. 1032

To the extent possible, the department shall include the 1033  
results of the summer administration of the third grade reading 1034  
assessment under section 3301.0710 of the Revised Code in the 1035  
performance measures prescribed under divisions (D) (1) (g) and 1036  
(h) of this section. 1037

(h) Whether a district or building is making progress in 1038  
improving literacy in grades kindergarten through three, as 1039  
determined using a method prescribed by the department. The 1040  
method shall determine progress made based on the reduction in 1041  
the total percentage of students scoring below grade level, or 1042  
below proficient, compared from year to year on the reading 1043  
segments of the diagnostic assessments administered under 1044  
section 3301.0715 of the Revised Code, including the 1045  
kindergarten readiness assessment, and the third grade English 1046  
language arts assessment under section 3301.0710 of the Revised 1047

Code, as applicable. The method shall not include a deduction 1048  
for students who did not pass the third grade English language 1049  
arts assessment under section 3301.0710 of the Revised Code and 1050  
were not on a reading improvement and monitoring plan. 1051

The performance measure prescribed under division (D) (1) 1052  
(h) of this section shall not be included on the report card of 1053  
a district or building in which less than ten per cent of 1054  
students have scored below grade level on the diagnostic 1055  
assessment administered to students in kindergarten under 1056  
division (B) (1) of section 3313.608 of the Revised Code. 1057

(i) The percentage of students in a district or building 1058  
who are promoted to the fourth grade and not subject to 1059  
retention under division (A) (2) of section 3313.608 of the 1060  
Revised Code; 1061

(j) A post-secondary readiness measure. This measure shall 1062  
be calculated by dividing the number of students included in the 1063  
four-year adjusted graduation rate cohort who demonstrate post- 1064  
secondary readiness by the total number of students included in 1065  
the denominator of the four-year adjusted graduation rate 1066  
cohort. Demonstration of post-secondary readiness shall include 1067  
a student doing any of the following: 1068

(i) Attaining a remediation-free score, in accordance with 1069  
standards adopted under division (F) of section 3345.061 of the 1070  
Revised Code, on a nationally standardized assessment prescribed 1071  
under division (B) (1) of section 3301.0712 of the Revised Code; 1072

(ii) Attaining required scores on three or more advanced 1073  
placement or international baccalaureate examinations. The 1074  
required score for an advanced placement examination shall be a 1075  
three or better. The required score for an international 1076

baccalaureate examination shall be a four or better. A student 1077  
may satisfy this condition with any combination of advanced 1078  
placement or international baccalaureate examinations. 1079

(iii) Earning at least twelve college credits through 1080  
advanced standing programs, such as the college credit plus 1081  
program under Chapter 3365. of the Revised Code, an early 1082  
college high school program under section 3313.6013 of the 1083  
Revised Code, and state-approved career-technical courses 1084  
offered through dual enrollment or statewide articulation, that 1085  
appear on a student's college transcript issued by the 1086  
institution of higher education from which the student earned 1087  
the college credit. Earned credits reported under division (D) 1088  
(1)(j)(iii) of this section shall include credits that count 1089  
toward the curriculum requirements established for completion of 1090  
a degree, but shall not include any remedial or developmental 1091  
credits. 1092

(iv) Meeting the additional criteria for an honors diploma 1093  
under division (B) of section 3313.61 of the Revised Code; 1094

(v) Earning an industry-recognized credential or license 1095  
issued by a state agency or board for practice in a vocation 1096  
that requires an examination for issuance of that license 1097  
approved under section 3313.6113 of the Revised Code; 1098

(vi) Satisfying any of the following conditions: 1099

(I) Completing a pre-apprenticeship aligned with options 1100  
established under section 3313.904 of the Revised Code in the 1101  
student's chosen career field; 1102

(II) Completing an apprenticeship registered with the 1103  
apprenticeship council established under section 4139.02 of the 1104  
Revised Code in the student's chosen career field; 1105

(III) Providing evidence of acceptance into an	1106
apprenticeship program after high school that is restricted to	1107
participants eighteen years of age or older.	1108
(vii) Earning a cumulative score of proficient or higher	1109
on three or more state technical assessments aligned with	1110
section 3313.903 of the Revised Code in a single career pathway;	1111
(viii) Earning an OhioMeansJobs-readiness seal established	1112
under section 3313.6112 of the Revised Code and completing two	1113
hundred fifty hours of an internship or other work-based	1114
learning experience that is either:	1115
(I) Approved by the business advisory council established	1116
under section 3313.82 of the Revised Code that represents the	1117
student's district; or	1118
(II) Aligned to the career-technical education pathway	1119
approved by the department in which the student is enrolled.	1120
(ix) Providing evidence that the student has enlisted in a	1121
branch of the armed services of the United States as defined in	1122
section 5910.01 of the Revised Code.	1123
A student who satisfies more than one of the conditions	1124
prescribed under this division shall be counted as one student	1125
for the purposes of calculating the measure prescribed under	1126
division (D) (1) (j) of this section.	1127
(2) In addition to the performance measures under division	1128
(D) (1) of this section, the department shall report on a	1129
district's or building's report card all of the following data	1130
without an assigned performance rating:	1131
(a) The applicable performance indicators established by	1132
the department under division (A) (1) of section 3302.02 of the	1133

Revised Code;	1134
(b) The overall score under the value-added progress	1135
dimension of a district or building for the most recent school	1136
year;	1137
(c) A composite of the overall scores under the value-	1138
added progress dimension of a district or building for the	1139
previous three school years or, if only two years of value-added	1140
data are available, for the previous two years;	1141
(d) The percentage of students included in the four- and	1142
five-year adjusted cohort graduation rates of a district or	1143
building who did not receive a high school diploma under section	1144
3313.61 or 3325.08 of the Revised Code. To the extent possible,	1145
the department shall disaggregate that data according to the	1146
following categories:	1147
(i) Students who are still enrolled in the district or	1148
building and receiving general education services;	1149
(ii) Students with an individualized education program, as	1150
defined in section 3323.01 of the Revised Code, who satisfied	1151
the conditions for a high school diploma under section 3313.61	1152
or 3325.08 of the Revised Code, but opted not to receive a	1153
diploma and are still receiving education services;	1154
(iii) Students with an individualized education program	1155
who have not yet satisfied conditions for a high school diploma	1156
under section 3313.61 or 3325.08 of the Revised Code and who are	1157
still receiving education services;	1158
(iv) Students who are no longer enrolled in any district	1159
or building;	1160
(v) Students who, upon enrollment in the district or	1161



building for the first time, had completed fewer units of high 1162  
school instruction required under section 3313.603 of the 1163  
Revised Code than other students in the four- or five-year 1164  
adjusted cohort graduation rate. 1165

The department may disaggregate the data prescribed under 1166  
division (D) (2) (d) of this section according to other categories 1167  
that the department determines are appropriate. 1168

(e) The results of the kindergarten diagnostic assessment 1169  
prescribed under division (D) of section 3301.079 of the Revised 1170  
Code; 1171

(f) Post-graduate outcomes for students who were enrolled 1172  
in a district or building and received a high school diploma 1173  
under section 3313.61 or 3325.08 of the Revised Code in the 1174  
school year prior to the school year for which the report card 1175  
is issued, including the percentage of students who: 1176

(i) Enrolled in a post-secondary educational institution. 1177  
To the extent possible, the department shall disaggregate that 1178  
data according to whether the student enrolled in a four-year 1179  
institution of higher education, a two-year institution of 1180  
higher education, an Ohio technical center that provides adult 1181  
technical education services and is recognized by the chancellor 1182  
of higher education, or another type of post-secondary 1183  
educational institution. 1184

(ii) Entered an apprenticeship program registered with the 1185  
apprenticeship council established under Chapter 4139. of the 1186  
Revised Code. The department may include other job training 1187  
programs with similar rigor and outcomes. 1188

(iii) Attained gainful employment, as determined by the 1189  
department; 1190

(iv) Enlisted in a branch of the armed forces of the United States, as defined in section 5910.01 of the Revised Code.	1191 1192 1193
(g) Whether the school district or building has implemented a positive behavior intervention and supports framework in compliance with the requirements of section 3319.46 of the Revised Code, notated with a "yes" or "no";	1194 1195 1196 1197
(h) The number and percentage of high school seniors in each school year who completed the free application for federal student aid;	1198 1199 1200
(i) Beginning with the report card issued under this section for the 2022-2023 school year, a student opportunity profile measure that reports data regarding the opportunities provided to students by a district or building. To the extent possible, and when appropriate, the data shall be disaggregated by grade level and subgroup. The measure also shall include data regarding the statewide average, the average for similar school districts, and, for a building, the average for the district in which the building is located. The measure shall include all of the following data for the district or building:	1201 1202 1203 1204 1205 1206 1207 1208 1209 1210
(i) The average ratio of teachers of record to students in each grade level in a district or building;	1211 1212
(ii) The average ratio of school counselors to students in a district or building;	1213 1214
(iii) The average ratio of nurses to students in a district or building;	1215 1216
(iv) The average ratio of licensed librarians and library media specialists to students in a district or building;	1217 1218

(v) The average ratio of social workers to students in a district or building;	1219 1220
(vi) The average ratio of mental health professionals to students in a district or building;	1221 1222
(vii) The average ratio of paraprofessionals to students in a district or building;	1223 1224
(viii) The percentage of teachers with fewer than three years of experience teaching in any school;	1225 1226
(ix) The percentage of principals with fewer than three years of experience as a principal in any school;	1227 1228
(x) The percentage of teachers who are not teaching in the subject or field for which they are certified or licensed;	1229 1230
(xi) The percentage of kindergarten students who are enrolled in all-day kindergarten, as defined in section 3321.05 of the Revised Code;	1231 1232 1233
(xii) The percentage of students enrolled in a performing or visual arts course;	1234 1235
(xiii) The percentage of students enrolled in a physical education or wellness course;	1236 1237
(xiv) The percentage of students enrolled in a world language course;	1238 1239
(xv) The percentage of students in grades seven through twelve who are enrolled in a career-technical education course;	1240 1241
(xvi) The percentage of students participating in one or more cocurricular activities;	1242 1243
(xvii) The percentage of students participating in advance placement courses, international baccalaureate courses, honors	1244 1245

courses, or courses offered through the college credit plus	1246
program established under Chapter 3365. of the Revised Code;	1247
(xviii) The percentage of students identified as gifted in	1248
superior cognitive ability and specific academic ability fields	1249
under Chapter 3324. of the Revised Code and receiving gifted	1250
services pursuant to that chapter;	1251
(xix) The percentage of students participating in	1252
enrichment or support programs offered by the district or	1253
building outside of the normal school day;	1254
(xx) The percentage of eligible students participating	1255
each school day in school breakfast programs offered by the	1256
district or building in accordance with section 3313.813 or	1257
3313.818 of the Revised Code;	1258
(xxi) The percentage of students who are transported by a	1259
school bus each school day;	1260
(xxii) The ratio of portable technology devices that	1261
students may take home to the number of students.	1262
The department shall include only opportunity measures at	1263
the building level for which data for buildings is available, as	1264
determined by a school district.	1265
(j) (i) The percentage of students included in the four-	1266
and five-year adjusted cohort graduation rates of the district	1267
or building who completed all of grades nine through twelve	1268
while enrolled in the district or building;	1269
(ii) The four-year adjusted cohort graduation rate for	1270
only those students who were continuously enrolled in the same	1271
district or building for grades nine through twelve.	1272
(k) The percentage of students in the district or building	1273

to whom both of the following apply: 1274

(i) The students are promoted to fourth grade and not 1275  
subject to retention under division (A) (2) of section 3313.608 1276  
of the Revised Code. 1277

(ii) The students completed all of the grade levels 1278  
offered prior to the fourth grade in the district or building. 1279

(3) Except as provided in division (D) (3) (f) of this 1280  
section, the department shall use the method prescribed under 1281  
rules adopted under division (D) (4) of this section to assign 1282  
performance ratings of "one star," "two stars," "three stars," 1283  
"four stars," or "five stars," as described in division (F) of 1284  
this section, for a district or building for the individual 1285  
components prescribed under division (D) (3) of this section. The 1286  
department also shall assign an overall performance rating for a 1287  
district or building in accordance with division (D) (3) (g) of 1288  
this section. The method shall use the performance measures 1289  
prescribed under division (D) (1) of this section to calculate 1290  
performance ratings for components. The method may report data 1291  
under division (D) (2) of this section with corresponding 1292  
components, but shall not use the data to calculate performance 1293  
ratings for that component. The performance measures and 1294  
reported data shall be grouped together into components as 1295  
follows: 1296

(a) Gap closing. In addition to other criteria determined 1297  
appropriate by the department, performance ratings for the gap 1298  
closing component shall reflect whether each of the following 1299  
performance measures are met or not met: 1300

(i) The gifted performance indicator as described in 1301  
division (D) (1) (a) of this section; 1302

(ii) The chronic absenteeism indicator as described in	1303
division (D) (1) (b) of this section;	1304
(iii) For English learners, an English language	1305
proficiency improvement indicator established by the department;	1306
(iv) The subgroup graduation targets;	1307
(v) The subgroup achievement targets in both mathematics	1308
and English language arts;	1309
(vi) The subgroup progress targets in both mathematics and	1310
English language arts.	1311
Achievement and progress targets under division (D) (3) (a)	1312
of this section shall be calculated individually, and districts	1313
and buildings shall receive a status of met or not met on each	1314
measure. The department shall not require a subgroup of a	1315
district or building to meet both the achievement and progress	1316
targets at the same time to receive a status of met.	1317
The department shall not include any subgroup data in this	1318
measure that includes data from fewer than fifteen students. Any	1319
penalty for failing to meet the required assessment	1320
participation rate must be partially in proportion to how close	1321
the district or building was to meeting the rate requirement.	1322
(b) Achievement, which shall include the performance	1323
measure in division (D) (1) (c) of this section and the reported	1324
data in division (D) (2) (a) of this section. Performance ratings	1325
for the achievement component shall be awarded as a percentage	1326
of the maximum performance index score described in division (D)	1327
(1) (c) of this section.	1328
(c) Progress, which shall include the performance measure	1329
in division (D) (1) (d) of this section and the reported data in	1330

divisions (D) (2) (b) and (c) of this section; 1331

(d) Graduation, which shall include the performance 1332  
measures in divisions (D) (1) (e) and (f) of this section and the 1333  
reported data in divisions (D) (2) (d) and (j) of this section. 1334  
The four-year adjusted cohort graduation rate shall be assigned 1335  
a weight of sixty per cent and the five-year adjusted cohort 1336  
graduation rate shall be assigned a weight of forty per cent; 1337

(e) Early literacy, which shall include the performance 1338  
measures in divisions (D) (1) (g), (h), and (i) of this section 1339  
and the reported data in divisions (D) (2) (e) and (k) of this 1340  
section. 1341

If the measure prescribed under division (D) (1) (h) of this 1342  
section is included in a report card, performance ratings for 1343  
the early literacy component shall give a weight of forty per 1344  
cent to the measure prescribed under division (D) (1) (g) of this 1345  
section, a weight of thirty-five per cent to the measure 1346  
prescribed under division (D) (1) (i) of this section, and a 1347  
weight of twenty-five per cent to the measure prescribed under 1348  
division (D) (1) (h) of this section. 1349

If the measure prescribed under division (D) (1) (h) of this 1350  
section is not included in a report card of a district or 1351  
building, performance ratings for the early literacy component 1352  
shall give a weight of sixty per cent to the measure prescribed 1353  
under division (D) (1) (g) of this section and a weight of forty 1354  
per cent to the measure prescribed under division (D) (1) (i) of 1355  
this section. 1356

(f) College, career, workforce, and military readiness, 1357  
which shall include the performance measure in division (D) (1) 1358  
(j) of this section and the reported data in division (D) (2) (f) 1359

of this section. 1360

For the 2021-2022, 2022-2023, and 2023-2024 school years, 1361  
the department only shall report the data for, and not assign a 1362  
performance rating to, the college, career, workforce, and 1363  
military readiness component. The reported data shall include 1364  
the percentage of students who demonstrate post-secondary 1365  
readiness using any of the options described in division (D)(1) 1366  
(j) of this section. 1367

The department shall analyze the data included in the 1368  
performance measure prescribed in division (D)(1)(j) of this 1369  
section for the 2021-2022, 2022-2023, and 2023-2024 school 1370  
years. Using that data, the department shall develop and propose 1371  
rules for a method to assign a performance rating to the 1372  
college, career, workforce, and military readiness component 1373  
based on that measure. The method to assign a performance rating 1374  
shall not include a tiered structure or per student bonuses. The 1375  
rules shall specify that a district or building shall not 1376  
receive lower than a performance rating of three stars for the 1377  
component if the district's or building's performance on the 1378  
component meets or exceeds a level of improvement set by the 1379  
department. Notwithstanding division (D)(4)(b) of this section, 1380  
more than half of the total districts and buildings may earn a 1381  
performance rating of three stars on this component to account 1382  
for the districts and buildings that earned a performance rating 1383  
of three stars because they met or exceeded the level of 1384  
improvement set by the department. 1385

The department shall submit the rules to the joint 1386  
committee on agency rule review. The committee shall conduct at 1387  
least one public hearing on the proposed rules and approve or 1388  
disapprove the rules. If the committee approves the rules, the 1389



department shall adopt the rules in accordance with Chapter 119. 1390  
of the Revised Code. If the rules are adopted, the department 1391  
shall assign a performance rating to the college, career, 1392  
workforce, and military readiness component under the rules 1393  
beginning with the 2024-2025 school year, and for each school 1394  
year thereafter. If the committee disapproves the rules, the 1395  
component shall be included in the report card only as reported 1396  
data for the 2024-2025 school year, and each school year 1397  
thereafter. 1398

(g) (i) Except as provided for in division (D) (3) (g) (ii) of 1399  
this section, beginning with the 2022-2023 school year, under 1400  
the method prescribed under rules adopted in division (D) (4) of 1401  
this section, the department shall use the performance ratings 1402  
assigned for the components prescribed in divisions (D) (3) (a) to 1403  
(e) of this section to determine and assign an overall 1404  
performance rating of "one star," "one and one-half stars," "two 1405  
stars," "two and one-half stars," "three stars," "three and one- 1406  
half stars," "four stars," "four and one-half stars," or "five 1407  
stars" for a district or building. The method shall give equal 1408  
weight to the components in divisions (D) (3) (b) and (c) of this 1409  
section. The method shall give equal weight to the components in 1410  
divisions (D) (3) (a), (d), and (e) of this section. The 1411  
individual weights of each of the components prescribed in 1412  
divisions (D) (3) (a), (d), and (e) of this section shall be equal 1413  
to one-half of the weight given to the component prescribed in 1414  
division (D) (3) (b) of this section. 1415

(ii) If the joint committee on agency rule review approves 1416  
the department's rules regarding the college, career, workforce, 1417  
and military readiness component as described in division (D) (3) 1418  
(f) of this section, for the 2024-2025 school year, and each 1419  
school year thereafter, the department's method shall use the 1420

components in divisions (D) (3) (a), (b), (c), (d), (e), and (f) 1421  
of this section to calculate the overall performance rating. The 1422  
method shall give equal weight to the components in divisions 1423  
(D) (3) (b) and (c) of this section. The method shall give equal 1424  
weight to the components prescribed in divisions (D) (3) (a), (d), 1425  
(e), and (f) of this section. The individual weights of each of 1426  
the components prescribed in divisions (D) (3) (a), (d), (e), and 1427  
(f) of this section shall be equal to one-half the weight given 1428  
to the component prescribed in division (D) (3) (b) of this 1429  
section. 1430

If the joint committee on agency rule review disapproves 1431  
the department's rules regarding the college, career, workforce, 1432  
and military readiness component as described in division (D) (3) 1433  
(f) of this section, division (D) (3) (g) (ii) of this section does 1434  
not apply. 1435

(4) (a) The department shall adopt rules in accordance with 1436  
Chapter 119. of the Revised Code to establish the performance 1437  
criteria, benchmarks, and rating system necessary to implement 1438  
divisions (D) and (F) of this section, including the method for 1439  
the department to assign performance ratings under division (D) 1440  
(3) of this section. 1441

(b) In establishing the performance criteria, benchmarks, 1442  
and rating system, the department shall consult with stakeholder 1443  
groups and advocates that represent parents, community members, 1444  
students, business leaders, and educators from different school 1445  
typology regions. The department shall use data from prior 1446  
school years and simulations to ensure that there is meaningful 1447  
differentiation among districts and buildings across all 1448  
performance ratings and that, except as permitted in division 1449  
(D) (3) (f) of this section, more than half of all districts or 1450

buildings do not earn the same performance rating in any 1451  
component or overall performance rating. 1452

(c) The department shall adopt the rules prescribed by 1453  
division (D) (4) of this section not later than March 31, 2022. 1454  
However, the department shall notify districts and buildings of 1455  
the changes to the report card prescribed in law not later than 1456  
one week after September 30, 2021. 1457

(d) Prior to adopting or updating rules under division (D) 1458  
(4) of this section, the director of education and workforce and 1459  
the department shall conduct a public presentation before the 1460  
standing committees of the house of representatives and the 1461  
senate that consider primary and secondary education legislation 1462  
describing the format for the report card and the performance 1463  
criteria, benchmarks, and rating system, including the method to 1464  
assign performance ratings under division (D) (3) of this 1465  
section. 1466

(E) The department may develop a measure of student 1467  
academic progress for high school students using only data from 1468  
assessments in English language arts and mathematics. If the 1469  
department develops this measure, each school district and 1470  
applicable school building shall be assigned a separate letter 1471  
grade for it not sooner than the 2017-2018 school year. The 1472  
district's or building's grade for that measure shall not be 1473  
included in determining the district's or building's overall 1474  
letter grade. 1475

(F) (1) The letter grades assigned to a school district or 1476  
building under this section shall be as follows: 1477

(a) "A" for a district or school making excellent 1478  
progress; 1479

(b) "B" for a district or school making above average progress;	1480 1481
(c) "C" for a district or school making average progress;	1482
(d) "D" for a district or school making below average progress;	1483 1484
(e) "F" for a district or school failing to meet minimum progress.	1485 1486
(2) For the overall performance rating under division (D)	1487
(3) of this section, the department shall include a descriptor for each performance rating as follows:	1488 1489
(a) "Significantly exceeds state standards" for a performance rating of five stars;	1490 1491
(b) "Exceeds state standards" for a performance rating of four stars or four and one-half stars;	1492 1493
(c) "Meets state standards" for a performance rating of three stars or three and one-half stars;	1494 1495
(d) "Needs support to meet state standards" for a performance rating of two stars or two and one-half stars;	1496 1497
(e) "Needs significant support to meet state standards" for a performance rating of one star or one and one-half stars.	1498 1499
(3) For performance ratings for each component under divisions (D) (3) (a) to (f) of this section, the department shall include a description of each component and performance rating. The description shall include component-specific context to each performance rating earned, estimated comparisons to other school districts and buildings if appropriate, and any other information determined by the department. The descriptions shall	1500 1501 1502 1503 1504 1505 1506

be not longer than twenty-five words in length when possible. In 1507  
addition to such descriptions, the department shall include the 1508  
descriptors in division (F) (2) of this section for component 1509  
performance ratings. 1510

(4) Each report card issued under this section shall 1511  
include all of the following: 1512

(a) A graphic that depicts the performance ratings of a 1513  
district or school on a color scale. The color associated with a 1514  
performance rating of three stars shall be green and the color 1515  
associated with a performance rating of one star shall be red. 1516

(b) An arrow graphic that shows data trends for 1517  
performance ratings for school districts or buildings. The 1518  
department shall determine the data to be used for this graphic, 1519  
which shall include at least the three most recent years of 1520  
data. 1521

(c) A description regarding the weights that are assigned 1522  
to each component and used to determine an overall performance 1523  
rating, as prescribed under division (D) (3) (g) of this section, 1524  
which shall be included in the presentation of the overall 1525  
performance rating on each report card. 1526

(G) When reporting data on student achievement and 1527  
progress, the department shall disaggregate that data according 1528  
to the following categories: 1529

(1) Performance of students by grade-level; 1530

(2) Performance of students by race and ethnic group; 1531

(3) Performance of students by gender; 1532

(4) Performance of students grouped by those who have been 1533  
enrolled in a district or school for three or more years; 1534

(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;	1535 1536 1537
(6) Performance of students grouped by those who have been enrolled in a district or school for one year or less;	1538 1539
(7) Performance of students grouped by those who are economically disadvantaged;	1540 1541
(8) Performance of students grouped by those who are enrolled in a conversion community school established under Chapter 3314. of the Revised Code;	1542 1543 1544
(9) Performance of students grouped by those who are classified as English learners;	1545 1546
(10) Performance of students grouped by those who have disabilities;	1547 1548
(11) Performance of students grouped by those who are classified as migrants;	1549 1550
(12) Performance of students grouped by those who are identified as gifted in superior cognitive ability and the specific academic ability fields of reading and math pursuant to Chapter 3324. of the Revised Code. In disaggregating specific academic ability fields for gifted students, the department shall use data for those students with specific academic ability in math and reading. If any other academic field is assessed, the department shall also include data for students with specific academic ability in that field as well.	1551 1552 1553 1554 1555 1556 1557 1558 1559
(13) Performance of students grouped by those who perform in the lowest quintile for achievement on a statewide basis, as determined by a method prescribed by the department.	1560 1561 1562

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

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

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

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

The department shall maintain a site on the world wide web. The report card shall include the address of the site and shall specify that such additional information is available to

the public at that site. The department shall also provide a 1593  
copy of each item on the list to the superintendent of each 1594  
school district. The district superintendent shall provide a 1595  
copy of any item on the list to anyone who requests it. 1596

(J) (1) (a) Except as provided in division (J) (1) (b) of this 1597  
section, for any district that sponsors a conversion community 1598  
school under Chapter 3314. of the Revised Code, the department 1599  
shall combine data regarding the academic performance of 1600  
students enrolled in the community school with comparable data 1601  
from the schools of the district for the purpose of determining 1602  
the performance of the district as a whole on the report card 1603  
issued for the district under this section or section 3302.033 1604  
of the Revised Code. 1605

