

**As Passed by the House**

**135th General Assembly**

**Regular Session**

**2023-2024**

**Sub. S. B. No. 168**

**Senator Reynolds**

**Cosponsors: Senators Brenner, Cirino, Gavarone, Reineke, Schaffer**

**Representatives Manning, Dobos, Abrams, Bird, Brennan, Dell'Aquila, Holmes,  
John, Jones, Mathews, Patton, Santucci, Schmidt, Seitz, White, Williams, Willis,  
Young, T.**

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**A BILL**

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

sections 3301.0714 and 3314.03 of the Revised Code that are scheduled to take effect January 1, 2025, to continue the changes on and after that effective date.

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

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

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

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

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

(3) Procedures for annually compiling the data in accordance with division (G) of this section;	47 48
(4) Procedures for annually reporting the data to the public in accordance with division (H) of this section;	49 50
(5) Standards to provide strict safeguards to protect the confidentiality of personally identifiable student data.	51 52
(B) The guidelines adopted under this section shall require the data maintained in the education management information system to include at least the following:	53 54 55
(1) Student participation and performance data, for each grade in each school district as a whole and for each grade in each school building in each school district, that includes:	56 57 58
(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	59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75

units pursuant to division (C) (3) of this section.	76
(b) The numbers of students receiving support or	77
extracurricular services for each of the support services or	78
extracurricular programs offered by the school district, such as	79
counseling services, health services, and extracurricular sports	80
and fine arts programs. The categories of services required by	81
the guidelines under this division shall be the same as the	82
categories of services used in determining cost units pursuant	83
to division (C) (4) (a) of this section.	84
(c) Average student grades in each subject in grades nine	85
through twelve;	86
(d) Academic achievement levels as assessed under sections	87
3301.0710, 3301.0711, and 3301.0712 of the Revised Code;	88
(e) The number of students designated as having a	89
disabling condition pursuant to division (C) (1) of section	90
3301.0711 of the Revised Code;	91
(f) The numbers of students reported to the department	92
pursuant to division (C) (2) of section 3301.0711 of the Revised	93
Code;	94
(g) Attendance rates and the average daily attendance for	95
the year. For purposes of this division, a student shall be	96
counted as present for any field trip that is approved by the	97
school administration.	98
(h) Expulsion rates;	99
(i) Suspension rates;	100
(j) Dropout rates;	101
(k) Rates of retention in grade;	102

(l) For pupils in grades nine through twelve, the average number of carnegie units, as calculated in accordance with the director's rules;

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(J) As used in this section: 416

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

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

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

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

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

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

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



(c) Withhold an additional amount of up to twenty per cent 458  
of the total amount of state funds due to the district for the 459  
current fiscal year; 460

(d) Direct department staff or an outside entity to 461  
investigate the district's data reporting practices and make 462  
recommendations for subsequent actions. The recommendations may 463  
include one or more of the following actions: 464

(i) Arrange for an audit of the district's data reporting 465  
practices by department staff or an outside entity; 466

(ii) Conduct a site visit and evaluation of the district; 467

(iii) Withhold an additional amount of up to thirty per 468  
cent of the total amount of state funds due to the district for 469  
the current fiscal year; 470

(iv) Continue monitoring the district's data reporting; 471

(v) Assign department staff to supervise the district's 472  
data management system; 473

(vi) Conduct an investigation to determine whether to 474  
suspend or revoke the license of any district employee in 475  
accordance with division (N) of this section; 476

(vii) If the district is issued a report card under 477  
section 3302.03 of the Revised Code, indicate on the report card 478  
that the district has been sanctioned for failing to report data 479  
as required by this section; 480

(viii) If the district is issued a report card under 481  
section 3302.03 of the Revised Code and incomplete or inaccurate 482  
data submitted by the district likely caused the district to 483  
receive a higher performance rating than it deserved under that 484  
section, issue a revised report card for the district; 485