(b) The department shall not combine data from any 1606  
conversion community school that a district sponsors if a 1607  
majority of the students enrolled in the conversion community 1608  
school are enrolled in a dropout prevention and recovery program 1609  
that is operated by the school, as described in division ~~(A) (4)~~ 1610  
~~(a)~~ (B) (1) of section 3314.35 of the Revised Code. The 1611  
department shall include as an addendum to the district's report 1612  
card the ratings and performance measures that are required 1613  
under section 3314.017 of the Revised Code for any community 1614  
school to which division (J) (1) (b) of this section applies. This 1615  
addendum shall include, at a minimum, the data specified in 1616  
divisions (C) (1) (a), (C) (2), and (C) (3) of section 3314.017 of 1617  
the Revised Code. 1618

(2) Any district that leases a building to a community 1619  
school located in the district or that enters into an agreement 1620  
with a community school located in the district whereby the 1621  
district and the school endorse each other's programs may elect 1622



to have data regarding the academic performance of students 1623  
enrolled in the community school combined with comparable data 1624  
from the schools of the district for the purpose of determining 1625  
the performance of the district as a whole on the district 1626  
report card. Any district that so elects shall annually file a 1627  
copy of the lease or agreement with the department. 1628

(3) Any municipal school district, as defined in section 1629  
3311.71 of the Revised Code, that sponsors a community school 1630  
located within the district's territory, or that enters into an 1631  
agreement with a community school located within the district's 1632  
territory whereby the district and the community school endorse 1633  
each other's programs, may exercise either or both of the 1634  
following elections: 1635

(a) To have data regarding the academic performance of 1636  
students enrolled in that community school combined with 1637  
comparable data from the schools of the district for the purpose 1638  
of determining the performance of the district as a whole on the 1639  
district's report card; 1640

(b) To have the number of students attending that 1641  
community school noted separately on the district's report card. 1642

The election authorized under division (J) (3) (a) of this 1643  
section is subject to approval by the governing authority of the 1644  
community school. 1645

Any municipal school district that exercises an election 1646  
to combine or include data under division (J) (3) of this 1647  
section, by the first day of October of each year, shall file 1648  
with the department documentation indicating eligibility for 1649  
that election, as required by the department. 1650

(K) The department shall include on each report card the 1651

percentage of teachers in the district or building who are 1652  
properly certified or licensed teachers, as defined in section 1653  
3319.074 of the Revised Code, and a comparison of that 1654  
percentage with the percentages of such teachers in similar 1655  
districts and buildings. 1656

(L) (1) In calculating English language arts, mathematics, 1657  
science, American history, or American government assessment 1658  
passage rates used to determine school district or building 1659  
performance under this section, the department shall include all 1660  
students taking an assessment with accommodation or to whom an 1661  
alternate assessment is administered pursuant to division (C) (1) 1662  
or (3) of section 3301.0711 of the Revised Code and all students 1663  
who take substitute examinations approved under division (B) (4) 1664  
of section 3301.0712 of the Revised Code in the subject areas of 1665  
science, American history and American government. 1666

(2) In calculating performance index scores, rates of 1667  
achievement on the performance indicators established by the 1668  
department under section 3302.02 of the Revised Code, and annual 1669  
measurable objectives for determining adequate yearly progress 1670  
for school districts and buildings under this section, the 1671  
department shall do all of the following: 1672

(a) Include for each district or building only those 1673  
students who are included in the ADM certified for the first 1674  
full school week of October and are continuously enrolled in the 1675  
district or building through the time of the spring 1676  
administration of any assessment prescribed by division (A) (1) 1677  
or (B) (1) of section 3301.0710 or division (B) of section 1678  
3301.0712 of the Revised Code that is administered to the 1679  
student's grade level; 1680

(b) Include cumulative totals from both the fall and 1681

spring administrations of the third grade English language arts 1682  
achievement assessment and, to the extent possible, the summer 1683  
administration of that assessment; 1684

(c) Include for each district or building any English 1685  
learner in accordance with the department's plan, as approved by 1686  
the United States secretary of education, to comply with the 1687  
"Elementary and Secondary Education Act of 1965," 20 U.S.C. 6311 1688  
to 6339. 1689

As used in this section, "English learner" has the same 1690  
meaning as in section 3301.0731 of the Revised Code. 1691

(M) Beginning with the 2015-2016 school year and at least 1692  
once every three years thereafter, the department shall review 1693  
and may adjust the benchmarks for assigning letter grades or 1694  
performance ratings to the performance measures and components 1695  
prescribed under divisions (C) (3), (D), and (E) of this section. 1696

**Sec. 3302.151.** (A) Notwithstanding anything to the 1697  
contrary in the Revised Code, a school district that qualifies 1698  
under division (D) of this section shall be exempt from all of 1699  
the following: 1700

(1) The teacher qualification requirements under the 1701  
third-grade reading guarantee, as prescribed under divisions (B) 1702  
(3) (c) and (H) of section 3313.608 of the Revised Code. This 1703  
exemption does not relieve a teacher from holding a valid Ohio 1704  
license in a subject area and grade level determined appropriate 1705  
by the board of education of that district. 1706

(2) The mentoring component of the Ohio teacher residency 1707  
program established under division (A) (1) of section 3319.223 of 1708  
the Revised Code, so long as the district utilizes a local 1709  
approach to train and support new teachers; 1710

(3) Any provision of the Revised Code or rule or standard 1711  
of the department of education and workforce prescribing a 1712  
minimum or maximum class size; 1713

(4) Any provision of the Revised Code or rule or standard 1714  
of the department requiring teachers to be licensed specifically 1715  
in the grade level in which they are teaching, except unless 1716  
otherwise prescribed by federal law. This exemption does not 1717  
apply to special education teachers. Nor does this exemption 1718  
relieve a teacher from holding a valid Ohio license in the 1719  
subject area in which that teacher is teaching and at least some 1720  
grade level determined appropriate by the district board. 1721

(B) (1) Notwithstanding anything to the contrary in the 1722  
Revised Code, including sections 3319.30 and 3319.36 of the 1723  
Revised Code, the superintendent of a school district that 1724  
qualifies under division (D) of this section may employ an 1725  
individual who is not licensed as required by sections 3319.22 1726  
to 3319.30 of the Revised Code, but who is otherwise qualified 1727  
based on experience, to teach classes in the district, so long 1728  
as the board of education of the school district approves the 1729  
individual's employment and provides mentoring and professional 1730  
development opportunities to that individual, as determined 1731  
necessary by the board. 1732

(2) As a condition of employment under this section, an 1733  
individual shall be subject to a criminal records check as 1734  
prescribed by section 3319.391 of the Revised Code. In the 1735  
manner prescribed by the state board of education, the 1736  
individual shall submit the criminal records check to the state 1737  
board and shall register with the state board during the period 1738  
in which the individual is employed by the district. The state 1739  
board shall use the information submitted to enroll the 1740

individual in the retained applicant fingerprint database, 1741  
established under section 109.5721 of the Revised Code, in the 1742  
same manner as any teacher licensed under sections 3319.22 to 1743  
3319.31 of the Revised Code. 1744

(3) An individual employed pursuant to this division is 1745  
subject to Chapter 3307. of the Revised Code. 1746

If the state board receives notification of the arrest or 1747  
conviction of an individual employed under division (B) of this 1748  
section, the state board shall promptly notify the employing 1749  
district and may take any action authorized under sections 1750  
3319.31 and 3319.311 of the Revised Code that it considers 1751  
appropriate. No district shall employ any individual under 1752  
division (B) of this section if the district learns that the 1753  
individual has plead guilty to, has been found guilty by a jury 1754  
or court of, or has been convicted of any of the offenses listed 1755  
in division (C) of section 3319.31 of the Revised Code. 1756

(C) Notwithstanding anything to the contrary in the 1757  
Revised Code, noncompliance with any of the requirements listed 1758  
in divisions (A) or (B) of this section shall not disqualify a 1759  
school district that qualifies under division (D) of this 1760  
section from receiving funds under Chapter 3317. of the Revised 1761  
Code. 1762

(D) In order for a city, local, or exempted village school 1763  
district to qualify for the exemptions described in this 1764  
section, the school district shall meet ~~all~~ both of the 1765  
following benchmarks on the most recent report card issued for 1766  
that district under section 3302.03 of the Revised Code: 1767

(1) The district received at least eighty-five per cent of 1768  
the total possible points for the performance index score 1769

calculated under division (C) (1) (b) or (D) (1) (c) of that section; 1770  
1771

~~(2) The district received a grade of an "A" for performance indicators met under division (C) (1) (c) of that section. However, division (D) (2) of this section shall not apply for the 2021-2022 school year or any school year thereafter.~~ 1772  
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~~(3) The district has a four-year adjusted cohort graduation rate of at least ninety-three per cent and a five-year adjusted cohort graduation rate of at least ninety-five per cent, as calculated under division (C) (1) (d) or divisions (D) (1) (e) and (D) (1) (f) of that section.~~ 1777  
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~~(E) (E) (1) A school district that meets the requirements prescribed by division (D) of this section shall be qualified for the exemptions prescribed by this section for three school years, beginning with the school year in which the qualifying report card is issued.~~ 1782  
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(2) The exemption prescribed under this division may be renewed every three school years if the school district continues to meet the requirements prescribed in division (D) of this section. 1787  
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1790

(3) The department of education and workforce, by the thirtieth day of September in each school year, shall notify each district that becomes eligible for the exemptions under this section that the district is eligible and that such exemptions exist. 1791  
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(F) As used in this section, "license" has the same meaning as in section 3319.31 of the Revised Code. 1796  
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**Sec. 3311.80.** Notwithstanding any provision of the Revised 1798

Code to the contrary, a municipal school district shall be 1799  
subject to this section instead of section 3319.111 of the 1800  
Revised Code. 1801

(A) ~~Not later than July 1, 2013, the~~ The board of 1802  
education of each municipal school district and the teachers' 1803  
labor organization shall develop and adopt standards-based 1804  
teacher evaluation procedures that shall either conform with the 1805  
framework for evaluation of teachers developed under section 1806  
3319.112 of the Revised Code or a framework developed or adopted 1807  
by the district. The evaluation procedures shall include at 1808  
least formal observations and classroom walk-throughs, which may 1809  
be announced or unannounced; examinations of samples of work, 1810  
such as lesson plans or assessments designed by a teacher; and 1811  
multiple measures of student academic growth. 1812

(B) When using measures of student academic growth as a 1813  
component of a teacher's evaluation, those measures shall 1814  
include the value-added progress dimension prescribed by section 1815  
3302.021 of the Revised Code or the alternative student academic 1816  
progress measure if adopted under division (C)(1)(e) of section 1817  
3302.03 of the Revised Code. For teachers of grade levels and 1818  
subjects for which the value-added progress dimension or 1819  
alternative student academic achievement measure is not 1820  
applicable, the board shall administer assessments on the list 1821  
developed under division (B)(2) of section 3319.112 of the 1822  
Revised Code. 1823

(C) (1) Each teacher employed by the board shall be 1824  
evaluated at least once each school year, except as provided in 1825  
division (C)(2) of this section. The composite evaluation shall 1826  
be completed not later than the first day of June and the 1827  
teacher shall receive a written report of the results of the 1828

composite evaluation not later than ten days after its 1829  
completion or the last teacher work day of the school year, 1830  
whichever is earlier. 1831

(2) Each teacher who received a rating of accomplished on 1832  
the teacher's most recent evaluation conducted under this 1833  
section may be evaluated once every two school years, except 1834  
that the teacher shall be evaluated in any school year in which 1835  
the teacher's contract is due to expire. The biennial composite 1836  
evaluation shall be completed not later than the first day of 1837  
June of the applicable school year, and the teacher shall 1838  
receive a written report of the results of the composite 1839  
evaluation not later than ten days after its completion or the 1840  
last teacher work day of the school year, whichever is earlier. 1841

(D) Each evaluation conducted pursuant to this section 1842  
shall be conducted by one or more of the following persons who 1843  
have been trained to conduct evaluations in accordance with 1844  
criteria that shall be developed jointly by the chief executive 1845  
officer of the district, or the chief executive officer's 1846  
designee, and the teachers' labor organization: 1847

(1) The chief executive officer or a subordinate officer 1848  
of the district with responsibility for instruction or academic 1849  
affairs; 1850

(2) A person who is under contract with the board pursuant 1851  
to section 3319.02 of the Revised Code and holds a license 1852  
designated for being a principal issued under section 3319.22 of 1853  
the Revised Code; 1854

(3) A person who is under contract with the board pursuant 1855  
to section 3319.02 of the Revised Code and holds a license 1856  
designated for being a vocational director or a supervisor in 1857



any educational area issued under section 3319.22 of the Revised Code; 1858  
1859

(4) A person designated to conduct evaluations under an agreement providing for peer assistance and review entered into by the board and the teachers' labor organization. 1860  
1861  
1862

(E) The evaluation procedures shall describe how the evaluation results will be used for decisions regarding compensation, retention, promotion, and reductions in force and for removal of poorly performing teachers. 1863  
1864  
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(F) A teacher may challenge any violations of the evaluation procedures in accordance with the grievance procedure specified in any applicable collective bargaining agreement. A challenge under this division is limited to the determination of procedural errors that have resulted in substantive harm to the teacher and to ordering the correction of procedural errors. The failure of the board or a person conducting an evaluation to strictly comply with any deadline or evaluation forms established as part of the evaluation process shall not be cause for an arbitrator to determine that a procedural error occurred, unless the arbitrator finds that the failure resulted in substantive harm to the teacher. The arbitrator shall have no jurisdiction to modify the evaluation results, but the arbitrator may stay any decision taken pursuant to division (E) of this section pending the board's correction of any procedural error. The board shall correct any procedural error within fifteen business days after the arbitrator's determination that a procedural error occurred. 1867  
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(G) Notwithstanding any provision to the contrary in Chapter 4117. of the Revised Code, the requirements of this section prevail over any conflicting provisions of a collective 1885  
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1887

bargaining agreement entered into on or after October 1, 2012. 1888  
However, the board and the teachers' labor organization may 1889  
negotiate additional evaluation procedures, including an 1890  
evaluation process incorporating peer assistance and review, 1891  
provided the procedures are consistent with this section. 1892

(H) This section does not apply to administrators 1893  
appointed by the chief executive officer of a municipal school 1894  
district under section 3311.72 of the Revised Code, 1895  
administrators subject to evaluation procedures under section 1896  
3311.84 or 3319.02 of the Revised Code, or to any teacher 1897  
employed as a substitute for less than one hundred twenty days 1898  
during a school year pursuant to section 3319.10 of the Revised 1899  
Code. 1900

**Sec. 3312.02.** ~~(A)~~—There shall be the following sixteen 1901  
regions in the educational regional service system: 1902

~~(1)~~—(A) Region one shall consist of the territory 1903  
contained in Defiance, Fulton, Hancock, Henry, Lucas, Ottawa, 1904  
Paulding, Putnam, Sandusky, Seneca, Van Wert, Williams, and Wood 1905  
counties. 1906

~~(2)~~—(B) Region two shall consist of the territory 1907  
contained in Erie, Huron, and Lorain counties. 1908

~~(3)~~—(C) Region three shall consist of the territory 1909  
contained in Cuyahoga county. 1910

~~(4)~~—(D) Region four shall consist of the territory 1911  
contained in Geauga and Lake counties. 1912

~~(5)~~—(E) Region five shall consist of the territory 1913  
contained in Ashtabula, Mahoning, and Trumbull counties. 1914

~~(6)~~—(F) Region six shall consist of the territory 1915

contained in Allen, Auglaize, Champaign, Hardin, Logan, Mercer, and Shelby counties.	1916 1917
<del>(7)</del> <u>(G)</u> Region seven shall consist of the territory contained in Ashland, Crawford, Knox, Marion, Morrow, Richland, and Wyandot counties.	1918 1919 1920
<del>(8)</del> <u>(H)</u> Region eight shall consist of the territory contained in Medina, Portage, and Summit counties.	1921 1922
<del>(9)</del> <u>(I)</u> Region nine shall consist of the territory contained in Columbiana, Stark, and Wayne counties.	1923 1924
<del>(10)</del> <u>(J)</u> Region ten shall consist of the territory contained in Clark, Darke, Greene, Miami, Montgomery, and Preble counties.	1925 1926 1927
<del>(11)</del> <u>(K)</u> Region eleven shall consist of the territory contained in Delaware, Fairfield, Franklin, Licking, Madison, Pickaway, and Union counties.	1928 1929 1930
<del>(12)</del> <u>(L)</u> Region twelve shall consist of the territory contained in Belmont, Carroll, Coshocton, Guernsey, Harrison, Holmes, Jefferson, Muskingum, Noble, and Tuscarawas counties.	1931 1932 1933
<del>(13)</del> <u>(M)</u> Region thirteen shall consist of the territory contained in Butler, Clermont, Hamilton, and Warren counties.	1934 1935
<del>(14)</del> <u>(N)</u> Region fourteen shall consist of the territory contained in Adams, Brown, Clinton, Fayette, and Highland counties.	1936 1937 1938
<del>(15)</del> <u>(O)</u> Region fifteen shall consist of the territory contained in Lawrence, Pike, Ross, and Scioto counties.	1939 1940
<del>(16)</del> <u>(P)</u> Region sixteen shall consist of the territory contained in Athens, Gallia, Hocking, Jackson, Meigs, Monroe,	1941 1942

Morgan, Perry, Vinton, and Washington counties. 1943

~~(B) The department of education and workforce shall adopt 1944  
rules establishing a process whereby a school district may elect 1945  
to transfer to a region other than the region to which the 1946  
district is assigned by this section. The department shall 1947  
consult with school districts and regional service providers in 1948  
developing the process. No school district shall be permitted to 1949  
transfer to a different region under this division after June 1950  
30, 2009. 1951~~

**Sec. 3313.413.** (A) As used in this section, "high- 1952  
performing community school" means either of the following: 1953

(1) A community school established under Chapter 3314. of 1954  
the Revised Code that meets the following conditions: 1955

(a) Except as provided in division (A) (1) (b) or (c) of 1956  
this section, the school both: 1957

(i) Has received either a grade of "A," "B," or "C" for 1958  
the performance index score under division (C) (1) (b) of section 1959  
3302.03 of the Revised Code or a performance rating of three 1960  
stars or higher for achievement under division (D) (3) (b) of that 1961  
section; or has increased its performance index score under 1962  
division (C) (1) (b) or (D) (1) (d) of section 3302.03 of the 1963  
Revised Code in each of the previous three years of operation; 1964  
and 1965

(ii) Has received either a grade of "A" or "B" for the 1966  
value-added progress dimension under division (C) (1) (e) of 1967  
section 3302.03 of the Revised Code or a performance rating of 1968  
four stars or higher for progress under division (D) (3) (c) of 1969  
that section on its most recent report card rating issued under 1970  
that section. 1971

(b) If the school serves only grades kindergarten through 1972  
three, the school received either a grade of "A" or "B" for 1973  
making progress in improving literacy in grades kindergarten 1974  
through three under division (C) (1) (g) of section 3302.03 of the 1975  
Revised Code or a performance rating of four stars or higher for 1976  
early literacy under division (D) (3) (e) of that section on its 1977  
most recent report card issued under that section. 1978

(c) If the school primarily serves students enrolled in a 1979  
dropout prevention and recovery program as described in division 1980  
~~(A) (4) (a)~~ (B) (1) of section 3314.35 of the Revised Code, the 1981  
school received a rating of "exceeds standards" on its most 1982  
recent report card issued under section 3314.017 of the Revised 1983  
Code. 1984

(2) A newly established community school that is 1985  
implementing a community school model that has a track record of 1986  
high-quality academic performance, as determined by the 1987  
department of education and workforce. 1988

(B) When a school district board of education decides to 1989  
dispose of real property it owns in its corporate capacity under 1990  
section 3313.41 of the Revised Code, the board shall first offer 1991  
that property to the governing authorities of all start-up 1992  
community schools, the boards of trustees of any college- 1993  
preparatory boarding schools, and the governing bodies of any 1994  
STEM schools that are located within the territory of the 1995  
district. Not later than sixty days after the district board 1996  
makes the offer, interested governing authorities, boards of 1997  
trustees, and governing bodies shall notify the district 1998  
treasurer in writing of the intention to purchase the property. 1999

The district board shall give priority to the governing 2000  
authorities of high-performing community schools that are 2001

located within the territory of the district. 2002

(1) If more than one governing authority of a high- 2003  
performing community school notifies the district treasurer of 2004  
its intention to purchase the property pursuant to division (B) 2005  
of this section, the board shall conduct a public auction in the 2006  
manner required for auctions of district property under division 2007  
(A) of section 3313.41 of the Revised Code. Only the governing 2008  
authorities of high-performing community schools that notified 2009  
the district treasurer pursuant to division (B) of this section 2010  
are eligible to bid at the auction. 2011

(2) If no governing authority of a high-performing 2012  
community school notifies the district treasurer of its 2013  
intention to purchase the property pursuant to division (B) of 2014  
this section, the board shall then proceed with the offers from 2015  
all other start-up community schools, college-preparatory 2016  
boarding schools, and STEM schools made pursuant to that 2017  
division. If more than one such entity notifies the district 2018  
treasurer of its intention to purchase the property pursuant to 2019  
division (B) of this section, the board shall conduct a public 2020  
auction in the manner required for auctions of district property 2021  
under division (A) of section 3313.41 of the Revised Code. Only 2022  
the entities that notified the district treasurer pursuant to 2023  
division (B) of this section are eligible to bid at the auction. 2024

(3) If no governing authority, board of trustees, or 2025  
governing body notifies the district treasurer of its intention 2026  
to purchase the property pursuant to division (B) of this 2027  
section, the district may then offer the property for sale in 2028  
the manner prescribed under divisions (A) to (F) of section 2029  
3313.41 of the Revised Code. 2030

(C) Notwithstanding anything to the contrary in sections 2031

3313.41 and 3313.411 of the Revised Code, the purchase price of 2032  
any real property sold to any of the entities in accordance with 2033  
division (B) of this section shall not be more than the 2034  
appraised fair market value of that property as determined in an 2035  
appraisal of the property that is not more than one year old. 2036

(D) Not later than the first day of October of each year, 2037  
the department of education and workforce shall post in a 2038  
prominent location on its web site a list of schools that 2039  
qualify as high-performing community schools for purposes of 2040  
this section and section 3313.411 of the Revised Code. 2041

**Sec. 3313.48.** (A) The board of education of each city, 2042  
exempted village, local, and joint vocational school district 2043  
shall provide for the free education of the youth of school age 2044  
within the district under its jurisdiction, at such places as 2045  
will be most convenient for the attendance of the largest number 2046  
thereof. Each school so provided and each chartered nonpublic 2047  
school shall be open for instruction with pupils in attendance, 2048  
including scheduled classes, supervised activities, and approved 2049  
education options but excluding lunch and breakfast periods and 2050  
extracurricular activities, for not less than four hundred 2051  
fifty-five hours in the case of pupils in kindergarten unless 2052  
such pupils are provided all-day kindergarten, as defined in 2053  
section 3321.05 of the Revised Code, in which case the pupils 2054  
shall be in attendance for nine hundred ten hours; nine hundred 2055  
ten hours in the case of pupils in grades one through six; and 2056  
one thousand one hours in the case of pupils in grades seven 2057  
through twelve in each school year, which may include all of the 2058  
following: 2059

(1) Up to the equivalent of two school days per year 2060  
during which pupils would otherwise be in attendance but are not 2061

required to attend for the purpose of individualized parent- 2062  
teacher conferences and reporting periods; 2063

(2) Up to the equivalent of two school days per year 2064  
during which pupils would otherwise be in attendance but are not 2065  
required to attend for professional meetings of teachers; 2066

(3) Morning and afternoon recess periods of not more than 2067  
fifteen minutes duration per period for pupils in grades 2068  
kindergarten through six. 2069

(B) Not later than thirty days prior to adopting a school 2070  
calendar, the board of education of each city, exempted village, 2071  
and local school district shall hold a public hearing on the 2072  
school calendar, addressing topics that include, but are not 2073  
limited to, the total number of hours in a school year, length 2074  
of school day, and beginning and end dates of instruction. The 2075  
public hearing required under this division need not be a 2076  
separate, individual hearing and may be part of another public 2077  
hearing or board meeting. 2078

(C) No school operated by a city, exempted village, local, 2079  
or joint vocational school district shall reduce the number of 2080  
hours in each school year that the school is scheduled to be 2081  
open for instruction from the number of hours per year the 2082  
school was open for instruction during the previous school year 2083  
unless the reduction is approved by a resolution adopted by the 2084  
district board of education. Any reduction so approved shall not 2085  
result in fewer hours of instruction per school year than the 2086  
applicable number of hours required under division (A) of this 2087  
section. 2088

(D) Prior to making any change in the hours or days in 2089  
which a high school under its jurisdiction is open for 2090



instruction, the board of education of each city, exempted 2091  
village, and local school district shall consider the 2092  
compatibility of the proposed change with the scheduling needs 2093  
of any joint vocational school district in which any of the high 2094  
school's students are also enrolled. The board shall consider 2095  
the impact of the proposed change on student access to the 2096  
instructional programs offered by the joint vocational school 2097  
district, incentives for students to participate in career- 2098  
technical education, transportation, and the timing of 2099  
graduation. The board shall provide the joint vocational school 2100  
district board with advance notice of the proposed change and 2101  
the two boards shall enter into a written agreement prescribing 2102  
reasonable accommodations to meet the scheduling needs of the 2103  
joint vocational school district prior to implementation of the 2104  
change. 2105

(E) Subject to section 3327.016 of the Revised Code, prior 2106  
to making any change in the hours or days in which a school 2107  
under its jurisdiction is open for instruction, the board of 2108  
education of each city, exempted village, and local school 2109  
district shall consider the compatibility of the proposed change 2110  
with the scheduling needs of any community school established 2111  
under Chapter 3314. of the Revised Code to which the district is 2112  
required to transport students under sections 3314.09 and 2113  
3327.01 of the Revised Code. The board shall consider the impact 2114  
of the proposed change on student access to the instructional 2115  
programs offered by the community school, transportation, and 2116  
the timing of graduation. The board shall provide the sponsor, 2117  
governing authority, and operator of the community school with 2118  
advance notice of the proposed change, and the board and the 2119  
governing authority, or operator if such authority is delegated 2120  
to the operator, shall enter into a written agreement 2121

prescribing reasonable accommodations to meet the scheduling 2122  
needs of the community school prior to implementation of the 2123  
change. 2124