(ix) Any other action designed to correct the district's data reporting problems. 486  
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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. 488  
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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 this section, the department shall not release the funds withheld under division (L) (2) (b) of this section and, if the department withheld funding under division (L) (2) (d) of this section, the department shall not release the funds withheld under division (L) (2) (b) or (c) of this section. 494  
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(5) Notwithstanding anything in this section to the contrary, the department may use its own staff or an outside entity to conduct an audit of a school district's data reporting practices any time the department has reason to believe the district has not made a good faith effort to report data as required by this section. If any audit conducted by an outside entity under division (L) (2) (d) (i) or (5) of this section confirms that a district has not made a good faith effort to report data as required by this section, the district shall reimburse the department for the full cost of the audit. The 506  
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department may withhold state funds due to the district for this 516  
purpose. 517

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

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

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

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

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

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

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

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

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

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

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

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

service center of central Ohio or its successor organization. 575

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

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

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

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

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

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

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

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

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

their placement in schools. 634

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

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

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

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

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

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

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

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

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

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

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

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

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



intention to do so. 692

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) Annual measurable objectives; 775

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) Annual measurable objectives; 852

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

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

(d) The four- and five-year adjusted cohort graduation rates;	868 869
(e) The overall score under the value-added progress dimension of a school district or building, for which the department shall use up to three years of value-added data as available.	870 871 872 873
(f) The value-added progress dimension score for a school district or building disaggregated for each of the following subgroups: students identified as gifted in superior cognitive ability and specific academic ability fields under Chapter 3324. of the Revised Code, students with disabilities, and students whose performance places them in the lowest quintile for achievement on a statewide basis. Each subgroup shall be a separate graded measure.	874 875 876 877 878 879 880 881
(g) Whether a school district or building is making progress in improving literacy in grades kindergarten through three, as determined using a method prescribed by the department. The department shall adopt rules to prescribe benchmarks and standards for assigning grades to districts and buildings for purposes of division (B) (1) (g) of this section. In adopting benchmarks for assigning letter grades under divisions (B) (1) (g) and (C) (1) (g) of this section, the department shall determine progress made based on the reduction in the total percentage of students scoring below grade level, or below proficient, compared from year to year on the reading and writing diagnostic assessments administered under section 3301.0715 of the Revised Code and the third grade English language arts assessment under section 3301.0710 of the Revised Code, as applicable. The department shall designate for a "C" grade a value that is not lower than the statewide average value	882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

educational institution. 1364

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

(iv) The subgroup graduation targets; 1487

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

letter grade.	1655
(F) (1) The letter grades assigned to a school district or building under this section shall be as follows:	1656 1657
(a) "A" for a district or school making excellent progress;	1658 1659
(b) "B" for a district or school making above average progress;	1660 1661
(c) "C" for a district or school making average progress;	1662
(d) "D" for a district or school making below average progress;	1663 1664
(e) "F" for a district or school failing to meet minimum progress.	1665 1666
(2) For the overall performance rating under division (D)	1667
(3) of this section, the department shall include a descriptor for each performance rating as follows:	1668 1669
(a) "Significantly exceeds state standards" for a performance rating of five stars;	1670 1671
(b) "Exceeds state standards" for a performance rating of four stars or four and one-half stars;	1672 1673
(c) "Meets state standards" for a performance rating of three stars or three and one-half stars;	1674 1675
(d) "Needs support to meet state standards" for a performance rating of two stars or two and one-half stars;	1676 1677
(e) "Needs significant support to meet state standards" for a performance rating of one star or one and one-half stars.	1678 1679
(3) For performance ratings for each component under	1680