(F) Subject to section 3327.016 of the Revised Code, prior 2125  
to making any change in the hours or days in which the schools 2126  
under its jurisdiction are open for instruction, the board of 2127  
education of each city, exempted village, and local school 2128  
district shall consult with the chartered nonpublic schools to 2129  
which the district is required to transport students under 2130  
section 3327.01 of the Revised Code and shall consider the 2131  
effect of the proposed change on the schedule for transportation 2132  
of those students to their nonpublic schools. The governing 2133  
authority of a chartered nonpublic school shall consult with 2134  
each school district board of education that transports students 2135  
to the chartered nonpublic school under section 3327.01 of the 2136  
Revised Code prior to making any change in the hours or days in 2137  
which the nonpublic school is open for instruction. 2138

(G) The department of education and workforce shall not 2139  
adopt or enforce any rule or standard that imposes on chartered 2140  
nonpublic schools the procedural requirements imposed on school 2141  
districts by divisions (B), (C), (D), and (E) of this section. 2142

**Sec. 3313.92.** (A) The boards of education of any two or 2143  
more school districts may, subject to the approval of the 2144  
department of education and workforce, enter into agreements for 2145  
the joint or cooperative construction, acquisition, or 2146  
improvement of any building, structure, or facility benefiting 2147  
the parties thereto, including, without limitation, schools and 2148  
classrooms for the purpose of Chapter 3323. of the Revised Code, 2149  
and for the management, operation, occupancy, use, maintenance, 2150  
or repair thereof, or for the joint or cooperative participation 2151

in programs, projects, activities, or services in connection 2152  
with such buildings, structures, or facilities, including 2153  
participation in the Ohio education computer network established 2154  
by section 3301.075 of the Revised Code. 2155

(B) Any agreement entered into under authority of this 2156  
section shall, where appropriate, provide for: 2157

(1) The method by which the building, structure, or 2158  
facility shall be constructed, acquired, or improved and by 2159  
which it shall be managed, occupied, maintained, and repaired, 2160  
and specifically a designation of one of the boards of education 2161  
to take and have exclusive charge of any and all details of 2162  
construction, acquisition, or improvement, including any 2163  
advertising for bids and the award of any construction or 2164  
improvement contract pursuant to the law applicable to such 2165  
board of education; 2166

(2) The manner in which the title to the buildings, 2167  
structures, or facilities, including the sites and interests in 2168  
real estate necessary therefor, is to be held by one or more of 2169  
such boards of education; 2170

(3) The management or administration of any such programs, 2171  
projects, activities, services, or joint exercise of powers, 2172  
which may include management or administration by one of said 2173  
boards of education; 2174

(4) The manner of apportionment or sharing of all of the 2175  
costs, or specified classes of costs, including without 2176  
limitation costs of planning, construction, acquisition, 2177  
improvement, management, operation, maintenance, or repair of 2178  
such buildings, structures, or facilities, or of planning and 2179  
conducting such programs or projects, or obtaining such 2180

services, which apportionment or sharing may be based on fixed 2181  
amounts, or on ratios or formulas, or affected through tuitions 2182  
to be contributed by the parties or in such manner therein 2183  
provided. 2184

(C) Any agreement entered into under authority of this 2185  
section may provide for: 2186

(1) An orderly process for making determinations as to 2187  
planning, execution, implementation, and operation, which may 2188  
include provisions for a committee, board, or commission, and 2189  
for representation thereon; 2190

(2) Securing necessary personnel, including participation 2191  
of teachers and other personnel from the respective school 2192  
districts; 2193

(3) Standards or conditions for the admission or 2194  
participation of students and others, including students from 2195  
other school districts; 2196

(4) Conditions for admittance of other school districts to 2197  
participation under the agreement; 2198

(5) Fixing or establishing the method of determining 2199  
special charges to be made for particular services or materials; 2200

(6) The manner of amending, supplementing, terminating, or 2201  
withdrawal or removal of any party from, the agreement, and the 2202  
term of the agreement or an indefinite term; 2203

(7) Designation of the applicants for or recipients of any 2204  
state, federal, or other aid, assistance, or loans available by 2205  
reason of any activities conducted under the agreement; 2206

(8) Designation of one or more of the participating boards 2207  
of education to maintain, prepare, and submit, on behalf of all 2208

parties to the agreement, any or all records and reports with 2209  
regard to the activities conducted under the agreement, 2210  
including without limitation those required under sections 2211  
~~3301.14,~~ 3313.50, 3319.32 to 3319.37, 3321.12, 3323.08, and 2212  
3323.13 of the Revised Code; 2213

(9) Such other matters as the parties thereto may agree 2214  
upon for the purposes of division (A) of this section. 2215

(D) For the purpose of paying or contributing its share 2216  
under an agreement made under this section, a board of education 2217  
may: 2218

(1) Appropriate any moneys from its general fund, and from 2219  
any other funds not otherwise restricted by law, including funds 2220  
for permanent improvements of such board of education where the 2221  
contribution is to be made toward the cost of permanent 2222  
improvements under the agreement; 2223

(2) Issue bonds, and notes in anticipation thereof, under 2224  
Chapter 133. and section 3311.20 of the Revised Code for any 2225  
permanent improvement, as defined in section 133.01 of the 2226  
Revised Code, to be provided under such agreement; 2227

(3) Levy taxes, and issue notes in anticipation thereof, 2228  
under Chapters 3311. and 5705. of the Revised Code pertaining to 2229  
such board of education, provided that the purpose of such levy 2230  
may include the provision of funds for either or both permanent 2231  
improvements and current operating expenses required as the 2232  
share of such board of education under such agreement; 2233

(4) Contribute real and personal property for use under 2234  
such agreement without necessity for competitive bidding on 2235  
disposition of such property. 2236

(E) Funds provided by the parties to an agreement entered 2237

into under this section, whether by appropriation, the levy of 2238  
taxes, the issuance of bonds or notes, or otherwise, shall be 2239  
transferred to and placed in a separate fund or funds of such 2240  
participating board of education as is designated the fiscal 2241  
agent for such purpose under the agreement, shall be 2242  
appropriated to and shall be applied for the purposes provided 2243  
in such agreement, and shall be subject to audit and, pursuant 2244  
to any determinations to be made as provided under such 2245  
agreement, shall be deposited, invested, and disbursed under the 2246  
provisions of law applicable to the board of education in whose 2247  
custody those funds are held; and the records and reports of 2248  
such board of education under Chapter 117. of the Revised Code 2249  
with respect to those funds shall be sufficient without 2250  
necessity for reports thereon by the other boards of education 2251  
participating under such agreement. 2252

(F) As used in this section, "construction, acquisition, 2253  
or improvement of any building, structure, or facility" also 2254  
includes acquisition of real estate and interests in real estate 2255  
therefor, site improvements, and furniture, furnishings, and 2256  
equipment therefor. Buildings, structures, or facilities 2257  
constructed, acquired, or improved under this section may, 2258  
subject to the agreement, be used for any lawful purpose by each 2259  
party so long as the use thereof is an authorized proper use for 2260  
that party. 2261

(G) Any agreement entered into under this section shall be 2262  
subject to any laws hereafter enacted making express reference 2263  
therein to this section and requiring the transfer of any 2264  
functions exercised or properties held under such agreement to 2265  
any public officer, board, or body heretofore or hereafter 2266  
established, or requiring the termination of such agreement, or 2267  
otherwise affecting the agreement. 2268

(H) The powers granted in this section are supplementary 2269  
to, and not in derogation of or restriction upon, all other 2270  
powers of boards of education of school districts, and are to be 2271  
liberally construed to permit the achievement of the objectives 2272  
of this section and to permit the boards of education to take 2273  
advantage of federal grant and loan programs, provided that the 2274  
exercise of such powers shall be subject to such audit and 2275  
regulation as would be applicable if exercised under any other 2276  
provision of the Revised Code. 2277

**Sec. 3314.012.** (A) ~~The director of education and workforce~~ 2278  
~~shall appoint representatives of the department of education and~~ 2279  
~~workforce, including employees who work with the education~~ 2280  
~~management information system, to a committee to develop report~~ 2281  
~~card models for community schools. The committee shall design~~ 2282  
~~model report cards appropriate for the various types of~~ 2283  
~~community schools approved to operate in the state. Sufficient~~ 2284  
~~models shall be developed to reflect the variety of grade levels~~ 2285  
~~served and the missions of the state's community schools. All~~ 2286  
~~models shall include both financial and academic data.~~ 2287

~~(B)~~ Except as provided in section 3314.017 of the Revised 2288  
Code, the department of education and workforce shall issue an 2289  
annual report card for each community school, regardless of how 2290  
long the school has been in operation. The report card shall 2291  
report the academic and financial performance of the school 2292  
~~utilizing one of the models developed under division (A) of this~~ 2293  
~~section.~~ The report card shall include all information 2294  
applicable to school buildings under section 3302.03 of the 2295  
Revised Code. The ratings a community school receives under 2296  
section 3302.03 of the Revised Code for its first two full 2297  
school years shall not be considered toward automatic closure of 2298  
the school under section 3314.35 of the Revised Code or any 2299

other matter that is based on report card ratings. 2300

~~(C)~~ (B) Upon receipt of a copy of a contract between a 2301  
sponsor and a community school entered into under this chapter, 2302  
the department shall notify the community school of the specific 2303  
model report card that will be used for that school. 2304

~~(D)~~ (C) Report cards shall be distributed to the parents 2305  
of all students in the community school, to the members of the 2306  
board of education of the school district in which the community 2307  
school is located, and to any person who requests one from the 2308  
department. 2309

**Sec. 3314.016.** This section applies to any entity that 2310  
sponsors a community school, regardless of whether section 2311  
3314.021 or 3314.027 of the Revised Code exempts the entity from 2312  
the requirement to be approved for sponsorship under divisions 2313  
(A) (2) and (B) (1) of section 3314.015 of the Revised Code. The 2314  
office of Ohio school sponsorship established under section 2315  
3314.029 of the Revised Code shall be rated under division (B) 2316  
of this section, but divisions (A) and (C) of this section do 2317  
not apply to the office. 2318

(A) An entity that sponsors a community school shall be 2319  
permitted to enter into contracts under section 3314.03 of the 2320  
Revised Code to sponsor additional community schools only if the 2321  
entity meets all of the following criteria: 2322

(1) The entity is in compliance with all provisions of 2323  
this chapter requiring sponsors of community schools to report 2324  
data or information to the department of education and 2325  
workforce. 2326

(2) The entity is not rated as "ineffective" under 2327  
division (B) (6) of this section. 2328



(3) Except as set forth in sections 3314.021 and 3314.027 2329  
of the Revised Code, the entity has received approval from and 2330  
entered into an agreement with the department pursuant to 2331  
section 3314.015 of the Revised Code. 2332

(B) (1) The department shall develop and implement an 2333  
evaluation system that annually rates and assigns an overall 2334  
rating to each entity that sponsors a community school. The 2335  
department, not later than the first day of February of each 2336  
year, shall post on the department's web site the framework for 2337  
the evaluation system, including technical documentation that 2338  
the department intends to use to rate sponsors for the next 2339  
school year. The department shall solicit public comment on the 2340  
evaluation system for thirty consecutive days. Not later than 2341  
the first day of April of each year, the department shall 2342  
compile and post on the department's web site all public 2343  
comments that were received during the public comment period. 2344  
The evaluation system shall be posted on the department's web 2345  
site by the fifteenth day of July of each school year. Any 2346  
changes to the evaluation system after that date shall take 2347  
effect the following year. The evaluation system shall be based 2348  
on the following components: 2349

(a) Academic performance of students enrolled in community 2350  
schools sponsored by the same entity. The academic performance 2351  
component shall be derived from the performance measures 2352  
prescribed for the state report cards under section 3302.03 or 2353  
3314.017 of the Revised Code, and shall be based on the 2354  
performance of the schools for the school year for which the 2355  
evaluation is conducted. In addition to the academic performance 2356  
for a specific school year, the academic performance component 2357  
shall also include year-to-year changes in the overall sponsor 2358  
portfolio. For a community school for which no graded 2359

performance measures are applicable or available, the department 2360  
shall use nonreport card performance measures specified in the 2361  
contract between the community school and the sponsor under 2362  
division (A) (4) of section 3314.03 of the Revised Code. 2363

(b) Adherence by a sponsor to the quality practices 2364  
prescribed by the department under division (B) (3) of this 2365  
section. For a sponsor that was rated "effective" or "exemplary" 2366  
on its most recent rating, the department may evaluate that 2367  
sponsor's adherence to quality practices once over a period of 2368  
three years. If the department elects to evaluate a sponsor once 2369  
over a period of three years, the most recent rating for a 2370  
sponsor's adherence to quality practices shall be used when 2371  
determining an annual overall rating conducted under this 2372  
section. 2373

(c) Compliance with all applicable laws and administrative 2374  
rules by an entity that sponsors a community school. 2375

Under the evaluation system prescribed under division (B) 2376  
(1) of this section, the department shall not assign an overall 2377  
rating of "ineffective" or lower to an entity that sponsors a 2378  
community school solely because that entity received no points 2379  
on one of the components prescribed under that division. 2380

(2) In calculating an academic performance component, the 2381  
department shall exclude all community schools that have been in 2382  
operation for not more than two full school years and all 2383  
community schools described in division ~~(A) (4) (b)~~ (B) (2) of 2384  
section 3314.35 of the Revised Code. However, the academic 2385  
performance of the community schools described in division ~~(A)~~ 2386  
~~(4) (b)~~ (B) (2) of section 3314.35 of the Revised Code shall be 2387  
reported, but shall not be used as a factor when determining a 2388  
sponsoring entity's rating under this section. 2389

(3) The department, in consultation with entities that 2390  
sponsor community schools, shall prescribe quality practices for 2391  
community school sponsors and develop an instrument to measure 2392  
adherence to those quality practices. The quality practices 2393  
shall be based on standards developed by the national 2394  
association of charter school authorizers or any other 2395  
nationally organized community school organization. 2396

(4) (a) The department may permit peer review of a 2397  
sponsor's adherence to the quality practices prescribed under 2398  
division (B) (3) of this section. Peer reviewers shall be limited 2399  
to individuals employed by sponsors rated "effective" or 2400  
"exemplary" on the most recent ratings conducted under this 2401  
section. 2402

(b) The department shall require individuals participating 2403  
in peer review under division (B) (4) (a) of this section to 2404  
complete training approved or established by the department. 2405

(c) The department may enter into an agreement with 2406  
another entity to provide training to individuals conducting 2407  
peer review of sponsors. Prior to entering into an agreement 2408  
with an entity, the department shall review and approve of the 2409  
entity's training program. 2410

(5) The director of education and workforce shall adopt 2411  
rules in accordance with Chapter 119. of the Revised Code 2412  
prescribing standards for measuring compliance with applicable 2413  
laws and rules under division (B) (1) (c) of this section. 2414

(6) The department annually shall rate all entities that 2415  
sponsor community schools as either "exemplary," "effective," 2416  
"ineffective," or "poor," based on the components prescribed by 2417  
division (B) of this section, where each component is weighted 2418

equally. A separate rating shall be given by the department for 2419  
each component of the evaluation system. 2420

The department shall publish the ratings between the first 2421  
day of October and the fifteenth day of November. 2422

Prior to the publication of the final ratings, the 2423  
department shall designate and provide notice of a period of at 2424  
least ten business days during which each sponsor may review the 2425  
information used by the department to determine the sponsor's 2426  
rating on the components prescribed by division (B)(1) of this 2427  
section. If the sponsor believes there is an error in the 2428  
department's evaluation, the sponsor may request adjustments to 2429  
the rating of any of those components based on documentation 2430  
previously submitted as part of an evaluation. The sponsor shall 2431  
provide to the department any necessary evidence or information 2432  
to support the requested adjustments. The department shall 2433  
review the evidence and information, determine whether an 2434  
adjustment is valid, and promptly notify the sponsor of its 2435  
determination and reasons. If any adjustments to the data could 2436  
result in a change to the rating on the applicable component or 2437  
to the overall rating, the department shall recalculate the 2438  
ratings prior to publication. 2439

The department shall provide training on an annual basis 2440  
regarding the evaluation system prescribed under this section. 2441  
The training shall, at a minimum, describe methodology, 2442  
timelines, and data required for the evaluation system. The 2443  
first training session shall occur not later than March 2, 2016. 2444  
Beginning in 2018, the training shall be made available to each 2445  
entity that sponsors a community school by the fifteenth day of 2446  
July of each year and shall include guidance on any changes made 2447  
to the evaluation system. 2448

(7) (a) Entities with an overall rating of "exemplary" for 2449  
the two most recent years in which the entity was evaluated may 2450  
take advantage of the following incentives: 2451

(i) Renewal of the written agreement with the department, 2452  
not to exceed ten years, provided that the entity consents to 2453  
continued evaluation of adherence to quality practices as 2454  
described in division (B) (1) (b) of this section; 2455

(ii) The ability to extend the term of the contract 2456  
between the sponsoring entity and the community school beyond 2457  
the term described in the written agreement with the department; 2458

(iii) An exemption from the preliminary agreement and 2459  
contract adoption and execution deadline requirements prescribed 2460  
in division (D) of section 3314.02 of the Revised Code; 2461

(iv) An exemption from the automatic contract expiration 2462  
requirement, should a new community school fail to open by the 2463  
thirtieth day of September of the calendar year in which the 2464  
community school contract is executed; 2465

(v) No limit on the number of community schools the entity 2466  
may sponsor; 2467

(vi) No territorial restrictions on sponsorship. 2468

An entity may continue to sponsor any community schools 2469  
with which it entered into agreements under division (B) (7) (a) 2470  
(v) or (vi) of this section while rated "exemplary," 2471  
notwithstanding the fact that the entity later receives a lower 2472  
overall rating. 2473

(b) Entities with an overall rating of "exemplary" or 2474  
"effective" for the three most recent years in which the entity 2475  
was evaluated shall be evaluated by the department once every 2476

three years. 2477

(c) (i) Entities that receive an overall rating of 2478  
"ineffective" shall be prohibited from sponsoring any new or 2479  
additional community schools during the time in which the 2480  
sponsor is rated as "ineffective" and shall be subject to a 2481  
quality improvement plan based on correcting the deficiencies 2482  
that led to the "ineffective" rating, with timelines and 2483  
benchmarks that have been established by the department. 2484

(ii) Entities that receive an overall rating of 2485  
"ineffective" on their three most recent ratings shall have all 2486  
sponsorship authority revoked. Within thirty days after 2487  
receiving its third rating of "ineffective," the entity may 2488  
appeal the revocation of its sponsorship authority to the 2489  
director, who shall appoint an independent hearing officer to 2490  
conduct a hearing in accordance with Chapter 119. of the Revised 2491  
Code. The hearing shall be conducted within thirty days after 2492  
receipt of the notice of appeal. Within forty-five days after 2493  
the hearing is completed, the director shall determine whether 2494  
the revocation is appropriate based on the hearing conducted by 2495  
the independent hearing officer, and if determined appropriate, 2496  
the revocation shall be confirmed. 2497

(d) Entities that receive an overall rating of "poor" 2498  
shall have all sponsorship authority revoked. Within thirty days 2499  
after receiving a rating of "poor," the entity may appeal the 2500  
revocation of its sponsorship authority to the director, who 2501  
shall appoint an independent hearing officer to conduct a 2502  
hearing in accordance with Chapter 119. of the Revised Code. The 2503  
hearing shall be conducted within thirty days after receipt of 2504  
the notice of appeal. Within forty-five days after the hearing 2505  
is completed, the director shall determine whether the 2506

revocation is appropriate based on the hearing conducted by the 2507  
independent hearing officer, and if determined appropriate, the 2508  
revocation shall be confirmed. 2509

(8) For the 2014-2015 school year and each school year 2510  
thereafter, student academic performance prescribed under 2511  
division (B) (1) (a) of this section shall include student 2512  
academic performance data from community schools that primarily 2513  
serve students enrolled in a dropout prevention and recovery 2514  
program. 2515

(C) If the governing authority of a community school 2516  
enters into a contract with a sponsor prior to the date on which 2517  
the sponsor is prohibited from sponsoring additional schools 2518  
under division (A) of this section and the school has not opened 2519  
for operation as of that date, that contract shall be void and 2520  
the school shall not open until the governing authority secures 2521  
a new sponsor by entering into a contract with the new sponsor 2522  
under section 3314.03 of the Revised Code. However, the 2523  
department's office of Ohio school sponsorship, established 2524  
under section 3314.029 of the Revised Code, may assume the 2525  
sponsorship of the school until the earlier of the expiration of 2526  
two school years or until a new sponsor is secured by the 2527  
school's governing authority. A community school sponsored by 2528  
the department under this division shall not be included when 2529  
calculating the maximum number of directly authorized community 2530  
schools permitted under division (A) (3) of section 3314.029 of 2531  
the Revised Code. 2532

(D) When an entity's authority to sponsor schools is 2533  
revoked pursuant to division (B) (7) (c) or (d) of this section, 2534  
the office of Ohio school sponsorship shall assume sponsorship 2535  
of any schools with which the original sponsor has contracted 2536

for the remainder of that school year. The office may continue 2537  
sponsoring those schools until the earlier of: 2538

(1) The expiration of two school years from the time that 2539  
sponsorship is revoked; 2540

(2) When a new sponsor is secured by the governing 2541  
authority pursuant to division (C) (1) of section 3314.02 of the 2542  
Revised Code. 2543

Any community school sponsored under this division shall 2544  
not be counted for purposes of directly authorized community 2545  
schools under division (A) (3) of section 3314.029 of the Revised 2546  
Code. 2547

(E) The department shall recalculate the rating for the 2548  
2017-2018 school year for each sponsor of a community school 2549  
that receives recalculated ratings pursuant to division (I) of 2550  
section 3314.017 of the Revised Code. 2551

**Sec. 3314.017.** (A) The department of education shall 2552  
prescribe by rules, adopted in accordance with Chapter 119. of 2553  
the Revised Code, an academic performance rating and report card 2554  
system that satisfies the requirements of this section for 2555  
community schools that primarily serve students enrolled in 2556  
dropout prevention and recovery programs as described in 2557  
division ~~(A) (4) (a)~~ (B) (1) of section 3314.35 of the Revised 2558  
Code, to be used in lieu of the system prescribed under sections 2559  
3302.03 and 3314.012 of the Revised Code beginning with the 2560  
2012-2013 school year. Each such school shall comply with the 2561  
testing and reporting requirements of the system as prescribed 2562  
by the department. 2563

(B) Nothing in this section shall at any time relieve a 2564  
school from its obligations under the "No Child Left Behind Act 2565



of 2001" to make "adequate yearly progress," as both that act 2566  
and that term are defined in section 3302.01 of the Revised 2567  
Code, or a school's amenability to the provisions of section 2568  
3302.04 or 3302.041 of the Revised Code. The department shall 2569  
continue to report each school's performance as required by the 2570  
act and to enforce applicable sanctions under section 3302.04 or 2571  
3302.041 of the Revised Code. 2572

(C) The rules adopted by the department shall prescribe 2573  
the following performance indicators for the rating and report 2574  
card system required by this section: 2575

(1) Graduation rate for each of the following student 2576  
cohorts: 2577

(a) The number of students who graduate in four years or 2578  
less with a regular high school diploma divided by the number of 2579  
students who form the adjusted cohort for the graduating class; 2580

(b) The number of students who graduate in five years with 2581  
a regular high school diploma divided by the number of students 2582  
who form the adjusted cohort for the four-year graduation rate; 2583

(c) The number of students who graduate in six years with 2584  
a regular high school diploma divided by the number of students 2585  
who form the adjusted cohort for the four-year graduation rate; 2586

(d) The number of students who graduate in seven years 2587  
with a regular high school diploma divided by the number of 2588  
students who form the adjusted cohort for the four-year 2589  
graduation rate; 2590

(e) The number of students who graduate in eight years 2591  
with a regular high school diploma divided by the number of 2592  
students who form the adjusted cohort for the four-year 2593  
graduation rate. 2594

(2) The percentage of twelfth-grade students currently 2595  
enrolled in the school who have attained the designated passing 2596  
score on all of the state high school achievement assessments 2597  
required under division (B) (1) of section 3301.0710 of the 2598  
Revised Code or the cumulative performance score on the end-of- 2599  
course examinations prescribed under division (B) (2) of section 2600  
3301.0712 of the Revised Code, whichever applies, and other 2601  
students enrolled in the school, regardless of grade level, who 2602  
are within three months of their twenty-second birthday and have 2603  
attained the designated passing score on all of the state high 2604  
school achievement assessments or the cumulative performance 2605  
score on the end-of-course examinations, whichever applies, by 2606  
their twenty-second birthday; 2607

(3) Annual measurable objectives as defined in section 2608  
3302.01 of the Revised Code; 2609

(4) Growth in student achievement in reading, or 2610  
mathematics, or both as measured by separate nationally norm- 2611  
referenced assessments that have developed appropriate standards 2612  
for students enrolled in dropout prevention and recovery 2613  
programs, adopted or approved by the department. 2614

(D) (1) The department's rules shall prescribe the expected 2615  
performance levels and benchmarks for each of the indicators 2616  
prescribed by division (C) of this section based on the data 2617  
gathered by the department under division (G) of this section 2618  
and simulations created by the department. Based on a school's 2619  
level of attainment or nonattainment of the expected performance 2620  
levels and benchmarks for each of the indicators, the department 2621  
shall rate each school in one of the following categories: 2622