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

community school. 1825

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

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

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

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

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



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

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

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

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

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

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

consecutive years: 1883

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

taken during any meeting. 2349

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

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

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

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

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

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

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

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

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

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

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

located within the territory of the district. 2408

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

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

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

(C) Notwithstanding anything to the contrary in sections 2437

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

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

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

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

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

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

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

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

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

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

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

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

section 153.54 of the Revised Code. 2497

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

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

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

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

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

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

(1) The acquisition of educational materials used in 2525

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) Mathematics; 2667

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

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

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

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

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

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

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

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

prevention. 2704

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

education program for health education. 2877

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

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

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

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

section shall, where appropriate, provide for: 2907

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

~~(B)~~ Except as provided in section 3314.017 of the Revised Code, the department of education and workforce shall issue an annual report card for each community school, regardless of how long the school has been in operation. The report card shall report the academic and financial performance of the school ~~utilizing one of the models developed under division (A) of this section.~~ The report card shall include all information applicable to school buildings under section 3302.03 of the Revised Code. The ratings a community school receives under section 3302.03 of the Revised Code for its first two full school years shall not be considered toward automatic closure of the school under section 3314.35 of the Revised Code or any other matter that is based on report card ratings. 3053  
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~~(C)~~ (B) Upon receipt of a copy of a contract between a sponsor and a community school entered into under this chapter, the department shall notify the community school of the specific model report card that will be used for that school. 3066  
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~~(D)~~ (C) Report cards shall be distributed to the parents of all students in the community school, to the members of the board of education of the school district in which the community school is located, and to any person who requests one from the department. 3070  
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**Sec. 3314.015.** (A) The department of education and workforce shall be responsible for the oversight of any and all sponsors of the community schools established under this chapter and shall provide technical assistance to schools and sponsors in their compliance with applicable laws and the terms of the contracts entered into under section 3314.03 of the Revised Code and in the development and start-up activities of those schools. 3075  
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In carrying out its duties under this section, the department 3082  
shall do all of the following: 3083

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

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

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

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

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

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

sponsorship. 3111

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

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

(a) Poor fiscal management; 3129

(b) Lack of academic progress. 3130

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



deadlines prescribed by division (F) (1) of this section, or if a 3262  
sponsor does not receive approval of a compliance plan on or 3263  
before the sixtieth day after the date the sponsor received 3264  
notification of noncompliance from the department, the 3265  
department shall declare in written notice to the sponsor that 3266  
the sponsor is in probationary status, and may limit the 3267  
sponsor's ability to sponsor additional schools. 3268

(2) A sponsor that has been placed on probationary status 3269  
under division (F) (1) of this section may apply to the 3270  
department for its probationary status to be lifted. The 3271  
application for a sponsor's probationary status to be lifted 3272  
shall include evidence, occurring after the initial notification 3273  
of noncompliance, of the sponsor's compliance with applicable 3274  
laws and administrative rules. Not later than fourteen days 3275  
after receiving an application from the sponsor, the department 3276  
shall decide whether or not to remove the sponsor's probationary 3277  
status. 3278

(G) In carrying out its duties under this chapter, the 3279  
department shall not impose requirements on community schools or 3280  
their sponsors that are not permitted by law or duly adopted 3281  
rules. 3282

(H) This section applies to entities that sponsor 3283  
conversion community schools and new start-up schools. 3284

(I) Nothing in divisions (C) to (F) of this section 3285  
prohibits the department from taking any action permitted or 3286  
required under the written agreement between the department and 3287  
a sponsoring entity without a hearing on the matter, in the 3288  
event that the sponsor is unwilling or unable to fulfill its 3289  
obligations. 3290

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(vi) No territorial restrictions on sponsorship. 3449

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

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

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

(ii) Entities that receive an overall rating of 3466

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) Exceeds standards; 3604

(b) Meets standards; 3605

(c) Does not meet standards. 3606

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

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

(b) Both of the following: 3611

(i) Performance levels and benchmarks for the indicator 3612

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

(a) The impending merger; 3746

(b) The effective date of the merger; 3747

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

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

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

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

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

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

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

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

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

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

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

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

contract filed with the director under this section. 3781

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

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

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

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

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

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

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

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

(6) (a) Dismissal procedures; 3807

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(16) Requirements and procedures regarding the disposition 3953



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

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

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

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

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

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

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

other district in the state.	3983
(20) A provision recognizing the authority of the	3984
department to take over the sponsorship of the school in	3985
accordance with the provisions of division (C) of section	3986
3314.015 of the Revised Code;	3987
(21) A provision recognizing the sponsor's authority to	3988
assume the operation of a school under the conditions specified	3989
in division (B) of section 3314.073 of the Revised Code;	3990
(22) A provision recognizing both of the following:	3991
(a) The authority of public health and safety officials to	3992
inspect the facilities of the school and to order the facilities	3993
closed if those officials find that the facilities are not in	3994
compliance with health and safety laws and regulations;	3995
(b) The authority of the department as the community	3996
school oversight body to suspend the operation of the school	3997
under section 3314.072 of the Revised Code if the department has	3998
evidence of conditions or violations of law at the school that	3999
pose an imminent danger to the health and safety of the school's	4000
students and employees and the sponsor refuses to take such	4001
action.	4002
(23) A description of the learning opportunities that will	4003
be offered to students including both classroom-based and non-	4004
classroom-based learning opportunities that is in compliance	4005
with criteria for student participation established by the	4006
department under division (H) (2) of section 3314.08 of the	4007
Revised Code;	4008
(24) The school will comply with sections 3302.04 and	4009
3302.041 of the Revised Code, except that any action required to	4010
be taken by a school district pursuant to those sections shall	4011

be taken by the sponsor of the school. 4012

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

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

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

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

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

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

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

(c) The method to be used for determining competency,	4041
granting credit, and promoting students to a higher grade level;	4042
(d) The school's attendance requirements, including how	4043
the school will document participation in learning	4044
opportunities;	4045
(e) A statement describing how student progress will be	4046
monitored;	4047
(f) A statement describing how private student data will	4048
be protected;	4049
(g) A description of the professional development	4050
activities that will be offered to teachers.	4051
(30) A provision requiring that all moneys the school's	4052
operator loans to the school, including facilities loans or cash	4053
flow assistance, must be accounted for, documented, and bear	4054
interest at a fair market rate;	4055
(31) A provision requiring that, if the governing	4056
authority contracts with an attorney, accountant, or entity	4057
specializing in audits, the attorney, accountant, or entity	4058
shall be independent from the operator with which the school has	4059
contracted.	4060
(32) A provision requiring the governing authority to	4061
adopt an enrollment and attendance policy that requires a	4062
student's parent to notify the community school in which the	4063
student is enrolled when there is a change in the location of	4064
the parent's or student's primary residence.	4065
(33) A provision requiring the governing authority to	4066
adopt a student residence and address verification policy for	4067
students enrolling in or attending the school.	4068

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

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

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

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

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

(5) Internal financial controls. 4082

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~academic emergency under section 3302.03 of the Revised Code, as  
it existed prior to March 22, 2013, and 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;~~

~~(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 a grade of "F" for the value added progress  
dimension under division (A) (1) (e), (B) (1) (e), or (C) (1) (e) of  
section 3302.03 of the Revised Code;~~

~~(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;~~

~~(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) (e) of section 3302.03 of the  
Revised Code;~~

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

~~(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:~~

~~(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;~~

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

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

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

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

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

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

~~(a) (1)~~ Any community school in which a majority of the students are enrolled in a dropout prevention and recovery



program that is operated by the school. Rather, such schools 4414  
shall be subject to closure only as provided in section 3314.351 4415  
of the Revised Code. However, prior to July 1, 2014, a community 4416  
school in which a majority of the students are enrolled in a 4417  
dropout prevention and recovery program shall be exempt from 4418  
this section only if it has been granted a waiver under section 4419  
3314.36 of the Revised Code. 4420

~~(b)-(2)~~ Any community school in which a majority of the 4421  
enrolled students are children with disabilities receiving 4422  
special education and related services in accordance with 4423  
Chapter 3323. of the Revised Code. 4424

~~(B)-(C)~~ Any community school to which this section applies 4425  
shall permanently close at the conclusion of the school year in 4426  
which the school first becomes subject to this section. The 4427  
sponsor and governing authority of the school shall comply with 4428  
all procedures for closing a community school adopted by the 4429  
department under division (E) of section 3314.015 of the Revised 4430  
Code. The governing authority of the school shall not enter into 4431  
a contract with any other sponsor under section 3314.03 of the 4432  
Revised Code after the school closes. 4433