(a) Exceeds standards; 2623

(b) Meets standards;	2624
(c) Does not meet standards.	2625
(2) The department's rules shall establish all of the following:	2626 2627
(a) Performance levels and benchmarks for the indicators described in divisions (C) (1) to (3) of this section;	2628 2629
(b) Both of the following:	2630
(i) Performance levels and benchmarks for the indicator described in division (C) (4) of this section;	2631 2632
(ii) Standards for awarding a community school described in division <del>(A) (4) (a)</del> <u>(B) (1)</u> of section 3314.35 of the Revised Code an overall designation, which shall be calculated as follows:	2633 2634 2635 2636
(I) Thirty per cent of the score shall be based on the indicators described in division (C) (1) of this section that are applicable to the school year for which the overall designation is granted.	2637 2638 2639 2640
(II) Thirty per cent of the score shall be based on the indicators described in division (C) (4) of this section.	2641 2642
(III) Twenty per cent of the score shall be based on the indicators described in division (C) (2) of this section.	2643 2644
(IV) Twenty per cent of the score shall be based on the indicators described in division (C) (3) of this section.	2645 2646
(3) If both of the indicators described in divisions (C) (1) and (2) of this section improve by ten per cent for two consecutive years, a school shall be rated not less than "meets standards."	2647 2648 2649 2650

The rating and the relevant performance data for each 2651  
school shall be posted on the department's web site, and a copy 2652  
of the rating and data shall be provided to the governing 2653  
authority of the community school. 2654

(E) (1) For the 2012-2013 school year, the department shall 2655  
issue a report card including the following performance 2656  
measures, but without a performance rating as described in 2657  
divisions (D) (1) (a) to (c) of this section, for each community 2658  
school described in division ~~(A) (4) (a)~~ (B) (1) of section 3314.35 2659  
of the Revised Code: 2660

(a) The graduation rates as described in divisions (C) (1) 2661  
(a) to (c) of this section; 2662

(b) The percentage of twelfth-grade students and other 2663  
students who have attained a designated passing score on high 2664  
school achievement assessments as described in division (C) (2) 2665  
of this section; 2666

(c) The statewide average for the graduation rates and 2667  
assessment passage rates described in divisions (C) (1) (a) to (c) 2668  
and (C) (2) of this section; 2669

(d) Annual measurable objectives described in division (C) 2670  
(3) of this section. 2671

(2) For the 2013-2014 school year, the department shall 2672  
issue a report card including the following performance measures 2673  
for each community school described in division ~~(A) (4) (a)~~ (B) (1) 2674  
of section 3314.35 of the Revised Code: 2675

(a) The graduation rates described in divisions (C) (1) (a) 2676  
to (d) of this section, including a performance rating as 2677  
described in divisions (D) (1) (a) to (c) of this section; 2678

(b) The percentage of twelfth-grade students and other students who have attained a designated passing score on high school achievement assessments as described in division (C) (2) of this section, including a performance rating as described in divisions (D) (1) (a) to (c) of this section;	2679 2680 2681 2682 2683
(c) Annual measurable objectives described in division (C) (3) of this section, including a performance rating as described in divisions (D) (1) (a) to (c) of this section;	2684 2685 2686
(d) Both of the following without an assigned rating:	2687
(i) Growth in annual student achievement in reading and mathematics described in division (C) (4) of this section, if available;	2688 2689 2690
(ii) Student outcome data, including postsecondary credit earned, nationally recognized career or technical certification, military enlistment, job placement, and attendance rate.	2691 2692 2693
(3) Beginning with the 2014-2015 school year, and annually thereafter, the department shall issue a report card for each community school described in division <del>(A) (4) (a)</del> <u>(B) (1)</u> of section 3314.35 of the Revised Code that includes all of the following performance measures, including a performance rating for each measure as described in divisions (D) (1) (a) to (c) of this section:	2694 2695 2696 2697 2698 2699 2700
(a) The graduation rates as described in division (C) (1) of this section;	2701 2702
(b) The percentage of twelfth-grade students and other students who have attained a designated passing score on high school achievement assessments as described in division (C) (2) of this section;	2703 2704 2705 2706

(c) Annual measurable objectives described in division (C) 2707  
(3) of this section, including a performance rating as described 2708  
in divisions (D) (1) (a) to (c) of this section; 2709

(d) Growth in annual student achievement in reading and 2710  
mathematics as described in division (C) (4) of this section; 2711

(e) An overall performance designation for the school 2712  
calculated under rules adopted under division (D) (2) of this 2713  
section. 2714

The department shall also include student outcome data, 2715  
including postsecondary credit earned, nationally recognized 2716  
career or technical certification, military enlistment, job 2717  
placement, attendance rate, and progress on closing achievement 2718  
gaps for each school. This information shall not be included in 2719  
the calculation of a school's performance rating. 2720

(F) Not later than the thirty-first day of July of each 2721  
year, the department shall submit preliminary report card data 2722  
for overall academic performance for each performance measure 2723  
prescribed in division (E) (3) of this section for each community 2724  
school to which this section applies. 2725

(G) For the purposes of prescribing performance levels and 2726  
benchmarks under division (D) of this section, the department 2727  
shall gather and analyze data from prior school years for each 2728  
community school described in division ~~(A) (4) (a)~~ (B) (1) of 2729  
section 3314.35 of the Revised Code. Each such school shall 2730  
cooperate with the department. The department shall consult with 2731  
stakeholder groups in performing its duties under this division. 2732

(H) The department shall review the performance levels and 2733  
benchmarks for performance indicators in the report card issued 2734  
under this section and may revise them based on the data 2735

collected under division (G) of this section.	2736
(I) For the purposes of division (F) of section 3314.351 of the Revised Code, the department shall recalculate the ratings for each school under division (E)(3) of this section for the 2017-2018 school year and calculate the ratings under that division for the 2018-2019 school year using the indicators prescribed by division (C) of this section, as it exists on and after July 18, 2019.	2737 2738 2739 2740 2741 2742 2743
<b>Sec. 3314.0211.</b> (A) No community school to which either of the following applies shall be eligible to merge with one or more other community schools under this section:	2744 2745 2746
(1) The school has met the performance criteria for required closure specified in division (A) of section 3314.35 or division (A) of section 3314.351 of the Revised Code for at least one of the two most recent school years.	2747 2748 2749 2750
(2) The school has been notified of the sponsor's intent to terminate or not renew the school's contract pursuant to section 3314.07 of the Revised Code.	2751 2752 2753
(B) Two or more community schools may merge upon the adoption of a resolution by the governing authority of each school involved in the merger. Any merger shall take effect on the first day of July of the year specified in the resolution.	2754 2755 2756 2757
(C) Not less than sixty days prior to the effective date of a merger under division (B) of this section, each community school involved in the merger shall do both of the following:	2758 2759 2760
(1) Provide a copy of the resolution to the school's sponsor;	2761 2762
(2) Notify the department of education and workforce of	2763

all of the following:	2764
(a) The impending merger;	2765
(b) The effective date of the merger;	2766
(c) The school that will be designated as the surviving school in accordance with section 1702.41 of the Revised Code;	2767 2768
(d) The entity that will sponsor the surviving school.	2769
(D) Notwithstanding anything to the contrary in the Revised Code, the governing authority of the surviving community school shall enter into a new contract with the school's sponsor under section 3314.03 of the Revised Code.	2770 2771 2772 2773
(E) No sponsor shall do either of the following:	2774
(1) Assign the sponsor's existing contract with a merging community school to the sponsor of the surviving community school;	2775 2776 2777
(2) Assume an existing contract from the sponsor of a community school involved in a merger under division (B) of this section.	2778 2779 2780
Division (E) of this section shall not apply to the office of Ohio school sponsorship established under section 3314.029 of the Revised Code.	2781 2782 2783
(F) (1) The department shall issue a report card under section 3302.03 or 3314.017 of the Revised Code for the surviving community school.	2784 2785 2786
(2) Notwithstanding anything to the contrary in division <del>(B)</del> <u>(A)</u> of section 3314.012 of the Revised Code, all report card ratings associated with the surviving school, whether issued before or after the merger, shall be used for purposes of	2787 2788 2789 2790



section 3314.35 or 3314.351 of the Revised Code and any other 2791  
matter that is based on report card ratings or measures. 2792

(G) Nothing in this section shall exempt a community 2793  
school from closure under section 3314.35 or 3314.351 of the 2794  
Revised Code. 2795

**Sec. 3314.03.** A copy of every contract entered into under 2796  
this section shall be filed with the director of education and 2797  
workforce. The department of education and workforce shall make 2798  
available on its web site a copy of every approved, executed 2799  
contract filed with the director under this section. 2800

(A) Each contract entered into between a sponsor and the 2801  
governing authority of a community school shall specify the 2802  
following: 2803

(1) That the school shall be established as either of the 2804  
following: 2805

(a) A nonprofit corporation established under Chapter 2806  
1702. of the Revised Code, if established prior to April 8, 2807  
2003; 2808

(b) A public benefit corporation established under Chapter 2809  
1702. of the Revised Code, if established after April 8, 2003. 2810

(2) The education program of the school, including the 2811  
school's mission, the characteristics of the students the school 2812  
is expected to attract, the ages and grades of students, and the 2813  
focus of the curriculum; 2814

(3) The academic goals to be achieved and the method of 2815  
measurement that will be used to determine progress toward those 2816  
goals, which shall include the statewide achievement 2817  
assessments; 2818

(4) Performance standards, including but not limited to all applicable report card measures set forth in section 3302.03 or 3314.017 of the Revised Code, by which the success of the school will be evaluated by the sponsor;	2819 2820 2821 2822
(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	2823 2824 2825
(6) (a) Dismissal procedures;	2826
(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in seventy-two consecutive hours of the learning opportunities offered to the student.	2827 2828 2829 2830 2831 2832
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	2833 2834
(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code.	2835 2836 2837 2838 2839 2840
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	2841 2842
(a) A detailed description of each facility used for instructional purposes;	2843 2844
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	2845 2846

(c) The annual mortgage principal and interest payments	2847
that are paid by the school;	2848
(d) The name of the lender or landlord, identified as	2849
such, and the lender's or landlord's relationship to the	2850
operator, if any.	2851
(10) Qualifications of employees, including both of the	2852
following:	2853
(a) A requirement that the school's classroom teachers be	2854
licensed in accordance with sections 3319.22 to 3319.31 of the	2855
Revised Code, except that a community school may engage	2856
noncertificated persons to teach up to twelve hours or forty	2857
hours per week pursuant to section 3319.301 of the Revised Code;	2858
(b) A prohibition against the school employing an	2859
individual described in section 3314.104 of the Revised Code in	2860
any position.	2861
(11) That the school will comply with the following	2862
requirements:	2863
(a) The school will provide learning opportunities to a	2864
minimum of twenty-five students for a minimum of nine hundred	2865
twenty hours per school year.	2866
(b) The governing authority will purchase liability	2867
insurance, or otherwise provide for the potential liability of	2868
the school.	2869
(c) The school will be nonsectarian in its programs,	2870
admission policies, employment practices, and all other	2871
operations, and will not be operated by a sectarian school or	2872
religious institution.	2873
(d) The school will comply with sections 9.90, 9.91,	2874

109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 2875  
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 2876  
3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 2877  
3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, ~~3313.6015,~~ 2878  
3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 2879  
3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 2880  
3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 2881  
3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 2882  
3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 2883  
3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 2884  
3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 2885  
3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 2886  
3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3320.01, 3320.02, 2887  
3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 2888  
3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 2889  
4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 117., 2890  
1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. of 2891  
the Revised Code as if it were a school district and will comply 2892  
with section 3301.0714 of the Revised Code in the manner 2893  
specified in section 3314.17 of the Revised Code. 2894

(e) The school shall comply with Chapter 102. and section 2895  
2921.42 of the Revised Code. 2896

(f) The school will comply with sections 3313.61, 2897  
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 2898  
Revised Code, except that for students who enter ninth grade for 2899  
the first time before July 1, 2010, the requirement in sections 2900  
3313.61 and 3313.611 of the Revised Code that a person must 2901  
successfully complete the curriculum in any high school prior to 2902  
receiving a high school diploma may be met by completing the 2903  
curriculum adopted by the governing authority of the community 2904  
school rather than the curriculum specified in Title XXXVIII of 2905

the Revised Code or any rules of the department. Beginning with 2906  
students who enter ninth grade for the first time on or after 2907  
July 1, 2010, the requirement in sections 3313.61 and 3313.611 2908  
of the Revised Code that a person must successfully complete the 2909  
curriculum of a high school prior to receiving a high school 2910  
diploma shall be met by completing the requirements prescribed 2911  
in section 3313.6027 and division (C) of section 3313.603 of the 2912  
Revised Code, unless the person qualifies under division (D) or 2913  
(F) of that section. Each school shall comply with the plan for 2914  
awarding high school credit based on demonstration of subject 2915  
area competency, and beginning with the 2017-2018 school year, 2916  
with the updated plan that permits students enrolled in seventh 2917  
and eighth grade to meet curriculum requirements based on 2918  
subject area competency adopted by the department under 2919  
divisions (J) (1) and (2) of section 3313.603 of the Revised 2920  
Code. Beginning with the 2018-2019 school year, the school shall 2921  
comply with the framework for granting units of high school 2922  
credit to students who demonstrate subject area competency 2923  
through work-based learning experiences, internships, or 2924  
cooperative education developed by the department under division 2925  
(J) (3) of section 3313.603 of the Revised Code. 2926

(g) The school governing authority will submit within four 2927  
months after the end of each school year a report of its 2928  
activities and progress in meeting the goals and standards of 2929  
divisions (A) (3) and (4) of this section and its financial 2930  
status to the sponsor and the parents of all students enrolled 2931  
in the school. 2932

(h) The school, unless it is an internet- or computer- 2933  
based community school, will comply with section 3313.801 of the 2934  
Revised Code as if it were a school district. 2935

(i) If the school is the recipient of moneys from a grant 2936  
awarded under the federal race to the top program, Division (A), 2937  
Title XIV, Sections 14005 and 14006 of the "American Recovery 2938  
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 2939  
the school will pay teachers based upon performance in 2940  
accordance with section 3317.141 and will comply with section 2941  
3319.111 of the Revised Code as if it were a school district. 2942

(j) If the school operates a preschool program that is 2943  
licensed by the department under sections 3301.52 to 3301.59 of 2944  
the Revised Code, the school shall comply with sections 3301.50 2945  
to 3301.59 of the Revised Code and the minimum standards for 2946  
preschool programs prescribed in rules adopted by the department 2947  
under section 3301.53 of the Revised Code. 2948

(k) The school will comply with sections 3313.6021 and 2949  
3313.6023 of the Revised Code as if it were a school district 2950  
unless it is either of the following: 2951

(i) An internet- or computer-based community school; 2952

(ii) A community school in which a majority of the 2953  
enrolled students are children with disabilities as described in 2954  
division ~~(A) (4) (b)~~ (B) (2) of section 3314.35 of the Revised 2955  
Code. 2956

(l) The school will comply with section 3321.191 of the 2957  
Revised Code, unless it is an internet- or computer-based 2958  
community school that is subject to section 3314.261 of the 2959  
Revised Code. 2960

(12) Arrangements for providing health and other benefits 2961  
to employees; 2962

(13) The length of the contract, which shall begin at the 2963  
beginning of an academic year. No contract shall exceed five 2964

years unless such contract has been renewed pursuant to division 2965  
(E) of this section. 2966

(14) The governing authority of the school, which shall be 2967  
responsible for carrying out the provisions of the contract; 2968

(15) A financial plan detailing an estimated school budget 2969  
for each year of the period of the contract and specifying the 2970  
total estimated per pupil expenditure amount for each such year. 2971

(16) Requirements and procedures regarding the disposition 2972  
of employees of the school in the event the contract is 2973  
terminated or not renewed pursuant to section 3314.07 of the 2974  
Revised Code; 2975

(17) Whether the school is to be created by converting all 2976  
or part of an existing public school or educational service 2977  
center building or is to be a new start-up school, and if it is 2978  
a converted public school or service center building, 2979  
specification of any duties or responsibilities of an employer 2980  
that the board of education or service center governing board 2981  
that operated the school or building before conversion is 2982  
delegating to the governing authority of the community school 2983  
with respect to all or any specified group of employees provided 2984  
the delegation is not prohibited by a collective bargaining 2985  
agreement applicable to such employees; 2986

(18) Provisions establishing procedures for resolving 2987  
disputes or differences of opinion between the sponsor and the 2988  
governing authority of the community school; 2989

(19) A provision requiring the governing authority to 2990  
adopt a policy regarding the admission of students who reside 2991  
outside the district in which the school is located. That policy 2992  
shall comply with the admissions procedures specified in 2993

sections 3314.06 and 3314.061 of the Revised Code and, at the  
sole discretion of the authority, shall do one of the following:

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

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

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

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

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

(22) A provision recognizing both of the following:

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

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



(23) A description of the learning opportunities that will 3022  
be offered to students including both classroom-based and non- 3023  
classroom-based learning opportunities that is in compliance 3024  
with criteria for student participation established by the 3025  
department under division (H) (2) of section 3314.08 of the 3026  
Revised Code; 3027

(24) The school will comply with sections 3302.04 and 3028  
3302.041 of the Revised Code, except that any action required to 3029  
be taken by a school district pursuant to those sections shall 3030  
be taken by the sponsor of the school. 3031

(25) Beginning in the 2006-2007 school year, the school 3032  
will open for operation not later than the thirtieth day of 3033  
September each school year, unless the mission of the school as 3034  
specified under division (A) (2) of this section is solely to 3035  
serve dropouts. In its initial year of operation, if the school 3036  
fails to open by the thirtieth day of September, or within one 3037  
year after the adoption of the contract pursuant to division (D) 3038  
of section 3314.02 of the Revised Code if the mission of the 3039  
school is solely to serve dropouts, the contract shall be void. 3040

(26) Whether the school's governing authority is planning 3041  
to seek designation for the school as a STEM school equivalent 3042  
under section 3326.032 of the Revised Code; 3043

(27) That the school's attendance and participation 3044  
policies will be available for public inspection; 3045

(28) That the school's attendance and participation 3046  
records shall be made available to the department, auditor of 3047  
state, and school's sponsor to the extent permitted under and in 3048  
accordance with the "Family Educational Rights and Privacy Act 3049  
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 3050

regulations promulgated under that act, and section 3319.321 of the Revised Code; 3051  
3052

(29) If a school operates using the blended learning model, as defined in section 3301.079 of the Revised Code, all of the following information: 3053  
3054  
3055

(a) An indication of what blended learning model or models will be used; 3056  
3057

(b) A description of how student instructional needs will be determined and documented; 3058  
3059

(c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level; 3060  
3061

(d) The school's attendance requirements, including how the school will document participation in learning opportunities; 3062  
3063  
3064

(e) A statement describing how student progress will be monitored; 3065  
3066

(f) A statement describing how private student data will be protected; 3067  
3068

(g) A description of the professional development activities that will be offered to teachers. 3069  
3070

(30) A provision requiring that all moneys the school's operator loans to the school, including facilities loans or cash flow assistance, must be accounted for, documented, and bear interest at a fair market rate; 3071  
3072  
3073  
3074

(31) A provision requiring that, if the governing authority contracts with an attorney, accountant, or entity specializing in audits, the attorney, accountant, or entity 3075  
3076  
3077

shall be independent from the operator with which the school has 3078  
contracted. 3079

(32) A provision requiring the governing authority to 3080  
adopt an enrollment and attendance policy that requires a 3081  
student's parent to notify the community school in which the 3082  
student is enrolled when there is a change in the location of 3083  
the parent's or student's primary residence. 3084

(33) A provision requiring the governing authority to 3085  
adopt a student residence and address verification policy for 3086  
students enrolling in or attending the school. 3087

(B) The community school shall also submit to the sponsor 3088  
a comprehensive plan for the school. The plan shall specify the 3089  
following: 3090

(1) The process by which the governing authority of the 3091  
school will be selected in the future; 3092

(2) The management and administration of the school; 3093

(3) If the community school is a currently existing public 3094  
school or educational service center building, alternative 3095  
arrangements for current public school students who choose not 3096  
to attend the converted school and for teachers who choose not 3097  
to teach in the school or building after conversion; 3098

(4) The instructional program and educational philosophy 3099  
of the school; 3100

(5) Internal financial controls. 3101

When submitting the plan under this division, the school 3102  
shall also submit copies of all policies and procedures 3103  
regarding internal financial controls adopted by the governing 3104  
authority of the school. 3105

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

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

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

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

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

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

(5) Take steps to intervene in the school's operation to correct problems in the school's overall performance, declare

the school to be on probationary status pursuant to section 3135  
3314.073 of the Revised Code, suspend the operation of the 3136  
school pursuant to section 3314.072 of the Revised Code, or 3137  
terminate the contract of the school pursuant to section 3314.07 3138  
of the Revised Code as determined necessary by the sponsor; 3139

(6) Have in place a plan of action to be undertaken in the 3140  
event the community school experiences financial difficulties or 3141  
closes prior to the end of a school year. 3142

(E) Upon the expiration of a contract entered into under 3143  
this section, the sponsor of a community school may, with the 3144  
approval of the governing authority of the school, renew that 3145  
contract for a period of time determined by the sponsor, but not 3146  
ending earlier than the end of any school year, if the sponsor 3147  
finds that the school's compliance with applicable laws and 3148  
terms of the contract and the school's progress in meeting the 3149  
academic goals prescribed in the contract have been 3150  
satisfactory. Any contract that is renewed under this division 3151  
remains subject to the provisions of sections 3314.07, 3314.072, 3152  
and 3314.073 of the Revised Code. 3153

(F) If a community school fails to open for operation 3154  
within one year after the contract entered into under this 3155  
section is adopted pursuant to division (D) of section 3314.02 3156  
of the Revised Code or permanently closes prior to the 3157  
expiration of the contract, the contract shall be void and the 3158  
school shall not enter into a contract with any other sponsor. A 3159  
school shall not be considered permanently closed because the 3160  
operations of the school have been suspended pursuant to section 3161  
3314.072 of the Revised Code. 3162

**Sec. 3314.29.** (A) This section applies to any internet- or 3163  
computer-based community school that meets all of the following 3164

conditions:	3165
(1) Serves all of grades kindergarten through twelve;	3166
(2) Has an enrollment of at least two thousand students;	3167
(3) Has a sponsor that was not rated ineffective or poor on its most recent evaluation under section 3314.016 of the Revised Code.	3168 3169 3170
(B) Beginning with the 2018-2019 school year, the governing authority of a community school to which this section applies may adopt a resolution to divide the school into two or three separate schools as follows:	3171 3172 3173 3174
(1) If the school is divided into two schools, one school shall serve grades kindergarten through eight and one school shall serve grades nine through twelve.	3175 3176 3177
(2) If the school is divided into three schools, one school shall serve grades kindergarten through five, one school shall serve grades six through eight, and one school shall serve grades nine through twelve.	3178 3179 3180 3181
(C) The resolution adopted by the governing authority shall not be effective unless approved by the school's sponsor. Following approval of the resolution by the sponsor, and by the fifteenth day of March prior to the school year in which it will take effect, the governing authority shall file the resolution with the department of education and workforce. The division of the schools shall be effective on the first day of July succeeding the date the resolution is filed with the department.	3182 3183 3184 3185 3186 3187 3188 3189
(D) All of the following shall apply to each new school created as a result of the resolution authorized by this section and to the school that is divided as a result of the resolution:	3190 3191 3192

(1) Each school shall have the same governing authority.	3193
(2) The sponsor and governing authority shall enter into a separate contract under section 3314.03 of the Revised Code for each school.	3194 3195 3196
(3) No school shall primarily serve students enrolled in a dropout prevention and recovery program operated by the school.	3197 3198
(4) No school shall be permitted to divide again under this section.	3199 3200
(5) Notwithstanding anything to the contrary in division (B) (2) of section 3314.016 of the Revised Code, each school shall be included in the calculation of the academic performance component for purposes of rating the schools' sponsor under the evaluation system prescribed by that section.	3201 3202 3203 3204 3205
(6) Each school shall be subject to the laws contained in Chapter 3314. of the Revised Code, except as otherwise specified in this section.	3206 3207 3208
(E) The department shall issue a report card under section 3314.012 of the Revised Code for each new school created as a result of the resolution authorized by this section and for the school that is divided as a result of the resolution. For purposes of the report cards and other reporting requirements 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.	3209 3210 3211 3212 3213 3214 3215 3216 3217 3218
Notwithstanding division <del>(B)</del> <u>(A)</u> 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	3219 3220 3221

under this section shall count toward closure of the school 3222  
under section 3314.35 of the Revised Code and any other matter 3223  
that is based on report card ratings or measures. 3224

**Sec. 3314.35.** ~~(A) (1) Except as provided in division (A) (4)~~ 3225  
~~of this section, this section applies to any community school~~ 3226  
~~that meets one of the following criteria after July 1, 2009, but~~ 3227  
~~before July 1, 2011:—~~ 3228

~~(a) The school does not offer a grade level higher than~~ 3229  
~~three and has been declared to be in a state of academic~~ 3230  
~~emergency under section 3302.03 of the Revised Code for three of~~ 3231  
~~the four most recent school years.—~~ 3232

~~(b) The school satisfies all of the following conditions:—~~ 3233

~~(i) The school offers any of grade levels four to eight~~ 3234  
~~but does not offer a grade level higher than nine.—~~ 3235

~~(ii) The school has been declared to be in a state of~~ 3236  
~~academic emergency under section 3302.03 of the Revised Code for~~ 3237  
~~two of the three most recent school years.—~~ 3238

~~(iii) In at least two of the three most recent school~~ 3239  
~~years, the school showed less than one standard year of academic~~ 3240  
~~growth in either reading or mathematics, as determined by the~~ 3241  
~~department of education and workforce in accordance with rules~~ 3242  
~~adopted under division (A) of section 3302.021 of the Revised~~ 3243  
~~Code.—~~ 3244

~~(c) The school offers any of grade levels ten to twelve~~ 3245  
~~and has been declared to be in a state of academic emergency~~ 3246  
~~under section 3302.03 of the Revised Code for three of the four~~ 3247  
~~most recent school years.—~~ 3248

~~(2) Except as provided in division (A) (4) of this section,—~~ 3249



~~this section applies to any community school that meets one of  
the following criteria after July 1, 2011, but before July 1,  
2013:—~~ 3250  
3251  
3252

~~(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.—~~ 3253  
3254  
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~~(b) The school satisfies all of the following conditions:—~~ 3257

~~(i) The school offers any of grade levels four to eight  
but does not offer a grade level higher than nine.—~~ 3258  
3259

~~(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.—~~ 3260  
3261  
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~~(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.—~~ 3263  
3264  
3265  
3266  
3267

~~(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  
most recent school years.—~~ 3268  
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3270  
3271

~~(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:~~ 3272  
3273  
3274  
3275

~~(a) (1) The school does not offer a grade level higher  
than three and, for the three most recent school years,~~ 3276  
3277

satisfies ~~any either~~ of the following criteria: 3278

~~(i) The school has been declared to be in a state of~~ 3279  
~~academic emergency under section 3302.03 of the Revised Code, as~~ 3280  
~~it existed prior to March 22, 2013;~~ 3281

~~(ii) The school has received a grade of "F" in improving~~ 3282  
~~literacy in grades kindergarten through three under division (B)~~ 3283  
~~(1) (g) or (C) (1) (g) of section 3302.03 of the Revised Code;~~ 3284

~~(iii) (a) The school has received a performance rating of~~ 3285  
~~one star for early literacy under division (D) (3) (e) of section~~ 3286  
~~3302.03 of the Revised Code;~~ 3287

~~(iv) (b) The school has received an overall performance~~ 3288  
~~rating of less than two stars under division (D) (3) of section~~ 3289  
~~3302.03 of the Revised Code;~~ 3290

~~(v) The school has received an overall grade of "F" under~~ 3291  
~~division (C) of section 3302.03 of the Revised Code.~~ 3292

~~(b) (2) The school offers any of grade levels four to~~ 3293  
~~eight but does not offer a grade level higher than nine and, for~~ 3294  
~~the three most recent school years, satisfies any either of the~~ 3295  
~~following criteria:~~ 3296

~~(i) The school has been declared to be in a state of~~ 3297  
~~academic emergency under section 3302.03 of the Revised Code, as~~ 3298  
~~it existed prior to March 22, 2013, and the school showed less~~ 3299  
~~than one standard year of academic growth in either reading or~~ 3300  
~~mathematics, as determined by the department in accordance with~~ 3301  
~~rules adopted under division (A) of section 3302.021 of the~~ 3302  
~~Revised Code;~~ 3303

~~(ii) The school has received a grade of "F" for the~~ 3304  
~~performance index score under division (A) (1) (b), (B) (1) (b), or~~ 3305

~~(C) (1) (b) and a grade of "F" for the value added progress dimension under division (A) (1) (c), (B) (1) (c), or (C) (1) (c) of section 3302.03 of the Revised Code;~~ 3306  
3307  
3308

~~(iii) (a) The school has received a performance rating of one star for both achievement under division (D) (3) (b) of section 3302.03 of the Revised Code and progress under division (D) (3) (c) of that section;~~ 3309  
3310  
3311  
3312

~~(iv) The school has received an overall grade of "F" under division (C) and a grade of "F" for the value added progress dimension under division (C) (1) (c) of section 3302.03 of the Revised Code;~~ 3313  
3314  
3315  
3316

~~(v) (b) The school has received an overall performance rating of less than two stars under division (D) of section 3302.03 of the Revised Code and a performance rating of one star for progress under division (D) (3) (c) of that section.~~ 3317  
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3319  
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~~(e) (3) The school offers any of grade levels ten to twelve and, for the three most recent school years, satisfies any either of the following criteria:~~ 3321  
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3323

~~(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;~~ 3324  
3325  
3326

~~(ii) The school has received a grade of "F" for the performance index score under division (A) (1) (b), (B) (1) (b), or (C) (1) (b) and has not met annual measurable objectives under division (A) (1) (a), (B) (1) (a), or (C) (1) (a) of section 3302.03 of the Revised Code;~~ 3327  
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~~(iii) (a) The school has received a performance rating of "one star" for achievement under division (D) (3) (b) of section 3302.03 of the Revised Code and has not met annual measurable~~ 3332  
3333  
3334

objectives for gap closing under division (D) (3) (a) of that 3335  
section, as determined by the department; 3336

~~(iv) The school has received an overall grade of "F" under 3337  
division (C) and a grade of "F" for the value added progress 3338  
dimension under division (C) (1) (c) of section 3302.03 of the 3339  
Revised Code;~~ 3340

~~(v) (b) The school has received an overall performance 3341  
rating of less than two stars under division (D) of section 3342  
3302.03 of the Revised Code and a performance rating of one star 3343  
for progress under division (D) (1) (b) of that section. 3344~~

For purposes of division ~~(A) (3)~~ (A) of this section only, 3345  
the department shall calculate the value-added progress 3346  
dimension for a community school using assessment scores for 3347  
only those students to whom the school has administered the 3348  
achievement assessments prescribed by section 3301.0710 of the 3349  
Revised Code for at least the two most recent school years but 3350  
using value-added data from only the most recent school year. 3351

~~(4) (B) This section does not apply to either of the 3352  
following: 3353~~

~~(a) (1) Any community school in which a majority of the 3354  
students are enrolled in a dropout prevention and recovery 3355  
program that is operated by the school. Rather, such schools 3356  
shall be subject to closure only as provided in section 3314.351 3357  
of the Revised Code. However, prior to July 1, 2014, a community 3358  
school in which a majority of the students are enrolled in a 3359  
dropout prevention and recovery program shall be exempt from 3360  
this section only if it has been granted a waiver under section 3361  
3314.36 of the Revised Code. 3362~~

~~(b) (2) Any community school in which a majority of the 3363~~

enrolled students are children with disabilities receiving 3364  
special education and related services in accordance with 3365  
Chapter 3323. of the Revised Code. 3366

~~(B)~~ (C) Any community school to which this section applies 3367  
shall permanently close at the conclusion of the school year in 3368  
which the school first becomes subject to this section. The 3369  
sponsor and governing authority of the school shall comply with 3370  
all procedures for closing a community school adopted by the 3371  
department under division (E) of section 3314.015 of the Revised 3372  
Code. The governing authority of the school shall not enter into 3373  
a contract with any other sponsor under section 3314.03 of the 3374  
Revised Code after the school closes. 3375

~~(C) In accordance with division (B) of section 3314.012 of~~ 3376  
~~the Revised Code, the department shall not consider the~~ 3377  
~~performance ratings assigned to a community school for its first~~ 3378  
~~two years of operation when determining whether the school meets~~ 3379  
~~the criteria prescribed by division (A) (1) or (2) of this~~ 3380  
~~section.~~ 3381

(D) Nothing in this section or in any other provision of 3382  
the Revised Code prohibits the sponsor of a community school 3383  
from exercising its option not to renew a contract for any 3384  
reason or from terminating a contract prior to its expiration 3385  
for any of the reasons set forth in section 3314.07 of the 3386  
Revised Code. 3387

**Sec. 3319.077.** (A) As used in this section: 3388

(1) "Dyslexia" has the same meaning as in section 3323.25 3389  
of the Revised Code. 3390

(2) "Ohio dyslexia committee" means the committee 3391  
established under section 3325.25 of the Revised Code. 3392

(3) "Special education" has the same meaning as in section 3323.01 of the Revised Code. 3393  
3394

(4) "Teacher" does not include any teacher who provides instruction in fine arts, music, or physical education. 3395  
3396

(B) (1) The department of education and workforce, in collaboration with the Ohio dyslexia committee, shall maintain a list of training that fulfills the professional development requirements prescribed in division (C) of this section. The list may consist of online or classroom learning models. 3397  
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3399  
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(2) Each approved training shall align with the guidebook developed under section 3323.25 of the Revised Code, be evidence-based, and require instruction and training for identifying characteristics of dyslexia and understanding the pedagogy for instructing students with dyslexia. 3402  
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(3) The Ohio dyslexia committee shall prescribe a total number of clock hours of instruction in training approved under this section for a teacher to complete to satisfy the professional development requirements prescribed in division (C) of this section. The Ohio dyslexia committee shall prescribe a total number of clock hours that is not less than six clock hours and not more than eighteen clock hours. However, a school district or school may determine the number of hours, which must be between six and eighteen clock hours, that a teacher employed by the school district or school shall complete to satisfy the professional development requirements prescribed in division (C) of this section. 3407  
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(C) (1) Division (C) (1) of this section applies to any teacher who was employed by a local, city, or exempted village school district on April 12, 2021, and is still employed by that 3419  
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district on the dates specified under division (C) (1) (a), (b), 3422  
or (c) of this section as follows: 3423

(a) Not later than the beginning of the 2023-2024 school 3424  
year, each district teacher employed by a local, city, or 3425  
exempted village school district who provides instruction for 3426  
students in kindergarten and first grade, including those 3427  
providing special education instruction, shall complete the 3428  
number of instructional hours in approved professional 3429  
development training required by the committee or school 3430  
district or school under this section. 3431

(b) Not later than September 15, 2024, each district 3432  
teacher employed by a school district who provides instruction 3433  
for students in grades two and three, including those providing 3434  
special education instruction, shall complete the number of 3435  
instructional hours in approved professional development 3436  
training required by the committee or school district or school 3437  
under this section. 3438

(c) Not later than September 15, 2025, each district 3439  
teacher employed by a school district who provides special 3440  
education instruction for students in grades four through twelve 3441  
shall complete a professional development training approved 3442  
under division (B) of this section. 3443

(2) Any teacher hired by a local, city, or exempted 3444  
village school district after April 12, 2021, who provides 3445  
instruction for students in any of grades kindergarten through 3446  
three, including a teacher providing special education 3447  
instruction, or who provides special education instruction for 3448  
students in any of grades four through twelve shall complete 3449  
professional development training in accordance with division 3450  
(C) (1) (a), (b), or (c) of this section by the later of two years 3451

after the date of hire or the date specified under division (C) 3452  
(1) (a), (b), or (c) of this section, unless the teacher 3453  
completed the training while employed by a different district 3454  
under division (C) (1) of this section. 3455

(D) Any professional development training completed by a 3456  
teacher prior to April 12, 2021, that is then included on the 3457  
list of training approved under division (B) (1) of this section 3458  
shall count toward the number of instructional hours in approved 3459  
professional development training required under division (C) of 3460  
this section. 3461

(E) Nothing in this section shall prohibit a school 3462  
district from requiring employees who are not subject to this 3463  
section from completing professional development training 3464  
approved under division (B) of this section. 3465

**Sec. 3319.0811.** If the board of education of a school 3466  
district offers to students of compulsory school age courses for 3467  
high school credit that are taught at times outside the 3468  
district's normal school day, the board ~~shall~~ may enter into 3469  
supplemental contracts under section 3319.08 of the Revised Code 3470  
with the teachers assigned to teach those courses and shall not 3471  
include such assignment of duties within the teachers' regular 3472  
employment contracts under that section. 3473

**Sec. 3319.111.** Notwithstanding section 3319.09 of the 3474  
Revised Code, this section applies to any person who is employed 3475  
under a teacher license issued under this chapter, or under a 3476  
professional or permanent teacher's certificate issued under 3477  
former section 3319.222 of the Revised Code, and who spends at 3478  
least fifty per cent of the time employed providing student 3479  
instruction. However, this section does not apply to any person 3480  
who is employed as a substitute teacher or as an instructor of 3481



adult education. 3482

(A) The board of education of each school district, in 3483  
consultation with teachers employed by the board, shall update 3484  
its standards-based teacher evaluation policy to conform with 3485  
either the framework for evaluation of teachers adopted under 3486  
section 3319.112 of the Revised Code or a framework created or 3487  
adopted by the board. The policy shall become operative at the 3488  
expiration of any collective bargaining agreement covering 3489  
teachers employed by the board that is in effect on November 2, 3490  
2018, and shall be included in any renewal or extension of such 3491  
an agreement. 3492

(B) When using measures of student performance as evidence 3493  
in a teacher's evaluation, those measures shall be high-quality 3494  
student data. The board of education of each school district may 3495  
use data from the assessments on the list developed under 3496  
division (B) (2) of section 3319.112 of the Revised Code as high- 3497  
quality student data. 3498

(C) (1) The board shall conduct an evaluation of each 3499  
teacher employed by the board at least once each school year, 3500  
except as provided in division (C) (2) of this section. The 3501  
evaluation shall be completed by the first day of May and the 3502  
teacher shall receive a written report of the results of the 3503  
evaluation by the tenth day of May. 3504

(2) (a) The board may evaluate each teacher who received a 3505  
rating of accomplished on the teacher's most recent evaluation 3506  
conducted under this section once every three school years, so 3507  
long as the teacher submits a self-directed professional growth 3508  
plan to the evaluator that focuses on specific areas identified 3509  
in the observations and evaluation and the evaluator determines 3510  
that the teacher is making progress on that plan. 3511

(b) The board may evaluate each teacher who received a 3512  
rating of skilled on the teacher's most recent evaluation 3513  
conducted under this section once every two years, so long as 3514  
the teacher and evaluator jointly develop a professional growth 3515  
plan for the teacher that focuses on specific areas identified 3516  
in the observations and evaluation and the evaluator determines 3517  
that the teacher is making progress on that plan. 3518

(c) For each teacher who is evaluated pursuant to division 3519  
(C) (2) of this section, the evaluation shall be completed by the 3520  
first day of May of the applicable school year, and the teacher 3521  
shall receive a written report of the results of the evaluation 3522  
by the tenth day of May of that school year. 3523

(d) The board may elect not to conduct an evaluation of a 3524  
teacher who meets one of the following requirements: 3525

(i) The teacher was on leave from the school district for 3526  
fifty per cent or more of the school year, as calculated by the 3527  
board. 3528

(ii) The teacher has submitted notice of retirement and 3529  
that notice has been accepted by the board not later than the 3530  
first day of December of the school year in which the evaluation 3531  
is otherwise scheduled to be conducted. 3532

(e) The board may elect not to conduct an evaluation of a 3533  
teacher who is participating in the teacher residency program 3534  
established under section 3319.223 of the Revised Code for the 3535  
year during which that teacher takes, for the first time, at 3536  
least half of the performance-based assessment prescribed by the 3537  
state board of education for resident educators. 3538

(3) In any year that a teacher is not formally evaluated 3539  
pursuant to division (C) of this section as a result of 3540

receiving a rating of accomplished or skilled on the teacher's 3541  
most recent evaluation, an individual qualified to evaluate a 3542  
teacher under division (D) of this section shall conduct at 3543  
least one observation of the teacher and hold at least one 3544  
conference with the teacher. The conference shall include a 3545  
discussion of progress on the teacher's professional growth 3546  
plan. 3547

(D) Each evaluation conducted pursuant to this section 3548  
shall be conducted by one or more of the following persons who 3549  
hold a credential established by the state board of education 3550  
for being an evaluator: 3551

(1) A person who is under contract with the board pursuant 3552  
to section 3319.01 or 3319.02 of the Revised Code and holds a 3553  
license designated for being a superintendent, assistant 3554  
superintendent, or principal issued under section 3319.22 of the 3555  
Revised Code; 3556

(2) A person who is under contract with the board pursuant 3557  
to section 3319.02 of the Revised Code and holds a license 3558  
designated for being a vocational director, administrative 3559  
specialist, or supervisor in any educational area issued under 3560  
section 3319.22 of the Revised Code; 3561

(3) A person designated to conduct evaluations under an 3562  
agreement entered into by the board, including an agreement 3563  
providing for peer review entered into by the board and 3564  
representatives of teachers employed by the board; 3565

(4) A person who is employed by an entity contracted by 3566  
the board to conduct evaluations and who holds a license 3567  
designated for being a superintendent, assistant superintendent, 3568  
principal, vocational director, administrative specialist, or 3569

supervisor in any educational area issued under section 3319.22 3570  
of the Revised Code or is qualified to conduct evaluations. 3571

(E) Notwithstanding division (A) (3) of section 3319.112 of 3572  
the Revised Code, the board shall require at least three formal 3573  
observations of each teacher who is under consideration for 3574  
nonrenewal and with whom the board has entered into a limited 3575  
contract or an extended limited contract under section 3319.11 3576  
of the Revised Code. 3577

(F) The board shall include in its evaluation policy 3578  
procedures for using the evaluation results for retention and 3579  
promotion decisions and for removal of poorly performing 3580  
teachers. Seniority shall not be the basis for a decision to 3581  
retain a teacher, except when making a decision between teachers 3582  
who have comparable evaluations. 3583

(G) For purposes of section 3333.0411 of the Revised Code, 3584  
the board annually shall report to the state board the number of 3585  
teachers for whom an evaluation was conducted under this section 3586  
and the number of teachers assigned each rating prescribed under 3587  
division (B) (1) of section 3319.112 of the Revised Code or the 3588  
equivalent framework created or adopted by the board, aggregated 3589  
by the teacher preparation programs from which and the years in 3590  
which the teachers graduated. The state board shall establish 3591  
guidelines for reporting the information required by this 3592  
division. The guidelines shall not permit or require that the 3593  
name of, or any other personally identifiable information about, 3594  
any teacher be reported under this division. 3595

(H) Notwithstanding any provision to the contrary in 3596  
Chapter 4117. of the Revised Code, the requirements of this 3597  
section prevail over any conflicting provisions of a collective 3598  
bargaining agreement entered into on or after November 2, 2018. 3599

**Sec. 3319.112.** (A) The state board of education shall 3600  
revise the standards-based state framework for the evaluation of 3601  
teachers based on the recommendations of the educator standards 3602  
board established under section 3319.60 of the Revised Code. The 3603  
state board shall hold at least one public hearing on the 3604  
revised framework and shall make the full text of the revised 3605  
framework available at each hearing it holds on the revised 3606  
framework. The state board shall adopt the revised framework. 3607  
The state board may update the framework periodically by 3608  
adoption of a resolution. The framework shall establish an 3609  
evaluation system that does the following: 3610

(1) Provides for multiple evaluation factors; 3611

(2) Is aligned with the standards for teachers adopted 3612  
under section 3319.61 of the Revised Code; 3613

(3) Requires observation of the teacher being evaluated, 3614  
including at least two formal observations by the evaluator of 3615  
at least thirty minutes each and classroom walk-throughs; 3616

(4) Assigns a rating on each evaluation in accordance with 3617  
division (B) of this section; 3618

(5) Requires each teacher to be provided with a written 3619  
report of the results of the teacher's evaluation; 3620

(6) Uses at least two measures of high-quality student 3621  
data to provide evidence of student learning attributable to the 3622  
teacher being evaluated. The state board shall define "high- 3623  
quality student data" for this purpose. When applicable to the 3624  
grade level or subject area taught by a teacher, high-quality 3625  
student data shall include the value-added progress dimension 3626  
established under section 3302.021 of the Revised Code, but the 3627  
teacher or evaluator shall use at least one other measure of 3628

high-quality student data to demonstrate student learning. In 3629  
accordance with the guidance described in division (D) (3) of 3630  
this section, high-quality student data may be used as evidence 3631  
in any component of the evaluation related to the following: 3632

(a) Knowledge of the students to whom the teacher provides 3633  
instruction; 3634

(b) The teacher's use of differentiated instructional 3635  
practices based on the needs or abilities of individual 3636  
students; 3637

(c) Assessment of student learning; 3638

(d) The teacher's use of assessment data; 3639

(e) Professional responsibility and growth. 3640

(7) Prohibits the shared attribution of student 3641  
performance data among all teachers in a district, building, 3642  
grade, content area, or other group; 3643

(8) Includes development of a professional growth plan or 3644  
improvement plan for the teacher that is based on the results of 3645  
the evaluation and is aligned to any school district or building 3646  
improvement plan required for the teacher's district or building 3647  
under the "Elementary and Secondary Education Act of 1965," as 3648  
amended by the "Every Student Succeeds Act of 2015," Pub. L. No. 3649  
114-95, 20 U.S.C. 6301 et seq.; 3650

(9) Provides for professional development to accelerate 3651  
and continue teacher growth and provide support to poorly 3652  
performing teachers; 3653

(10) Provides for the allocation of financial resources to 3654  
support professional development; 3655

(11) Prohibits the use of student learning objectives.	3656
(B) For purposes of the framework adopted under this section, the state board also shall do the following:	3657 3658
(1) Revise, as necessary, specific standards and criteria that distinguish between the following levels of performance for teachers and principals for the purpose of assigning ratings on <del>the any</del> evaluations conducted under sections 3311.80, 3311.84, 3319.02, and 3319.111 of the Revised Code <u>using the framework prescribed by this section</u> :	3659 3660 3661 3662 3663 3664
(a) Accomplished;	3665
(b) Skilled;	3666
(c) Developing;	3667
(d) Ineffective.	3668
(2) Develop a list of student assessments that measure mastery of the course content for the appropriate grade level, which may include nationally normed standardized assessments, industry certification examinations, or end-of-course examinations. The data from these assessments may be considered high-quality student data.	3669 3670 3671 3672 3673 3674
(C) The state board shall consult with experts, teachers and principals employed in public schools, the educator standards board, and representatives of stakeholder groups in revising the standards and criteria required by division (B)(1) of this section.	3675 3676 3677 3678 3679
(D) To assist school districts in developing evaluation policies under sections 3311.80, 3311.84, 3319.02, and 3319.111 of the Revised Code, the state board shall do all of the following:	3680 3681 3682 3683

(1) Serve as a clearinghouse of promising evaluation procedures and evaluation models that districts may use;	3684 3685
(2) Provide technical assistance to districts in creating evaluation policies;	3686 3687
(3) Provide guidance to districts on how high-quality student data may be used as evidence of student learning attributable to a particular teacher, including examples of appropriate use of that data within the framework adopted under this section;	3688 3689 3690 3691 3692
(4) Provide guidance to districts on how information from student surveys, student portfolios, peer review evaluations, teacher self-evaluations, and other components determined appropriate by the district may be used as part of the evaluation process.	3693 3694 3695 3696 3697
(E) Not later than July 1, 2020, the state board, in consultation with state agencies that employ teachers, shall update its standards-based framework for the evaluation of teachers employed by those agencies. Each state agency that employs teachers shall adopt a standards-based teacher evaluation policy to conform with the framework. The policy shall become operative at the expiration of any collective bargaining agreement covering teachers employed by the agency that is in effect on November 2, 2018, and shall be included in any renewal or extension of such an agreement. However, this division does not apply to any person who is employed as a substitute teacher or as an instructor of adult education.	3698 3699 3700 3701 3702 3703 3704 3705 3706 3707 3708 3709
<b>Sec. 3319.172.</b> The board of education of each school district wherein the provisions of Chapter 124. of the Revised Code do not apply and the governing board of each educational	3710 3711 3712



service center may adopt a resolution ordering reasonable 3713  
reductions in the number of nonteaching employees for any of the 3714  
reasons for which the board of education or governing board may 3715  
make reductions in teaching employees, as set forth in division 3716  
(B) of section 3319.17 of the Revised Code. 3717

In making any reduction under this section, the board of 3718  
education or governing board shall proceed to suspend contracts 3719  
in accordance with the recommendation of the superintendent of 3720  
the district or service center who shall, within each pay 3721  
classification affected, give preference first to employees 3722  
under continuing contracts and ~~then to employees on the basis of~~ 3723  
~~seniority~~shall not give preference on the basis of seniority 3724  
except when making a decision between two employees with 3725  
comparable evaluations. On a case-by-case basis, in lieu of 3726  
suspending a contract in whole, a board may suspend a contract 3727  
in part, so that an individual is required to work a percentage 3728  
of the time the employee otherwise is required to work under the 3729  
contract and receives a commensurate percentage of the full 3730  
compensation the employee otherwise would receive under the 3731  
contract. 3732

Any nonteaching employee whose continuing contract is 3733  
suspended under this section shall have the right of restoration 3734  
to continuing service status by the board of education or 3735  
governing board that suspended that contract ~~in order of~~ 3736  
~~seniority of service in the district or service center~~, if and 3737  
when a nonteaching position for which the employee is qualified 3738  
becomes vacant or is created. No nonteaching employee whose 3739  
continuing contract has been suspended under this section shall 3740  
lose that right of restoration to continuing service status by 3741  
reason of having declined recall to a position requiring fewer 3742  
regularly scheduled hours of work than required by the position 3743

the employee last held while employed in the district or service center. 3744  
3745

Notwithstanding any provision to the contrary in Chapter 3746  
4117. of the Revised Code, the requirements of this section 3747  
prevail over any conflicting provisions of agreements between 3748  
employee organizations and public employers entered into after 3749  
the effective date of this section. 3750

**Sec. 3319.22.** (A) (1) The state board of education shall 3751  
issue the following educator licenses: 3752

(a) A resident educator license, which shall be valid for 3753  
two years and shall be renewable for reasons specified by rules 3754  
adopted by the state board pursuant to division (A) (3) of this 3755  
section. The state board, on a case-by-case basis, may extend 3756  
the license's duration as necessary to enable the license holder 3757  
to complete the Ohio teacher residency program established under 3758  
section 3319.223 of the Revised Code; 3759

(b) A professional educator license, which shall be valid 3760  
for five years and shall be renewable; 3761

(c) A senior professional educator license, which shall be 3762  
valid for five years and shall be renewable; 3763

(d) A lead professional educator license, which shall be 3764  
valid for five years and shall be renewable. 3765

Licenses issued under division (A) (1) of this section on 3766  
and after ~~the effective date of this amendment~~ December 29, 3767  
2023, shall specify whether the educator is licensed to teach 3768  
grades pre-kindergarten through eight or grades six through 3769  
twelve. The changes to the grade band specifications under this 3770  
section shall not apply to a person who holds a license under 3771  
division (A) (1) of this section prior to ~~the effective date of~~ 3772

~~this amendment~~ December 29, 2023. Further, the changes to the 3773  
grade band specifications under this section shall not apply to 3774  
any license issued to teach in the area of computer information 3775  
science, bilingual education, dance, drama or theater, world 3776  
language, health, library or media, music, physical education, 3777  
teaching English to speakers of other languages, career- 3778  
technical education, or visual arts or to any license issued to 3779  
an intervention specialist, including a gifted intervention 3780  
specialist, or to any other license that does not align to the 3781  
grade band specifications. 3782

(2) (a) Except as provided in division (A) (2) (b) of this 3783  
section, the state board may issue any additional educator 3784  
licenses of categories, types, and levels the board elects to 3785  
provide. 3786

(b) Not later than December 31, 2024, the state board 3787  
shall cease licensing school psychologists. The state board 3788  
shall coordinate with the state board of psychology to 3789  
transition to licensure under Chapter 4732. of the Revised Code 3790  
any school psychologists licensed under rules adopted in 3791  
accordance with sections 3301.07 and 3319.22 of the Revised 3792  
Code. 3793

(3) Except as provided in division (I) of this section, 3794  
the state board shall adopt rules establishing the standards and 3795  
requirements for obtaining each educator license issued under 3796  
this section. The rules shall also include the reasons for which 3797  
a resident educator license may be renewed under division (A) (1) 3798  
(a) of this section. 3799

(B) Except as provided in division (I) of this section, 3800  
the rules adopted under this section shall require at least the 3801  
following standards and qualifications for the educator licenses 3802

described in division (A) (1) of this section: 3803

(1) An applicant for a resident educator license shall 3804  
hold at least a bachelor's degree from an accredited teacher 3805  
preparation program or be a participant in the teach for America 3806  
program and meet the qualifications required under section 3807  
3319.227 of the Revised Code. 3808

(2) An applicant for a professional educator license 3809  
shall: 3810

(a) Hold at least a bachelor's degree from an institution 3811  
of higher education accredited by a regional accrediting 3812  
organization; 3813

(b) Have successfully completed the Ohio teacher residency 3814  
program established under section 3319.223 of the Revised Code, 3815  
if the applicant's current or most recently issued license is a 3816  
resident educator license issued under this section or an 3817  
alternative resident educator license issued under section 3818  
3319.26 of the Revised Code. 3819

(3) An applicant for a senior professional educator 3820  
license shall: 3821

(a) Hold at least a ~~master's~~ bachelor's degree from an 3822  
institution of higher education accredited by a regional 3823  
accrediting organization; 3824

(b) Have previously held a professional educator license 3825  
issued under this section or section 3319.222 or under former 3826  
section 3319.22 of the Revised Code; 3827

(c) Meet the criteria for the accomplished or 3828  
distinguished level of performance, as described in the 3829  
standards for teachers adopted by the state board under section 3830

3319.61 of the Revised Code.	3831
(4) An applicant for a lead professional educator license shall:	3832
	3833
(a) Hold at least a <del>master's</del> <u>bachelor's</u> degree from an institution of higher education accredited by a regional accrediting organization;	3834
	3835
	3836
(b) Have previously held a professional educator license or a senior professional educator license issued under this section or a professional educator license issued under section 3319.222 or former section 3319.22 of the Revised Code;	3837
	3838
	3839
	3840
(c) Meet the criteria for the distinguished level of performance, as described in the standards for teachers adopted by the state board under section 3319.61 of the Revised Code;	3841
	3842
	3843
(d) Either hold a valid certificate issued by the national board for professional teaching standards or meet the criteria for a master teacher or other criteria for a lead teacher adopted by the educator standards board under division (F) (4) or (5) of section 3319.61 of the Revised Code.	3844
	3845
	3846
	3847
	3848
(C) The state board shall align the standards and qualifications for obtaining a principal license with the standards for principals adopted by the state board under section 3319.61 of the Revised Code.	3849
	3850
	3851
	3852
(D) If the state board requires any examinations for educator licensure, the state board shall provide the results of such examinations received by the state board to the chancellor of higher education, in the manner and to the extent permitted by state and federal law.	3853
	3854
	3855
	3856
	3857
(E) Any rules the state board of education adopts, amends,	3858

or rescinds for educator licenses under this section or any 3859  
other law shall be adopted, amended, or rescinded under Chapter 3860  
119. of the Revised Code except as follows: 3861

(1) Notwithstanding division (E) of section 119.03 and 3862  
division (A)(1) of section 119.04 of the Revised Code, in the 3863  
case of the adoption of any rule or the amendment or rescission 3864  
of any rule that necessitates institutions' offering preparation 3865  
programs for educators and other school personnel that are 3866  
approved by the chancellor of higher education under section 3867  
3333.048 of the Revised Code to revise the curriculum of those 3868  
programs, the effective date shall not be as prescribed in 3869  
division (E) of section 119.03 and division (A)(1) of section 3870  
119.04 of the Revised Code. Instead, the effective date of such 3871  
rules, or the amendment or rescission of such rules, shall be 3872  
the date prescribed by section 3333.048 of the Revised Code. 3873

(2) Notwithstanding the authority to adopt, amend, or 3874  
rescind emergency rules in division (G) of section 119.03 of the 3875  
Revised Code, this authority shall not apply to the state board 3876  
of education with regard to rules for educator licenses. 3877

(F)(1) The rules adopted under this section establishing 3878  
standards requiring additional coursework for the renewal of any 3879  
educator license shall require a school district and a chartered 3880  
nonpublic school to establish local professional development 3881  
committees. In a nonpublic school, the chief administrative 3882  
officer shall establish the committees in any manner acceptable 3883  
to such officer. The committees established under this division 3884  
shall determine whether coursework that a district or chartered 3885  
nonpublic school teacher proposes to complete meets the 3886  
requirement of the rules. The state board shall provide 3887  
technical assistance and support to committees as the committees 3888

incorporate the professional development standards adopted 3889  
pursuant to section 3319.61 of the Revised Code into their 3890  
review of coursework that is appropriate for license renewal. 3891  
The rules shall establish a procedure by which a teacher may 3892  
appeal the decision of a local professional development 3893  
committee. 3894

(2) In any school district in which there is no exclusive 3895  
representative established under Chapter 4117. of the Revised 3896  
Code, the professional development committees shall be 3897  
established as described in division (F)(2) of this section. 3898

Not later than the effective date of the rules adopted 3899  
under this section, the board of education of each school 3900  
district shall establish the structure for one or more local 3901  
professional development committees to be operated by such 3902  
school district. The committee structure so established by a 3903  
district board shall remain in effect unless within thirty days 3904  
prior to an anniversary of the date upon which the current 3905  
committee structure was established, the board provides notice 3906  
to all affected district employees that the committee structure 3907  
is to be modified. Professional development committees may have 3908  
a district-level or building-level scope of operations, and may 3909  
be established with regard to particular grade or age levels for 3910  
which an educator license is designated. 3911

Each professional development committee shall consist of 3912  
at least three classroom teachers employed by the district, one 3913  
principal employed by the district, and one other employee of 3914  
the district appointed by the district superintendent. For 3915  
committees with a building-level scope, the teacher and 3916  
principal members shall be assigned to that building, and the 3917  
teacher members shall be elected by majority vote of the 3918

classroom teachers assigned to that building. For committees 3919  
with a district-level scope, the teacher members shall be 3920  
elected by majority vote of the classroom teachers of the 3921  
district, and the principal member shall be elected by a 3922  
majority vote of the principals of the district, unless there 3923  
are two or fewer principals employed by the district, in which 3924  
case the one or two principals employed shall serve on the 3925  
committee. If a committee has a particular grade or age level 3926  
scope, the teacher members shall be licensed to teach such grade 3927  
or age levels, and shall be elected by majority vote of the 3928  
classroom teachers holding such a license and the principal 3929  
shall be elected by all principals serving in buildings where 3930  
any such teachers serve. The district superintendent shall 3931  
appoint a replacement to fill any vacancy that occurs on a 3932  
professional development committee, except in the case of 3933  
vacancies among the elected classroom teacher members, which 3934  
shall be filled by vote of the remaining members of the 3935  
committee so selected. 3936

Terms of office on professional development committees 3937  
shall be prescribed by the district board establishing the 3938  
committees. The conduct of elections for members of professional 3939  
development committees shall be prescribed by the district board 3940  
establishing the committees. A professional development 3941  
committee may include additional members, except that the 3942  
majority of members on each such committee shall be classroom 3943  
teachers employed by the district. Any member appointed to fill 3944  
a vacancy occurring prior to the expiration date of the term for 3945  
which a predecessor was appointed shall hold office as a member 3946  
for the remainder of that term. 3947

The initial meeting of any professional development 3948  
committee, upon election and appointment of all committee 3949



members, shall be called by a member designated by the district 3950  
superintendent. At this initial meeting, the committee shall 3951  
select a chairperson and such other officers the committee deems 3952  
necessary, and shall adopt rules for the conduct of its 3953  
meetings. Thereafter, the committee shall meet at the call of 3954  
the chairperson or upon the filing of a petition with the 3955  
district superintendent signed by a majority of the committee 3956  
members calling for the committee to meet. 3957

(3) In the case of a school district in which an exclusive 3958  
representative has been established pursuant to Chapter 4117. of 3959  
the Revised Code, professional development committees shall be 3960  
established in accordance with any collective bargaining 3961  
agreement in effect in the district that includes provisions for 3962  
such committees. 3963

If the collective bargaining agreement does not specify a 3964  
different method for the selection of teacher members of the 3965  
committees, the exclusive representative of the district's 3966  
teachers shall select the teacher members. 3967

If the collective bargaining agreement does not specify a 3968  
different structure for the committees, the board of education 3969  
of the school district shall establish the structure, including 3970  
the number of committees and the number of teacher and 3971  
administrative members on each committee; the specific 3972  
administrative members to be part of each committee; whether the 3973  
scope of the committees will be district levels, building 3974  
levels, or by type of grade or age levels for which educator 3975  
licenses are designated; the lengths of terms for members; the 3976  
manner of filling vacancies on the committees; and the frequency 3977  
and time and place of meetings. However, in all cases, except as 3978  
provided in division (F) (4) of this section, there shall be a 3979

majority of teacher members of any professional development 3980  
committee, there shall be at least five total members of any 3981  
professional development committee, and the exclusive 3982  
representative shall designate replacement members in the case 3983  
of vacancies among teacher members, unless the collective 3984  
bargaining agreement specifies a different method of selecting 3985  
such replacements. 3986

(4) Whenever an administrator's coursework plan is being 3987  
discussed or voted upon, the local professional development 3988  
committee shall, at the request of one of its administrative 3989  
members, cause a majority of the committee to consist of 3990  
administrative members by reducing the number of teacher members 3991  
voting on the plan. 3992

(5) A professional development committee may grant an 3993  
individual seeking to renew a license under this section credit 3994  
towards continuing education requirements for completion of a 3995  
statutorily required professional development training. Such an 3996  
individual shall receive continuing education credit for one 3997  
completed professional development course per licensure renewal 3998  
period. To qualify for continuing education credit under this 3999  
division, a professional development course shall be completed 4000  
during the time in which an individual holds a valid license 4001  
under this section. 4002

(G) (1) The department of education and workforce, 4003  
educational service centers, county boards of developmental 4004  
disabilities, college and university departments of education, 4005  
head start programs, and the Ohio education computer network may 4006  
establish local professional development committees to determine 4007  
whether the coursework proposed by their employees who are 4008  
licensed or certificated under this section or section 3319.222 4009

of the Revised Code, or under the former version of either 4010  
section as it existed prior to October 16, 2009, meet the 4011  
requirements of the rules adopted under this section. They may 4012  
establish local professional development committees on their own 4013  
or in collaboration with a school district or other agency 4014  
having authority to establish them. 4015

Local professional development committees established by 4016  
county boards of developmental disabilities shall be structured 4017  
in a manner comparable to the structures prescribed for school 4018  
districts in divisions (F) (2) and (3) of this section, as shall 4019  
the committees established by any other entity specified in 4020  
division (G) (1) of this section that provides educational 4021  
services by employing or contracting for services of classroom 4022  
teachers licensed or certificated under this section or section 4023  
3319.222 of the Revised Code, or under the former version of 4024  
either section as it existed prior to October 16, 2009. All 4025  
other entities specified in division (G) (1) of this section 4026  
shall structure their committees in accordance with guidelines 4027  
which shall be issued by the department. 4028

(2) Educational service centers may establish local 4029  
professional development committees to serve educators who are 4030  
not employed in schools in this state, including pupil services 4031  
personnel who are licensed under this section. Local 4032  
professional development committees shall be structured in a 4033  
manner comparable to the structures prescribed for school 4034  
districts in divisions (F) (2) and (3) of this section. 4035

These committees may agree to review the coursework, 4036  
continuing education units, or other equivalent activities 4037  
related to classroom teaching or the area of licensure that is 4038  
proposed by an individual who satisfies both of the following 4039

conditions: 4040

(a) The individual is licensed or certificated under this 4041  
section or under the former version of this section as it 4042  
existed prior to October 16, 2009. 4043

(b) The individual is not currently employed as an 4044  
educator or is not currently employed by an entity that operates 4045  
a local professional development committee under this section. 4046

Any committee that agrees to work with such an individual 4047  
shall work to determine whether the proposed coursework, 4048  
continuing education units, or other equivalent activities meet 4049  
the requirements of the rules adopted by the state board under 4050  
this section. 4051

(3) Any public agency that is not specified in division 4052  
(G) (1) or (2) of this section but provides educational services 4053  
and employs or contracts for services of classroom teachers 4054  
licensed or certificated under this section or section 3319.222 4055  
of the Revised Code, or under the former version of either 4056  
section as it existed prior to October 16, 2009, may establish a 4057  
local professional development committee, subject to the 4058  
approval of the department of education and workforce. The 4059  
committee shall be structured in accordance with guidelines 4060  
issued by the department. 4061

(H) Not later than July 1, 2016, the state board, in 4062  
accordance with Chapter 119. of the Revised Code, shall adopt 4063  
rules pursuant to division (A) (3) of this section that do both 4064  
of the following: 4065

(1) Exempt consistently high-performing teachers from the 4066  
requirement to complete any additional coursework for the 4067  
renewal of an educator license issued under this section or 4068

section 3319.26 of the Revised Code. The rules also shall 4069  
specify that such teachers are exempt from any requirements 4070  
prescribed by professional development committees established 4071  
under divisions (F) and (G) of this section. 4072

(2) For purposes of division (H)(1) of this section, the 4073  
state board shall define the term "consistently high-performing 4074  
teacher." 4075

(I) The state board shall issue a resident educator 4076  
license, professional educator license, senior professional 4077  
educator license, lead professional educator license, or any 4078  
other educator license in accordance with Chapter 4796. of the 4079  
Revised Code to an applicant if either of the following applies: 4080

(1) The applicant holds a license in another state. 4081

(2) The applicant has satisfactory work experience, a 4082  
government certification, or a private certification as 4083  
described in that chapter as a resident educator, professional 4084  
educator, senior professional educator, lead professional 4085  
educator, or any other type of educator in a state that does not 4086  
issue one or more of those licenses. 4087

(J) A professional pupil services license shall be issued 4088  
in the area of school counselor to an individual who holds at 4089  
least a bachelor's degree from an institution of higher 4090  
education accredited by a regional accrediting agency, provided 4091  
the individual satisfies all other criteria for that license and 4092  
subject area prescribed by rule of the state board. 4093

(K) A professional pupil services license shall be issued 4094  
in the area of school psychologist to an individual who holds at 4095  
least a bachelor's degree from an institution of higher 4096  
education accredited by a regional accrediting agency, provided 4097

the individual satisfies all other criteria for that license and 4098  
subject area prescribed by rule of the state board. 4099

**Sec. 3319.225.** (A) The board of education of any school 4100  
district, governing authority of a community school established 4101  
under Chapter 3314. of the Revised Code, or governing body of a 4102  
STEM school established under Chapter 3326. of the Revised Code, 4103  
may employ an individual who is not certificated or licensed as 4104  
required by Chapter 3319. of the Revised Code, but who meets 4105  
both of the following qualifications, as a teacher in the 4106  
schools of the district or school: 4107

(1) The individual holds at least a master's degree from 4108  
an institution of higher education accredited by a regional 4109  
accrediting agency; 4110

(2) The individual has successfully completed an 4111  
examination prescribed by the state board of education for the 4112  
subject area in which the individual will teach. 4113

(B) A person employed by a school district or school in 4114  
accordance with this section shall be required to apply for and 4115  
receive a registration from the department of education. As a 4116  
condition of registration under this section, an individual 4117  
shall be subject to a criminal records check as prescribed by 4118  
section 3319.391 of the Revised Code. In the manner prescribed 4119  
by the department, the individual shall submit the criminal 4120  
records check to the department. The department shall use the 4121  
information submitted to enroll the individual in the retained 4122  
applicant fingerprint database, established under section 4123  
109.5721 of the Revised Code, in the same manner as any teacher 4124  
licensed under sections 3319.22 to 3319.31 of the Revised Code. 4125

If the department receives notification of the arrest or 4126

conviction of an individual registered under division (B) of 4127  
this section, the department shall promptly notify the employing 4128  
district or school and may take any action authorized under 4129  
sections 3319.31 and 3319.311 of the Revised Code that it 4130  
considers appropriate. No district or school shall employ any 4131  
individual under division (A) of this section if the district or 4132  
school learns that the individual has plead guilty to, has been 4133  
found guilty by a jury or court of, or has been convicted of any 4134  
of the offenses listed in division (C) of section 3319.31 of the 4135  
Revised Code. 4136

(C) Each individual employed under this section shall meet 4137  
the requirement to successfully complete fifteen hours, or the 4138  
equivalent, of coursework every five years that is approved by 4139  
the local professional development committee as is required of 4140  
other teachers licensed in accordance with Chapter 3319. of the 4141  
Revised Code. 4142

**Sec. 3319.27.** (A) Except as provided in division (C) of 4143  
this section, the state board of education shall adopt rules 4144  
that establish an alternative principal license. The rules 4145  
establishing an alternative principal license shall include a 4146  
requirement that an applicant have obtained classroom teaching 4147  
experience. Beginning on the effective date of the rules, the 4148  
state board shall cease to issue temporary educator licenses 4149  
pursuant to former section 3319.225 as it existed prior to April 4150  
12, 2021, of the Revised Code for employment as a principal. Any 4151  
person who on the effective date of the rules holds a valid 4152  
temporary educator license issued under that section and is 4153  
employed as a principal shall be allowed to continue employment 4154  
as a principal until the expiration of the license. Employment 4155  
of any such person as a principal by a school district after the 4156  
expiration of the temporary educator license shall be contingent 4157

upon the state board issuing the person an alternative principal 4158  
license in accordance with the rules adopted under this 4159  
division. 4160

(B) Except as provided in division (C) of this section, 4161  
the state board shall adopt rules that establish an alternative 4162  
administrator license, which shall be valid for employment as a 4163  
superintendent or in any other administrative position except 4164  
principal. Beginning on the effective date of the rules, the 4165  
state board shall cease to issue temporary educator licenses 4166  
pursuant to former section 3319.225 of the Revised Code as it 4167  
existed prior to April 12, 2021, for employment as a 4168  
superintendent or in any other administrative position except 4169  
principal. Any person who on the effective date of the rules 4170  
holds a valid temporary educator license issued under that 4171  
section and is employed as a superintendent or in any other 4172  
administrative position except principal shall be allowed to 4173  
continue employment in that position until the expiration of the 4174  
license. Employment of any such person as a superintendent or in 4175  
any other administrative position except principal by a school 4176  
district after the expiration of the temporary educator license 4177  
shall be contingent upon the state board issuing the person an 4178  
alternative administrator license in accordance with the rules 4179  
adopted under this division. 4180

(C) The state board shall issue an alternative principal 4181  
or alternative administrator license in accordance with Chapter 4182  
4796. of the Revised Code to an applicant if either of the 4183  
following applies: 4184

(1) The applicant holds a license in another state. 4185

(2) The applicant has satisfactory work experience, a 4186  
government certification, or a private certification as 4187



described in that chapter as a school principal or school 4188  
administrator in a state that does not issue one or both of 4189  
those licenses. 4190

Sec. 3319.273. (A) A professional administrator license 4191  
shall be issued to an individual who holds at least a bachelor's 4192  
degree from an institution of higher education accredited by a 4193  
regional accrediting agency, provided the individual satisfies 4194  
all other criteria for that license prescribed by rule of the 4195  
state board of education. 4196

(B) An alternative superintendent license shall be issued 4197  
to an individual who holds at least a bachelor's degree from an 4198  
institution of higher education accredited by a regional 4199  
accrediting agency, provided the individual satisfies all other 4200  
criteria for that license prescribed by rule of the state board. 4201

**Sec. 3319.291.** (A) The state board of education shall 4202  
require each of the following persons, at the times prescribed 4203  
by division (A) of this section, to undergo a criminal records 4204  
check, unless the person has undergone a records check under 4205  
this section or a former version of this section less than five 4206  
years prior to that time. 4207

(1) Any person initially applying for any certificate, 4208  
license, or permit described in this chapter or in division (B) 4209  
of section 3301.071 or in section 3301.074 of the Revised Code 4210  
at the time that application is made; 4211

(2) Any person applying for renewal of any certificate, 4212  
license, or permit described in division (A)(1) of this section 4213  
at the time that application is made; 4214

(3) Any person who is teaching under a professional 4215  
teaching certificate issued under former section 3319.222 of the 4216

Revised Code upon a date prescribed by the state board; 4217

(4) Any person who is teaching under a permanent teaching 4218  
certificate issued under former section 3319.22 as it existed 4219  
prior to October 29, 1996, or under former section 3319.222 of 4220  
the Revised Code upon a date prescribed by the state board and 4221  
every five years thereafter; 4222

(5) Any person employed in accordance with section 4223  
3319.225 of the Revised Code. 4224

(B) (1) Except as otherwise provided in division (B) (2) of 4225  
this section, the state board shall require each person subject 4226  
to a criminal records check under this section to submit two 4227  
complete sets of fingerprints and written permission that 4228  
authorizes the superintendent of public instruction to forward 4229  
the fingerprints to the bureau of criminal identification and 4230  
investigation pursuant to division (F) of section 109.57 of the 4231  
Revised Code and that authorizes that bureau to forward the 4232  
fingerprints to the federal bureau of investigation for purposes 4233  
of obtaining any criminal records that the federal bureau 4234  
maintains on the person. 4235

(2) If both of the following conditions apply to a person 4236  
subject to a criminal records check under this section, the 4237  
state board shall require the person to submit one complete set 4238  
of fingerprints and written permission that authorizes the 4239  
superintendent of public instruction to forward the fingerprints 4240  
to the bureau of criminal identification and investigation so 4241  
that bureau may forward the fingerprints to the federal bureau 4242  
of investigation for purposes of obtaining any criminal records 4243  
that the federal bureau maintains on the person: 4244

(a) Under this section or any former version of this 4245

section, the state board or the superintendent of public 4246  
instruction previously requested the superintendent of the 4247  
bureau of criminal identification and investigation to determine 4248  
whether the bureau has any information, gathered pursuant to 4249  
division (A) of section 109.57 of the Revised Code, on the 4250  
person. 4251

(b) The person presents proof that the person has been a 4252  
resident of this state for the five-year period immediately 4253  
prior to the date upon which the person becomes subject to a 4254  
criminal records check under this section. 4255

(C) Except as provided in division (D) of this section, 4256  
prior to issuing or renewing any certificate, license, or permit 4257  
for a person described in division (A) (1) or (2) of this section 4258  
who is subject to a criminal records check and in the case of a 4259  
person described in division (A) (3) or (4) of this section who 4260  
is subject to a criminal records check, the state board or the 4261  
superintendent of public instruction shall do one of the 4262  
following: 4263

(1) If the person is required to submit fingerprints and 4264  
written permission under division (B) (1) of this section, 4265  
request the superintendent of the bureau of criminal 4266  
identification and investigation to determine whether the bureau 4267  
has any information, gathered pursuant to division (A) of 4268  
section 109.57 of the Revised Code, pertaining to the person and 4269  
to obtain any criminal records that the federal bureau of 4270  
investigation has on the person. 4271

(2) If the person is required to submit fingerprints and 4272  
written permission under division (B) (2) of this section, 4273  
request the superintendent of the bureau of criminal 4274  
identification and investigation to obtain any criminal records 4275

that the federal bureau of investigation has on the person. 4276

(D) The state board or the superintendent of public 4277  
instruction may choose not to request any information about a 4278  
person required by division (C) of this section if the person 4279  
provides proof that a criminal records check that satisfies the 4280  
requirements of that division was conducted on the person as a 4281  
condition of employment pursuant to section 3319.39 of the 4282  
Revised Code within the immediately preceding year. The state 4283  
board or the superintendent of public instruction may accept a 4284  
certified copy of records that were issued by the bureau of 4285  
criminal identification and investigation and that are presented 4286  
by the person in lieu of requesting that information under 4287  
division (C) of this section if the records were issued by the 4288  
bureau within the immediately preceding year. 4289

(E) (1) If a person described in division (A) (3) or (4) of 4290  
this section who is subject to a criminal records check fails to 4291  
submit fingerprints and written permission by the date specified 4292  
in the applicable division, and the state board or the 4293  
superintendent of public instruction does not apply division (D) 4294  
of this section to the person, or if a person who is subject to 4295  
division (G) of this section fails to submit fingerprints and 4296  
written permission by the date prescribed under that division, 4297  
the superintendent shall prepare a written notice to be sent to 4298  
the person by mail or electronically stating that if the person 4299  
does not submit the fingerprints and written permission within 4300  
fifteen days after the date the notice was mailed or sent 4301  
electronically, the person's application will be rejected or the 4302  
person's professional or permanent teaching certificate or 4303  
license will be inactivated. The superintendent shall send the 4304  
notification by regular mail to the person's last known 4305  
residence address or last known place of employment, as 4306

indicated in the state board's records, or both. If the notice 4307  
is sent electronically, the notification shall be sent via 4308  
electronic mail to the person's last known electronic mail 4309  
address. 4310

If the person fails to submit the fingerprints and written 4311  
permission within fifteen days after the date the notice was 4312  
mailed, the superintendent of public instruction, on behalf of 4313  
the state board, shall issue a written order rejecting the 4314  
application or inactivating the person's professional or 4315  
permanent teaching certificate or license. The rejection or 4316  
inactivation shall remain in effect until the person submits the 4317  
fingerprints and written permission. The superintendent shall 4318  
send the order by regular mail or electronic mail to the 4319  
person's last known residence address, last known electronic 4320  
mail address, or last known place of employment, as indicated in 4321  
the state board's records. The order shall state the reason for 4322  
the rejection or inactivation and shall explain that the 4323  
rejection or inactivation remains in effect until the person 4324  
submits the fingerprints and written permission. 4325

The rejection or inactivation of a professional or 4326  
permanent teaching certificate or license under division (E) (1) 4327  
of this section does not constitute a suspension or revocation 4328  
of the certificate or license by the state board under section 4329  
3319.31 of the Revised Code and the state board and the 4330  
superintendent of public instruction need not provide the person 4331  
with an opportunity for a hearing with respect to the rejection 4332  
or inactivation. 4333

(2) If a person whose professional or permanent teaching 4334  
certificate or license has been rejected or inactivated under 4335  
division (E) (1) of this section submits fingerprints and written 4336

permission as required by division (B) or (G) of this section, 4337  
the superintendent of public instruction, on behalf of the state 4338  
board, shall issue a written order issuing or reactivating the 4339  
certificate or license. The superintendent shall send the order 4340  
to the person by regular mail or electronic mail. 4341

(F) Notwithstanding divisions (A) to (C) of this section, 4342  
if a person holds more than one certificate, license, or permit 4343  
described in division (A)(1) of this section, the following 4344  
shall apply: 4345

(1) If the certificates, licenses, or permits are of 4346  
different durations, the person shall be subject to divisions 4347  
(A) to (C) of this section only when applying for renewal of the 4348  
certificate, license, or permit that is of the longest duration. 4349  
Prior to renewing any certificate, license, or permit with a 4350  
shorter duration, the state board or the superintendent of 4351  
public instruction shall determine whether the state board has 4352  
received any information about the person pursuant to section 4353  
109.5721 of the Revised Code, but the person shall not be 4354  
subject to divisions (A) to (C) of this section as long as the 4355  
person's certificate, license, or permit with the longest 4356  
duration is valid. 4357

(2) If the certificates, licenses, or permits are of the 4358  
same duration but do not expire in the same year, the person 4359  
shall designate one of the certificates, licenses, or permits as 4360  
the person's primary certificate, license, or permit and shall 4361  
notify the state board of that designation. The person shall be 4362  
subject to divisions (A) to (C) of this section only when 4363  
applying for renewal of the person's primary certificate, 4364  
license, or permit. Prior to renewing any certificate, license, 4365  
or permit that is not the person's primary certificate, license, 4366

or permit, the state board or the superintendent of public 4367  
instruction shall determine whether the state board has received 4368  
any information about the person pursuant to section 109.5721 of 4369  
the Revised Code, but the person shall not be subject to 4370  
divisions (A) to (C) of this section as long as the person's 4371  
primary certificate, license, or permit is valid. 4372

(3) If the certificates, licenses, or permits are of the 4373  
same duration and expire in the same year and the person applies 4374  
for renewal of the certificates, licenses, or permits at the 4375  
same time, the state board or the superintendent of public 4376  
instruction shall request only one criminal records check of the 4377  
person under division (C) of this section. 4378

(G) If the state board is unable to enroll a person who 4379  
has submitted an application for licensure, or to whom the state 4380  
board has issued a license, in the retained applicant 4381  
fingerprint database established under section 109.5721 of the 4382  
Revised Code because the person has not satisfied the 4383  
requirements for enrollment, the board shall require the person 4384  
to satisfy the requirements for enrollment, including requiring 4385  
the person to submit, by a date prescribed by the state board, 4386  
one complete set of fingerprints and written permission that 4387  
authorizes the superintendent of public instruction to forward 4388  
the fingerprints to the bureau of criminal identification and 4389  
investigation for the purpose of enrolling the person in the 4390  
database. If the person fails to comply by the prescribed date, 4391  
the state board shall reject the application or shall take 4392  
action to inactivate the person's license in accordance with 4393  
division (E) of this section. 4394

**Sec. 3323.251.** (A) Each school district and other public 4395  
school shall do all of the following: 4396

(1) For the 2023-2024 school year, administer a tier one 4397  
dyslexia screening measure to a student to whom either of the 4398  
following applies: 4399

(a) The student is enrolled in any of grades kindergarten 4400  
through three, or the student transfers into the district or 4401  
school midyear and is enrolled in any of grades kindergarten 4402  
through three. A screening measure shall be administered to a 4403  
student enrolled in kindergarten after January 1, 2024, but 4404  
prior to January 1, 2025. 4405

A school district may apply to the department of education 4406  
and workforce, in a manner determined by the department, for a 4407  
waiver from administering a screening under division (A) (1) (a) 4408  
of this section if the district provides evidence that a student 4409  
has previously received such a screening in a prior school year. 4410

(b) The student is enrolled in any of grades four through 4411  
six, or the student transfers into the district or school 4412  
midyear and is enrolled in any of grades four through six, and 4413  
either of the following applies: 4414

(i) The student's parent, guardian, or custodian requests 4415  
that the screening measure be administered to the student. 4416

(ii) A classroom teacher requests that the screening 4417  
measure be administered to the student and the student's parent, 4418  
guardian, or custodian grants permission for the screening 4419  
measure to be administered. 4420

A school district may implement the screening under 4421  
division (A) (1) of this section prior to the 2023-2024 school 4422  
year. 4423

A screening measure administered under division (A) (1) of 4424  
this section shall be aligned to the grade level in which the 4425



student is enrolled at the time the screening is administered. 4426

(2) For the 2024-2025 school year and each school year 4427  
thereafter, administer a tier one dyslexia screening measure to 4428  
a student to whom either of the following applies: 4429

(a) A student enrolled in kindergarten, or a student who 4430  
transfers into the district or school midyear and is enrolled in 4431  
kindergarten. A screening measure shall be administered to a 4432  
student after the first day of January of the school year in 4433  
which the student is enrolled in kindergarten and prior to the 4434  
first day of January of the following school year. 4435

(b) A student enrolled in any of grades one through six, 4436  
or a student who transfers into the district or school midyear 4437  
and is enrolled in any of grades one through six, if either of 4438  
the following applies: 4439

(i) The student's parent, guardian, or custodian requests 4440  
that the screening measure be administered to the student. 4441

(ii) A classroom teacher requests that the screening 4442  
measure be administered to the student and the student's parent, 4443  
guardian, or custodian grants permission for the screening 4444  
measure to be administered. 4445

A district or school may administer a tier two dyslexia 4446  
screening measure to a student to whom the district or school 4447  
administers a tier one screening measure under division (A) (1) 4448  
or (2) of this section. In that case, a district or school shall 4449  
not be required to complete division (A) (4) of this section. 4450

A screening measure administered under division (A) (2) of 4451  
this section shall be aligned to the grade level in which the 4452  
student is enrolled at the time the screening is administered. 4453

(3) Identify each student that is at risk of dyslexia 4454  
based on the student's results on the tier one screening measure 4455  
and notify the student's parent, guardian, or custodian that the 4456  
student has been identified as being at risk. 4457

(4) Monitor the progress of each at-risk student toward 4458  
attaining grade-level reading and writing skills for up to six 4459  
weeks. The district or school shall check each at-risk student's 4460  
progress on at least the second week, fourth week, and sixth 4461  
week after the student is identified as being at risk. If no 4462  
progress is observed during the monitoring period, the district 4463  
or school shall notify the parent, guardian, or custodian of the 4464  
student and administer a tier two dyslexia screening measure to 4465  
the student. 4466

(5) Report to a student's parent or guardian the student's 4467  
results on a tier two screening measure approved by the Ohio 4468  
dyslexia committee within thirty days after the measure's 4469  
administration. If, as determined by the tier two screening 4470  
measure, the student is identified as having dyslexia 4471  
tendencies, the student's parent or guardian shall be provided 4472  
with information about reading development, the risk factors for 4473  
dyslexia, and descriptions for evidenced-based interventions. 4474

(6) If a student demonstrates markers for dyslexia, 4475  
provide the student's parents or guardian with a written 4476  
explanation of the district or school's structured literacy 4477  
program. 4478

(B) (1) In the case of a transfer student described in 4479  
division (A) (1) or (2) of this section, the following apply: 4480

(a) If the student is enrolled in kindergarten, a tier one 4481  
dyslexia screening measure shall be administered to the student 4482

during the school's regularly scheduled screening of the 4483  
kindergarten class or within thirty days after the student's 4484  
enrollment if so required under this section, or within thirty 4485  
days after the student's parent, guardian, or custodian requests 4486  
the screening or grants permission for a screening. 4487

(b) If the student is enrolled in any of grades one 4488  
through six, a tier one dyslexia screening measure shall be 4489  
administered to the student within thirty days after the 4490  
student's enrollment if so required under this section, or 4491  
within thirty days after the student's parent, guardian, or 4492  
custodian requests the screening under division (A) (1) (b) (i) or 4493  
(A) (2) (b) (i) of this section or grants permission for the 4494  
screening under division (A) (1) (b) (ii) or (A) (2) (b) (ii) of this 4495  
section. 4496

(c) No district or school shall be required to administer 4497  
a tier one dyslexia screening measure to a student who transfers 4498  
into the district or school midyear if the student's records 4499  
indicate that such a screening was administered to the student 4500  
by the district or school from which the student transferred 4501  
during that school year. 4502

(2) If a student is identified as being at risk of 4503  
dyslexia under division (B) (1) of this section, the district or 4504  
school shall administer a tier two screening measure in a timely 4505  
manner. 4506

(C) Each district or school shall do all of the following: 4507

(1) Comply with any provisions that are statutorily 4508  
required, as they pertain to the guidebook developed under 4509  
division (C) of section 3323.25 of the Revised Code; 4510

(2) Select screening and intervention measures to 4511

administer to students from the measures identified under 4512  
division (E) of section 3323.25 of the Revised Code; 4513

(3) Establish a multidisciplinary team to administer 4514  
screening and intervention measures and analyze the results of 4515  
the measures. The team shall include trained and certified 4516  
personnel and a stakeholder with expertise in the 4517  
identification, intervention, and remediation of dyslexia. 4518

(4) Report to the department ~~of education and workforce~~ 4519  
the results of screening measures administered under this 4520  
section. 4521

In addition, districts and schools may utilize any best 4522  
practices and recommendations contained in the guidebook 4523  
developed under division (C) of section 3323.25 of the Revised 4524  
Code. 4525

**Sec. 3326.11.** Each science, technology, engineering, and 4526  
mathematics school established under this chapter and its 4527  
governing body shall comply with sections 9.90, 9.91, 109.65, 4528  
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 4529  
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 4530  
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 4531  
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.5318, 4532  
3313.5319, 3313.608, 3313.6012, 3313.6013, 3313.6014, ~~3313.6015,~~ 4533  
3313.6020, 3313.6021, 3313.6024, 3313.6025, 3313.6026, 4534  
3313.6028, 3313.6029, 3313.61, 3313.611, 3313.614, 3313.615, 4535  
3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411, 4536  
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3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 4539  
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3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.21, 4542  
3319.238, 3319.318, 3319.32, 3319.321, 3319.324, 3319.35, 4543  
3319.39, 3319.391, 3319.393, 3319.41, 3319.45, 3319.46, 3320.01, 4544  
3320.02, 3320.03, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 4545  
3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 3322.20, 3322.24, 4546  
3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 4547  
5705.391 and Chapters 102., 117., 1347., 2744., 3307., 3309., 4548  
3365., 3742., 4112., 4123., 4141., and 4167. of the Revised Code 4549  
as if it were a school district. 4550

**Sec. 5502.70.** (A) There is hereby created in the 4551  
department of public safety the Ohio mobile training team, which 4552  
shall be administered by a chief mobile training officer. The 4553  
team shall provide services to public and nonpublic schools 4554  
regarding school safety and security. 4555

(B) Not later than ~~ninety days after the effective date of~~ 4556  
~~this section~~ December 11, 2022, the director of public safety 4557  
shall appoint an individual who satisfies the criteria specified 4558  
in division (B) of section 5502.701 of the Revised Code as the 4559  
chief mobile training officer, who shall serve at the pleasure 4560  
of the director. To carry out the duties prescribed by this 4561  
section or sections 5502.702 and 5502.703 of the Revised Code, 4562  
the chief mobile training officer may hire and maintain 4563  
necessary staff and may enter into any necessary agreements. 4564

(C) Not later than ninety days after the appointment of 4565  
the chief mobile training officer, the director of public safety 4566  
shall appoint sixteen regional mobile training officers, each of 4567  
whom shall satisfy the criteria specified in division (B) of 4568  
section 5502.701 of the Revised Code, to conduct the duties 4569  
described in sections 5502.702 and 5502.703 of the Revised Code. 4570

The regions shall be the same as those described in 4571

~~division (A) of~~ section 3312.02 of the Revised Code. To carry 4572  
out the duties prescribed by sections 5502.702 and 5502.703 of 4573  
the Revised Code, a regional mobile training officer may hire 4574  
and maintain necessary staff and may enter into any necessary 4575  
agreements. 4576

(D) Except as otherwise provided by law, nothing in this 4577  
section or in sections 5502.702 and 5502.703 of the Revised Code 4578  
shall be construed to give the director of public safety, the 4579  
chief mobile training officer, or a regional mobile training 4580  
officer authority over the incident management structure or 4581  
responsibilities of local emergency response personnel. 4582

(E) The department of public safety, in accordance with 4583  
Chapter 119. of the Revised Code, shall adopt rules with respect 4584  
to the Ohio mobile training team. The rules shall be made 4585  
available for public inspection at the department of public 4586  
safety and at other places and during reasonable hours as fixed 4587  
by the chief mobile training officer of the Ohio mobile training 4588  
team. 4589

**Section 2.** That existing sections 3301.0714, 3302.03, 4590  
3302.151, 3311.80, 3312.02, 3313.413, 3313.48, 3313.92, 4591  
3314.012, 3314.016, 3314.017, 3314.0211, 3314.03, 3314.29, 4592  
3314.35, 3319.077, 3319.0811, 3319.111, 3319.112, 3319.172, 4593  
3319.22, 3319.27, 3319.291, 3323.251, 3326.11, and 5502.70 of 4594  
the Revised Code are hereby repealed. 4595

**Section 3.** That sections 3301.0717, 3301.131, 3301.134, 4596  
3301.14, 3301.30, 3302.22, 3313.6015, 3317.50, 3317.51, 4597  
3319.234, 3319.55, 3319.56, and 3319.57 of the Revised Code are 4598  
hereby repealed. 4599

**Section 4.** That the versions of sections 3301.0714 and 4600

3314.03 of the Revised Code that are scheduled to take effect on 4601  
January 1, 2025, be amended to read as follows: 4602

**Sec. 3301.0714.** (A) The department of education and 4603  
workforce shall adopt rules for a statewide education management 4604  
information system. The rules shall require the department to 4605  
establish guidelines for the establishment and maintenance of 4606  
the system in accordance with this section and the rules adopted 4607  
under this section. The guidelines shall include: 4608

(1) Standards identifying and defining the types of data 4609  
in the system in accordance with divisions (B) and (C) of this 4610  
section; 4611

(2) Procedures for annually collecting and reporting the 4612  
data to the department in accordance with division (D) of this 4613  
section; 4614

(3) Procedures for annually compiling the data in 4615  
accordance with division (G) of this section; 4616

(4) Procedures for annually reporting the data to the 4617  
public in accordance with division (H) of this section; 4618

(5) Standards to provide strict safeguards to protect the 4619  
confidentiality of personally identifiable student data. 4620

(B) The guidelines adopted under this section shall 4621  
require the data maintained in the education management 4622  
information system to include at least the following: 4623

(1) Student participation and performance data, for each 4624  
grade in each school district as a whole and for each grade in 4625  
each school building in each school district, that includes: 4626

(a) The numbers of students receiving each category of 4627  
instructional service offered by the school district, such as 4628

regular education instruction, vocational education instruction, 4629  
specialized instruction programs or enrichment instruction that 4630  
is part of the educational curriculum, instruction for gifted 4631  
students, instruction for students with disabilities, and 4632  
remedial instruction. The guidelines shall require instructional 4633  
services under this division to be divided into discrete 4634  
categories if an instructional service is limited to a specific 4635  
subject, a specific type of student, or both, such as regular 4636  
instructional services in mathematics, remedial reading 4637  
instructional services, instructional services specifically for 4638  
students gifted in mathematics or some other subject area, or 4639  
instructional services for students with a specific type of 4640  
disability. The categories of instructional services required by 4641  
the guidelines under this division shall be the same as the 4642  
categories of instructional services used in determining cost 4643  
units pursuant to division (C) (3) of this section. 4644

(b) The numbers of students receiving support or 4645  
extracurricular services for each of the support services or 4646  
extracurricular programs offered by the school district, such as 4647  
counseling services, health services, and extracurricular sports 4648  
and fine arts programs. The categories of services required by 4649  
the guidelines under this division shall be the same as the 4650  
categories of services used in determining cost units pursuant 4651  
to division (C) (4) (a) of this section. 4652

(c) Average student grades in each subject in grades nine 4653  
through twelve; 4654

(d) Academic achievement levels as assessed under sections 4655  
3301.0710, 3301.0711, and 3301.0712 of the Revised Code; 4656

(e) The number of students designated as having a 4657  
disabling condition pursuant to division (C) (1) of section 4658



3301.0711 of the Revised Code;	4659
(f) The numbers of students reported to the department	4660
pursuant to division (C) (2) of section 3301.0711 of the Revised	4661
Code;	4662
(g) Attendance rates and the average daily attendance for	4663
the year. For purposes of this division, a student shall be	4664
counted as present for any field trip that is approved by the	4665
school administration.	4666
(h) Expulsion rates;	4667
(i) Suspension rates;	4668
(j) Dropout rates;	4669
(k) Rates of retention in grade;	4670
(l) For pupils in grades nine through twelve, the average	4671
number of carnegie units, as calculated in accordance with the	4672
director's rules;	4673
(m) Graduation rates, to be calculated in a manner	4674
specified by the department that reflects the rate at which	4675
students who were in the ninth grade three years prior to the	4676
current year complete school and that is consistent with	4677
nationally accepted reporting requirements;	4678
(n) Results of diagnostic assessments administered to	4679
kindergarten students as required under section 3301.0715 of the	4680
Revised Code to permit a comparison of the academic readiness of	4681
kindergarten students. However, no district shall be required to	4682
report to the department the results of any diagnostic	4683
assessment administered to a kindergarten student, except for	4684
the language and reading assessment described in division (A) (2)	4685
of section 3301.0715 of the Revised Code, if the parent of that	4686

student requests the district not to report those results. 4687

~~(o) Beginning on July 1, 2018, for each disciplinary 4688  
action which is required to be reported under division (B) (5) of 4689  
this section, districts and schools also shall include an 4690  
identification of the person or persons, if any, at whom the 4691  
student's violent behavior that resulted in discipline was 4692  
directed. The person or persons shall be identified by the 4693  
respective classification at the district or school, such as 4694  
student, teacher, or nonteaching employee, but shall not be 4695  
identified by name. 4696~~

~~Division (B) (1) (e) of this section does not apply after 4697  
the date that is two years following the submission of the 4698  
report required by Section 733.13 of H.B. 49 of the 132nd 4699  
general assembly. 4700~~

~~(p) The number of students earning each state diploma seal 4701  
included in the system prescribed under division (A) of section 4702  
3313.6114 of the Revised Code; 4703~~

~~(q) (p) The number of students demonstrating competency 4704  
for graduation using each option described in divisions (B) (1) 4705  
(a) to (d) of section 3313.618 of the Revised Code; 4706~~

~~(r) (q) The number of students completing each 4707  
foundational and supporting option as part of the demonstration 4708  
of competency for graduation pursuant to division (B) (1) (b) of 4709  
section 3313.618 of the Revised Code; 4710~~

~~(s) (r) The number of students enrolled in all-day 4711  
kindergarten, as defined in section 3321.05 of the Revised Code. 4712~~

(2) Personnel and classroom enrollment data for each 4713  
school district, including: 4714

(a) The total numbers of licensed employees and 4715  
nonlicensed employees and the numbers of full-time equivalent 4716  
licensed employees and nonlicensed employees providing each 4717  
category of instructional service, instructional support 4718  
service, and administrative support service used pursuant to 4719  
division (C) (3) of this section. The guidelines adopted under 4720  
this section shall require these categories of data to be 4721  
maintained for the school district as a whole and, wherever 4722  
applicable, for each grade in the school district as a whole, 4723  
for each school building as a whole, and for each grade in each 4724  
school building. 4725

(b) The total number of employees and the number of full- 4726  
time equivalent employees providing each category of service 4727  
used pursuant to divisions (C) (4) (a) and (b) of this section, 4728  
and the total numbers of licensed employees and nonlicensed 4729  
employees and the numbers of full-time equivalent licensed 4730  
employees and nonlicensed employees providing each category used 4731  
pursuant to division (C) (4) (c) of this section. The guidelines 4732  
adopted under this section shall require these categories of 4733  
data to be maintained for the school district as a whole and, 4734  
wherever applicable, for each grade in the school district as a 4735  
whole, for each school building as a whole, and for each grade 4736  
in each school building. 4737

(c) The total number of regular classroom teachers 4738  
teaching classes of regular education and the average number of 4739  
pupils enrolled in each such class, in each of grades 4740  
kindergarten through five in the district as a whole and in each 4741  
school building in the school district. 4742

(d) The number of lead teachers employed by each school 4743  
district and each school building. 4744

(3) (a) Student demographic data for each school district, 4745  
including information regarding the gender ratio of the school 4746  
district's pupils, the racial make-up of the school district's 4747  
pupils, the number of English learners in the district, and an 4748  
appropriate measure of the number of the school district's 4749  
pupils who reside in economically disadvantaged households. The 4750  
demographic data shall be collected in a manner to allow 4751  
correlation with data collected under division (B) (1) of this 4752  
section. Categories for data collected pursuant to division (B) 4753  
(3) of this section shall conform, where appropriate, to 4754  
standard practices of agencies of the federal government. 4755

(b) With respect to each student entering kindergarten, 4756  
whether the student previously participated in a public 4757  
preschool program, a private preschool program, or a head start 4758  
program, and the number of years the student participated in 4759  
each of these programs. 4760

(4) (a) The core curriculum and instructional materials 4761  
being used for English language arts in each of grades pre- 4762  
kindergarten to five; 4763

(b) The reading intervention programs being used in each 4764  
of grades pre-kindergarten to twelve. 4765

(5) Any data required to be collected pursuant to federal 4766  
law. 4767

(C) The education management information system shall 4768  
include cost accounting data for each district as a whole and 4769  
for each school building in each school district. The guidelines 4770  
adopted under this section shall require the cost data for each 4771  
school district to be maintained in a system of mutually 4772  
exclusive cost units and shall require all of the costs of each 4773

school district to be divided among the cost units. The 4774  
guidelines shall require the system of mutually exclusive cost 4775  
units to include at least the following: 4776

(1) Administrative costs for the school district as a 4777  
whole. The guidelines shall require the cost units under this 4778  
division (C) (1) to be designed so that each of them may be 4779  
compiled and reported in terms of average expenditure per pupil 4780  
in enrolled ADM in the school district, as determined pursuant 4781  
to section 3317.03 of the Revised Code. 4782

(2) Administrative costs for each school building in the 4783  
school district. The guidelines shall require the cost units 4784  
under this division (C) (2) to be designed so that each of them 4785  
may be compiled and reported in terms of average expenditure per 4786  
full-time equivalent pupil receiving instructional or support 4787  
services in each building. 4788

(3) Instructional services costs for each category of 4789  
instructional service provided directly to students and required 4790  
by guidelines adopted pursuant to division (B) (1) (a) of this 4791  
section. The guidelines shall require the cost units under 4792  
division (C) (3) of this section to be designed so that each of 4793  
them may be compiled and reported in terms of average 4794  
expenditure per pupil receiving the service in the school 4795  
district as a whole and average expenditure per pupil receiving 4796  
the service in each building in the school district and in terms 4797  
of a total cost for each category of service and, as a breakdown 4798  
of the total cost, a cost for each of the following components: 4799

(a) The cost of each instructional services category 4800  
required by guidelines adopted under division (B) (1) (a) of this 4801  
section that is provided directly to students by a classroom 4802  
teacher; 4803

(b) The cost of the instructional support services, such 4804  
as services provided by a speech-language pathologist, classroom 4805  
aide, multimedia aide, or librarian, provided directly to 4806  
students in conjunction with each instructional services 4807  
category; 4808

(c) The cost of the administrative support services 4809  
related to each instructional services category, such as the 4810  
cost of personnel that develop the curriculum for the 4811  
instructional services category and the cost of personnel 4812  
supervising or coordinating the delivery of the instructional 4813  
services category. 4814

(4) Support or extracurricular services costs for each 4815  
category of service directly provided to students and required 4816  
by guidelines adopted pursuant to division (B) (1) (b) of this 4817  
section. The guidelines shall require the cost units under 4818  
division (C) (4) of this section to be designed so that each of 4819  
them may be compiled and reported in terms of average 4820  
expenditure per pupil receiving the service in the school 4821  
district as a whole and average expenditure per pupil receiving 4822  
the service in each building in the school district and in terms 4823  
of a total cost for each category of service and, as a breakdown 4824  
of the total cost, a cost for each of the following components: 4825

(a) The cost of each support or extracurricular services 4826  
category required by guidelines adopted under division (B) (1) (b) 4827  
of this section that is provided directly to students by a 4828  
licensed employee, such as services provided by a guidance 4829  
counselor or any services provided by a licensed employee under 4830  
a supplemental contract; 4831

(b) The cost of each such services category provided 4832  
directly to students by a nonlicensed employee, such as 4833

janitorial services, cafeteria services, or services of a sports 4834  
trainer; 4835

(c) The cost of the administrative services related to 4836  
each services category in division (C) (4) (a) or (b) of this 4837  
section, such as the cost of any licensed or nonlicensed 4838  
employees that develop, supervise, coordinate, or otherwise are 4839  
involved in administering or aiding the delivery of each 4840  
services category. 4841

(D) (1) The guidelines adopted under this section shall 4842  
require school districts to collect information about individual 4843  
students, staff members, or both in connection with any data 4844  
required by division (B) or (C) of this section or other 4845  
reporting requirements established in the Revised Code. The 4846  
guidelines may also require school districts to report 4847  
information about individual staff members in connection with 4848  
any data required by division (B) or (C) of this section or 4849  
other reporting requirements established in the Revised Code. 4850  
The guidelines shall not authorize school districts to request 4851  
social security numbers of individual students. The guidelines 4852  
shall prohibit the reporting under this section of a student's 4853  
name, address, and social security number to the department. The 4854  
guidelines shall also prohibit the reporting under this section 4855  
of any personally identifiable information about any student, 4856  
except for the purpose of assigning the data verification code 4857  
required by division (D) (2) of this section, to any other person 4858  
unless such person is employed by the school district or the 4859  
information technology center operated under section 3301.075 of 4860  
the Revised Code and is authorized by the district or technology 4861  
center to have access to such information or is employed by an 4862  
entity with which the department contracts for the scoring or 4863  
the development of state assessments. The guidelines may require 4864

school districts to provide the social security numbers of 4865  
individual staff members and the county of residence for a 4866  
student. Nothing in this section prohibits the department from 4867  
providing a student's county of residence to the department of 4868  
taxation to facilitate the distribution of tax revenue. 4869

(2) (a) The guidelines shall provide for each school 4870  
district or community school to assign a data verification code 4871  
that is unique on a statewide basis over time to each student 4872  
whose initial Ohio enrollment is in that district or school and 4873  
to report all required individual student data for that student 4874  
utilizing such code. The guidelines shall also provide for 4875  
assigning data verification codes to all students enrolled in 4876  
districts or community schools on the effective date of the 4877  
guidelines established under this section. The assignment of 4878  
data verification codes for other entities, as described in 4879  
division (D) (2) (d) of this section, the use of those codes, and 4880  
the reporting and use of associated individual student data 4881  
shall be coordinated by the department of education and 4882  
workforce in accordance with state and federal law. 4883

School districts shall report individual student data to 4884  
the department through the information technology centers 4885  
utilizing the code. The entities described in division (D) (2) (d) 4886  
of this section shall report individual student data to the 4887  
department in the manner prescribed by the department. 4888

(b) (i) Except as provided in sections 3301.941, 3310.11, 4889  
3310.42, 3310.63, 3313.978, 3317.20, and 5747.057 of the Revised 4890  
Code, and in division (D) (2) (b) (ii) of this section, at no time 4891  
shall the department have access to information that would 4892  
enable any data verification code to be matched to personally 4893  
identifiable student data. 4894



(ii) For the purpose of making per-pupil payments to 4895  
community schools under section 3317.022 of the Revised Code, 4896  
the department shall have access to information that would 4897  
enable any data verification code to be matched to personally 4898  
identifiable student data. 4899

(c) Each school district and community school shall ensure 4900  
that the data verification code is included in the student's 4901  
records reported to any subsequent school district, community 4902  
school, or state institution of higher education, as defined in 4903  
section 3345.011 of the Revised Code, in which the student 4904  
enrolls. Any such subsequent district or school shall utilize 4905  
the same identifier in its reporting of data under this section. 4906

(d) (i) The director of any state agency that administers a 4907  
publicly funded program providing services to children who are 4908  
younger than compulsory school age, as defined in section 4909  
3321.01 of the Revised Code, including the directors of health, 4910  
job and family services, mental health and addiction services, 4911  
children and youth, and developmental disabilities, shall 4912  
request and receive, pursuant to sections 3301.0723 and 5180.33 4913  
of the Revised Code, a data verification code for a child who is 4914  
receiving those services. 4915

(ii) The director of developmental disabilities, director 4916  
of health, director of job and family services, director of 4917  
mental health and addiction services, medicaid director, 4918  
executive director of the commission on minority health, 4919  
executive director of the opportunities for Ohioans with 4920  
disabilities agency, or director of education and workforce, on 4921  
behalf of a program that receives public funds and provides 4922  
services to children who are younger than compulsory school age, 4923  
may request and receive, pursuant to section 3301.0723 of the 4924

Revised Code, a data verification code for a child who is 4925  
receiving services from the program. 4926

(E) The guidelines adopted under this section may require 4927  
school districts to collect and report data, information, or 4928  
reports other than that described in divisions (A), (B), and (C) 4929  
of this section for the purpose of complying with other 4930  
reporting requirements established in the Revised Code. The 4931  
other data, information, or reports may be maintained in the 4932  
education management information system but are not required to 4933  
be compiled as part of the profile formats required under 4934  
division (G) of this section or the annual statewide report 4935  
required under division (H) of this section. 4936

(F) The board of education of each school district shall 4937  
annually collect and report to the department, in accordance 4938  
with the guidelines established by the department, the data 4939  
required pursuant to this section. A school district may collect 4940  
and report these data notwithstanding section 2151.357 or 4941  
3319.321 of the Revised Code. 4942

(G) The department shall, in accordance with the 4943  
procedures it adopts, annually compile the data reported by each 4944  
school district pursuant to division (D) of this section. The 4945  
department shall design formats for profiling each school 4946  
district as a whole and each school building within each 4947  
district and shall compile the data in accordance with these 4948  
formats. These profile formats shall: 4949

(1) Include all of the data gathered under this section in 4950  
a manner that facilitates comparison among school districts and 4951  
among school buildings within each school district; 4952

(2) Present the data on academic achievement levels as 4953

assessed by the testing of student achievement maintained 4954  
pursuant to division (B) (1) (d) of this section. 4955

(H) (1) The department shall, in accordance with the 4956  
procedures it adopts, annually prepare a statewide report for 4957  
all school districts and the general public that includes the 4958  
profile of each of the school districts developed pursuant to 4959  
division (G) of this section. Copies of the report shall be sent 4960  
to each school district. 4961

(2) The department shall, in accordance with the 4962  
procedures it adopts, annually prepare an individual report for 4963  
each school district and the general public that includes the 4964  
profiles of each of the school buildings in that school district 4965  
developed pursuant to division (G) of this section. ~~Copies of~~ 4966  
~~the report shall be sent to the superintendent of the district~~ 4967  
~~and to each member of the district board of education.~~ 4968

~~(3) Copies of the reports prescribed in divisions (H) (1)~~ 4969  
~~and (2) of this section shall be made available to the general~~ 4970  
~~public at each school district's offices. Each district board of~~ 4971  
~~education shall make copies of each report available to any~~ 4972  
~~person upon request and payment of a reasonable fee for the cost~~ 4973  
~~of reproducing the report. The board shall annually publish in a~~ 4974  
~~newspaper of general circulation in the school district, at~~ 4975  
~~least twice during the two weeks prior to the week in which the~~ 4976  
~~reports will first be available, a notice containing the address~~ 4977  
~~where the reports are available and the date on which the~~ 4978  
~~reports will be available.~~ 4979

(I) Any data that is collected or maintained pursuant to 4980  
this section and that identifies an individual pupil is not a 4981  
public record for the purposes of section 149.43 of the Revised 4982  
Code. 4983

(J) As used in this section:	4984
(1) "School district" means any city, local, exempted village, or joint vocational school district and, in accordance with section 3314.17 of the Revised Code, any community school. As used in division (L) of this section, "school district" also includes any educational service center or other educational entity required to submit data using the system established under this section.	4985 4986 4987 4988 4989 4990 4991
(2) "Cost" means any expenditure for operating expenses made by a school district excluding any expenditures for debt retirement except for payments made to any commercial lending institution for any loan approved pursuant to section 3313.483 of the Revised Code.	4992 4993 4994 4995 4996
(K) Any person who removes data from the information system established under this section for the purpose of releasing it to any person not entitled under law to have access to such information is subject to section 2913.42 of the Revised Code prohibiting tampering with data.	4997 4998 4999 5000 5001
(L) (1) In accordance with division (L) (2) of this section and the rules adopted under division (L) (10) of this section, the department may sanction any school district that reports incomplete or inaccurate data, reports data that does not conform to data requirements and descriptions published by the department, fails to report data in a timely manner, or otherwise does not make a good faith effort to report data as required by this section.	5002 5003 5004 5005 5006 5007 5008 5009
(2) If the department decides to sanction a school district under this division, the department shall take the following sequential actions:	5010 5011 5012

(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; 5041

(vi) Conduct an investigation to determine whether to 5042  
suspend or revoke the license of any district employee in 5043  
accordance with division (N) of this section; 5044

(vii) If the district is issued a report card under 5045  
section 3302.03 of the Revised Code, indicate on the report card 5046  
that the district has been sanctioned for failing to report data 5047  
as required by this section; 5048

(viii) If the district is issued a report card under 5049  
section 3302.03 of the Revised Code and incomplete or inaccurate 5050  
data submitted by the district likely caused the district to 5051  
receive a higher performance rating than it deserved under that 5052  
section, issue a revised report card for the district; 5053

(ix) Any other action designed to correct the district's 5054  
data reporting problems. 5055

(3) Any time the department takes an action against a 5056  
school district under division (L)(2) of this section, the 5057  
department shall make a report of the circumstances that 5058  
prompted the action. The department shall send a copy of the 5059  
report to the district superintendent or chief administrator and 5060  
maintain a copy of the report in its files. 5061

(4) If any action taken under division (L)(2) of this 5062  
section resolves a school district's data reporting problems to 5063  
the department's satisfaction, the department shall not take any 5064  
further actions described by that division. If the department 5065  
withheld funds from the district under that division, the 5066  
department may release those funds to the district, except that 5067  
if the department withheld funding under division (L)(2)(c) of 5068  
this section, the department shall not release the funds 5069

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 5100  
excess state funds in any fiscal year, the district shall 5101  
reimburse the department an amount equal to the excess funds, in 5102  
accordance with a payment schedule determined by the department. 5103  
The department may withhold state funds due to the district for 5104  
this purpose. 5105

(8) Any school district that has funds withheld under 5106  
division (L) (2) of this section may appeal the withholding in 5107  
accordance with Chapter 119. of the Revised Code. 5108

(9) In all cases of a disagreement between the department 5109  
and a school district regarding the appropriateness of an action 5110  
taken under division (L) (2) of this section, the burden of proof 5111  
shall be on the district to demonstrate that it made a good 5112  
faith effort to report data as required by this section. 5113

(10) The director of education and workforce shall adopt 5114  
rules under Chapter 119. of the Revised Code to implement 5115  
division (L) of this section. 5116

(M) No information technology center or school district 5117  
shall acquire, change, or update its student administration 5118  
software package to manage and report data required to be 5119  
reported to the department unless it converts to a student 5120  
software package that is certified by the department. 5121

(N) The state board of education, in accordance with 5122  
sections 3319.31 and 3319.311 of the Revised Code, may suspend 5123  
or revoke a license as defined under division (A) of section 5124  
3319.31 of the Revised Code that has been issued to any school 5125  
district employee found to have willfully reported erroneous, 5126  
inaccurate, or incomplete data to the education management 5127  
information system. 5128



(O) No person shall release or maintain any information 5129  
about any student in violation of this section. Whoever violates 5130  
this division is guilty of a misdemeanor of the fourth degree. 5131

(P) The department shall disaggregate the data collected 5132  
under division (B)(1)(n) of this section according to the race 5133  
and socioeconomic status of the students assessed. 5134

(Q) If the department cannot compile any of the 5135  
information required by division (I) of section 3302.03 of the 5136  
Revised Code based upon the data collected under this section, 5137  
the department shall develop a plan and a reasonable timeline 5138  
for the collection of any data necessary to comply with that 5139  
division. 5140

**Sec. 3314.03.** A copy of every contract entered into under 5141  
this section shall be filed with the director of education and 5142  
workforce. The department of education and workforce shall make 5143  
available on its web site a copy of every approved, executed 5144  
contract filed with the director under this section. 5145

(A) Each contract entered into between a sponsor and the 5146  
governing authority of a community school shall specify the 5147  
following: 5148

(1) That the school shall be established as either of the 5149  
following: 5150

(a) A nonprofit corporation established under Chapter 5151  
1702. of the Revised Code, if established prior to April 8, 5152  
2003; 5153

(b) A public benefit corporation established under Chapter 5154  
1702. of the Revised Code, if established after April 8, 2003. 5155

(2) The education program of the school, including the 5156

school's mission, the characteristics of the students the school 5157  
is expected to attract, the ages and grades of students, and the 5158  
focus of the curriculum; 5159

(3) The academic goals to be achieved and the method of 5160  
measurement that will be used to determine progress toward those 5161  
goals, which shall include the statewide achievement 5162  
assessments; 5163

(4) Performance standards, including but not limited to 5164  
all applicable report card measures set forth in section 3302.03 5165  
or 3314.017 of the Revised Code, by which the success of the 5166  
school will be evaluated by the sponsor; 5167

(5) The admission standards of section 3314.06 of the 5168  
Revised Code and, if applicable, section 3314.061 of the Revised 5169  
Code; 5170

(6) (a) Dismissal procedures; 5171

(b) A requirement that the governing authority adopt an 5172  
attendance policy that includes a procedure for automatically 5173  
withdrawing a student from the school if the student without a 5174  
legitimate excuse fails to participate in seventy-two 5175  
consecutive hours of the learning opportunities offered to the 5176  
student. 5177

(7) The ways by which the school will achieve racial and 5178  
ethnic balance reflective of the community it serves; 5179

(8) Requirements for financial audits by the auditor of 5180  
state. The contract shall require financial records of the 5181  
school to be maintained in the same manner as are financial 5182  
records of school districts, pursuant to rules of the auditor of 5183  
state. Audits shall be conducted in accordance with section 5184  
117.10 of the Revised Code. 5185

(9) An addendum to the contract outlining the facilities	5186
to be used that contains at least the following information:	5187
(a) A detailed description of each facility used for	5188
instructional purposes;	5189
(b) The annual costs associated with leasing each facility	5190
that are paid by or on behalf of the school;	5191
(c) The annual mortgage principal and interest payments	5192
that are paid by the school;	5193
(d) The name of the lender or landlord, identified as	5194
such, and the lender's or landlord's relationship to the	5195
operator, if any.	5196
(10) Qualifications of employees, including both of the	5197
following:	5198
(a) A requirement that the school's classroom teachers be	5199
licensed in accordance with sections 3319.22 to 3319.31 of the	5200
Revised Code, except that a community school may engage	5201
noncertificated persons to teach up to twelve hours or forty	5202
hours per week pursuant to section 3319.301 of the Revised Code;	5203
(b) A prohibition against the school employing an	5204
individual described in section 3314.104 of the Revised Code in	5205
any position.	5206
(11) That the school will comply with the following	5207
requirements:	5208
(a) The school will provide learning opportunities to a	5209
minimum of twenty-five students for a minimum of nine hundred	5210
twenty hours per school year.	5211
(b) The governing authority will purchase liability	5212

insurance, or otherwise provide for the potential liability of 5213  
the school. 5214

(c) The school will be nonsectarian in its programs, 5215  
admission policies, employment practices, and all other 5216  
operations, and will not be operated by a sectarian school or 5217  
religious institution. 5218

(d) The school will comply with sections 9.90, 9.91, 5219  
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 5220  
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 5221  
3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 5222  
3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, ~~3313.6015,~~ 5223  
3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 5224  
3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 5225  
3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 5226  
3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 5227  
3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 5228  
3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 5229  
3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 5230  
3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 5231  
3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3320.01, 3320.02, 5232  
3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 5233  
3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 5234  
4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 117., 5235  
1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. of 5236  
the Revised Code as if it were a school district and will comply 5237  
with section 3301.0714 of the Revised Code in the manner 5238  
specified in section 3314.17 of the Revised Code. 5239

(e) The school shall comply with Chapter 102. and section 5240  
2921.42 of the Revised Code. 5241

(f) The school will comply with sections 3313.61, 5242

3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the Revised Code, except that for students who enter ninth grade for the first time before July 1, 2010, the requirement in sections 3313.61 and 3313.611 of the Revised Code that a person must successfully complete the curriculum in any high school prior to receiving a high school diploma may be met by completing the curriculum adopted by the governing authority of the community school rather than the curriculum specified in Title XXXIII of the Revised Code or any rules of the department. Beginning with students who enter ninth grade for the first time on or after July 1, 2010, the requirement in sections 3313.61 and 3313.611 of the Revised Code that a person must successfully complete the curriculum of a high school prior to receiving a high school diploma shall be met by completing the requirements prescribed in section 3313.6027 and division (C) of section 3313.603 of the Revised Code, unless the person qualifies under division (D) or (F) of that section. Each school shall comply with the plan for awarding high school credit based on demonstration of subject area competency, and beginning with the 2017-2018 school year, with the updated plan that permits students enrolled in seventh and eighth grade to meet curriculum requirements based on subject area competency adopted by the department under divisions (J) (1) and (2) of section 3313.603 of the Revised Code. Beginning with the 2018-2019 school year, the school shall comply with the framework for granting units of high school credit to students who demonstrate subject area competency through work-based learning experiences, internships, or cooperative education developed by the department under division (J) (3) of section 3313.603 of the Revised Code.

(g) The school governing authority will submit within four months after the end of each school year a report of its

activities and progress in meeting the goals and standards of 5274  
divisions (A) (3) and (4) of this section and its financial 5275  
status to the sponsor and the parents of all students enrolled 5276  
in the school. 5277

(h) The school, unless it is an internet- or computer- 5278  
based community school, will comply with section 3313.801 of the 5279  
Revised Code as if it were a school district. 5280

(i) If the school is the recipient of moneys from a grant 5281  
awarded under the federal race to the top program, Division (A), 5282  
Title XIV, Sections 14005 and 14006 of the "American Recovery 5283  
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 5284  
the school will pay teachers based upon performance in 5285  
accordance with section 3317.141 and will comply with section 5286  
3319.111 of the Revised Code as if it were a school district. 5287

(j) If the school operates a preschool program that is 5288  
licensed by the department under sections 3301.52 to 3301.59 of 5289  
the Revised Code, the school shall comply with sections 3301.50 5290  
to 3301.59 of the Revised Code and the minimum standards for 5291  
preschool programs prescribed in rules adopted by the department 5292  
of children and youth under section 3301.53 of the Revised Code. 5293

(k) The school will comply with sections 3313.6021 and 5294  
3313.6023 of the Revised Code as if it were a school district 5295  
unless it is either of the following: 5296

(i) An internet- or computer-based community school; 5297

(ii) A community school in which a majority of the 5298  
enrolled students are children with disabilities as described in 5299  
division ~~(A) (4) (b)~~ (B) (2) of section 3314.35 of the Revised 5300  
Code. 5301

(l) The school will comply with section 3321.191 of the 5302

Revised Code, unless it is an internet- or computer-based 5303  
community school that is subject to section 3314.261 of the 5304  
Revised Code. 5305

(12) Arrangements for providing health and other benefits 5306  
to employees; 5307

(13) The length of the contract, which shall begin at the 5308  
beginning of an academic year. No contract shall exceed five 5309  
years unless such contract has been renewed pursuant to division 5310  
(E) of this section. 5311

(14) The governing authority of the school, which shall be 5312  
responsible for carrying out the provisions of the contract; 5313

(15) A financial plan detailing an estimated school budget 5314  
for each year of the period of the contract and specifying the 5315  
total estimated per pupil expenditure amount for each such year. 5316

(16) Requirements and procedures regarding the disposition 5317  
of employees of the school in the event the contract is 5318  
terminated or not renewed pursuant to section 3314.07 of the 5319  
Revised Code; 5320

(17) Whether the school is to be created by converting all 5321  
or part of an existing public school or educational service 5322  
center building or is to be a new start-up school, and if it is 5323  
a converted public school or service center building, 5324  
specification of any duties or responsibilities of an employer 5325  
that the board of education or service center governing board 5326  
that operated the school or building before conversion is 5327  
delegating to the governing authority of the community school 5328  
with respect to all or any specified group of employees provided 5329  
the delegation is not prohibited by a collective bargaining 5330  
agreement applicable to such employees; 5331

(18) Provisions establishing procedures for resolving 5332  
disputes or differences of opinion between the sponsor and the 5333  
governing authority of the community school; 5334

(19) A provision requiring the governing authority to 5335  
adopt a policy regarding the admission of students who reside 5336  
outside the district in which the school is located. That policy 5337  
shall comply with the admissions procedures specified in 5338  
sections 3314.06 and 3314.061 of the Revised Code and, at the 5339  
sole discretion of the authority, shall do one of the following: 5340

(a) Prohibit the enrollment of students who reside outside 5341  
the district in which the school is located; 5342

(b) Permit the enrollment of students who reside in 5343  
districts adjacent to the district in which the school is 5344  
located; 5345

(c) Permit the enrollment of students who reside in any 5346  
other district in the state. 5347

(20) A provision recognizing the authority of the 5348  
department to take over the sponsorship of the school in 5349  
accordance with the provisions of division (C) of section 5350  
3314.015 of the Revised Code; 5351

(21) A provision recognizing the sponsor's authority to 5352  
assume the operation of a school under the conditions specified 5353  
in division (B) of section 3314.073 of the Revised Code; 5354

(22) A provision recognizing both of the following: 5355

(a) The authority of public health and safety officials to 5356  
inspect the facilities of the school and to order the facilities 5357  
closed if those officials find that the facilities are not in 5358  
compliance with health and safety laws and regulations; 5359



(b) The authority of the department as the community 5360  
school oversight body to suspend the operation of the school 5361  
under section 3314.072 of the Revised Code if the department has 5362  
evidence of conditions or violations of law at the school that 5363  
pose an imminent danger to the health and safety of the school's 5364  
students and employees and the sponsor refuses to take such 5365  
action. 5366

(23) A description of the learning opportunities that will 5367  
be offered to students including both classroom-based and non- 5368  
classroom-based learning opportunities that is in compliance 5369  
with criteria for student participation established by the 5370  
department under division (H) (2) of section 3314.08 of the 5371  
Revised Code; 5372

(24) The school will comply with sections 3302.04 and 5373  
3302.041 of the Revised Code, except that any action required to 5374  
be taken by a school district pursuant to those sections shall 5375  
be taken by the sponsor of the school. 5376

(25) Beginning in the 2006-2007 school year, the school 5377  
will open for operation not later than the thirtieth day of 5378  
September each school year, unless the mission of the school as 5379  
specified under division (A) (2) of this section is solely to 5380  
serve dropouts. In its initial year of operation, if the school 5381  
fails to open by the thirtieth day of September, or within one 5382  
year after the adoption of the contract pursuant to division (D) 5383  
of section 3314.02 of the Revised Code if the mission of the 5384  
school is solely to serve dropouts, the contract shall be void. 5385

(26) Whether the school's governing authority is planning 5386  
to seek designation for the school as a STEM school equivalent 5387  
under section 3326.032 of the Revised Code; 5388

(27) That the school's attendance and participation policies will be available for public inspection;	5389 5390
(28) That the school's attendance and participation records shall be made available to the department, auditor of state, and school's sponsor to the extent permitted under and in accordance with the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any regulations promulgated under that act, and section 3319.321 of the Revised Code;	5391 5392 5393 5394 5395 5396 5397
(29) If a school operates using the blended learning model, as defined in section 3301.079 of the Revised Code, all of the following information:	5398 5399 5400
(a) An indication of what blended learning model or models will be used;	5401 5402
(b) A description of how student instructional needs will be determined and documented;	5403 5404
(c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level;	5405 5406
(d) The school's attendance requirements, including how the school will document participation in learning opportunities;	5407 5408 5409
(e) A statement describing how student progress will be monitored;	5410 5411
(f) A statement describing how private student data will be protected;	5412 5413
(g) A description of the professional development activities that will be offered to teachers.	5414 5415

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

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

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

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

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

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

(2) The management and administration of the school;

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

(4) The instructional program and educational philosophy	5444
of the school;	5445
(5) Internal financial controls.	5446
When submitting the plan under this division, the school	5447
shall also submit copies of all policies and procedures	5448
regarding internal financial controls adopted by the governing	5449
authority of the school.	5450
(C) A contract entered into under section 3314.02 of the	5451
Revised Code between a sponsor and the governing authority of a	5452
community school may provide for the community school governing	5453
authority to make payments to the sponsor, which is hereby	5454
authorized to receive such payments as set forth in the contract	5455
between the governing authority and the sponsor. The total	5456
amount of such payments for monitoring, oversight, and technical	5457
assistance of the school shall not exceed three per cent of the	5458
total amount of payments for operating expenses that the school	5459
receives from the state.	5460
(D) The contract shall specify the duties of the sponsor	5461
which shall be in accordance with the written agreement entered	5462
into with the department under division (B) of section 3314.015	5463
of the Revised Code and shall include the following:	5464
(1) Monitor the community school's compliance with all	5465
laws applicable to the school and with the terms of the	5466
contract;	5467
(2) Monitor and evaluate the academic and fiscal	5468
performance and the organization and operation of the community	5469
school on at least an annual basis;	5470
(3) Report on an annual basis the results of the	5471
evaluation conducted under division (D) (2) of this section to	5472

the department and to the parents of students enrolled in the 5473  
community school; 5474

(4) Provide technical assistance to the community school 5475  
in complying with laws applicable to the school and terms of the 5476  
contract; 5477

(5) Take steps to intervene in the school's operation to 5478  
correct problems in the school's overall performance, declare 5479  
the school to be on probationary status pursuant to section 5480  
3314.073 of the Revised Code, suspend the operation of the 5481  
school pursuant to section 3314.072 of the Revised Code, or 5482  
terminate the contract of the school pursuant to section 3314.07 5483  
of the Revised Code as determined necessary by the sponsor; 5484

(6) Have in place a plan of action to be undertaken in the 5485  
event the community school experiences financial difficulties or 5486  
closes prior to the end of a school year. 5487

(E) Upon the expiration of a contract entered into under 5488  
this section, the sponsor of a community school may, with the 5489  
approval of the governing authority of the school, renew that 5490  
contract for a period of time determined by the sponsor, but not 5491  
ending earlier than the end of any school year, if the sponsor 5492  
finds that the school's compliance with applicable laws and 5493  
terms of the contract and the school's progress in meeting the 5494  
academic goals prescribed in the contract have been 5495  
satisfactory. Any contract that is renewed under this division 5496  
remains subject to the provisions of sections 3314.07, 3314.072, 5497  
and 3314.073 of the Revised Code. 5498

(F) If a community school fails to open for operation 5499  
within one year after the contract entered into under this 5500  
section is adopted pursuant to division (D) of section 3314.02 5501

of the Revised Code or permanently closes prior to the 5502  
expiration of the contract, the contract shall be void and the 5503  
school shall not enter into a contract with any other sponsor. A 5504  
school shall not be considered permanently closed because the 5505  
operations of the school have been suspended pursuant to section 5506  
3314.072 of the Revised Code. 5507

**Section 5.** That the existing versions of sections 5508  
3301.0714 and 3314.03 of the Revised Code that are scheduled to 5509  
take effect January 1, 2025, are hereby repealed. 5510

**Section 6.** Sections 4 and 5 of this act take effect on 5511  
January 1, 2025. 5512