~~(C) In accordance with division (B) of section 3314.012 of~~ 4434  
~~the Revised Code, the department shall not consider the~~ 4435  
~~performance ratings assigned to a community school for its first~~ 4436  
~~two years of operation when determining whether the school meets~~ 4437  
~~the criteria prescribed by division (A)(1) or (2) of this~~ 4438  
~~section.~~ 4439

(D) Nothing in this section or in any other provision of 4440  
the Revised Code prohibits the sponsor of a community school 4441  
from exercising its option not to renew a contract for any 4442  
reason or from terminating a contract prior to its expiration 4443

for any of the reasons set forth in section 3314.07 of the Revised Code.

**Sec. 3319.079.** (A) The holder of a valid educator license with a grade band specification prescribed under division (A) (1) of section 3319.22 of the Revised Code, as that division existed prior to October 3, 2023, who renews that license may receive either of the following:

(1) A grade band specification prescribed under division (A) (1) of section 3319.22 of the Revised Code, as that division existed prior to October 3, 2023;

(2) A grade band specification prescribed under division (A) (1) of section 3319.22 of the Revised Code as that division exists on the date of its renewal.

(B) The holder of a valid educator license with a grade band specification prescribed under division (A) (1) of section 3319.22 of the Revised Code, as that division existed on and after October 3, 2023, but prior to the effective date of this amendment, who renews that license may receive either of the following:

(1) A grade band specification prescribed under division (A) (1) of section 3319.22 of the Revised Code, as that division existed on and after October 3, 2023, but prior to the effective date of this amendment;

(2) A grade band specification prescribed under division (A) (1) of section 3319.22 of the Revised Code as that division exists on the date of its renewal.

(C) Upon renewal of a license under this section, the holder of a valid educator license shall receive a grade band specification that includes one or more of the grades the holder

was authorized to teach under the prior license. 4473

**Sec. 3319.0811.** ~~If~~ (A) Except as provided in division (B) 4474  
of this section, if the board of education of a school district 4475  
offers to students of compulsory school age courses for high 4476  
school credit that are taught at times outside the district's 4477  
normal school day, the board shall enter into supplemental 4478  
contracts under section 3319.08 of the Revised Code with the 4479  
teachers assigned to teach those courses and shall not include 4480  
such assignment of duties within the teachers' regular 4481  
employment contracts under that section. 4482

(B) A supplemental contract shall not be required under 4483  
this section if a teacher voluntarily agrees to a regularly 4484  
occurring schedule that begins or ends outside the normal school 4485  
day, so long as the teacher is not assigned more total daily 4486  
hours than a teacher assigned to the district's normal school 4487  
day and is otherwise in compliance with applicable requirements 4488  
of the district's collective bargaining agreement. 4489

**Sec. 3319.111.** Notwithstanding section 3319.09 of the 4490  
Revised Code, this section applies to any person who is employed 4491  
under a teacher license issued under this chapter, or under a 4492  
professional or permanent teacher's certificate issued under 4493  
former section 3319.222 of the Revised Code, and who spends at 4494  
least fifty per cent of the time employed providing student 4495  
instruction. However, this section does not apply to any person 4496  
who is employed as a substitute teacher or as an instructor of 4497  
adult education. 4498

(A) The board of education of each school district, in 4499  
consultation with teachers employed by the board, shall update 4500  
its standards-based teacher evaluation policy to conform with 4501  
either the framework for evaluation of teachers adopted under 4502

section 3319.112 of the Revised Code or a framework created or 4503  
adopted by the board. The policy shall become operative at the 4504  
expiration of any collective bargaining agreement covering 4505  
teachers employed by the board that is in effect on November 2, 4506  
2018, and shall be included in any renewal or extension of such 4507  
an agreement. 4508

(B) When using measures of student performance as evidence 4509  
in a teacher's evaluation, those measures shall be high-quality 4510  
student data. The board of education of each school district may 4511  
use data from the assessments on the list developed under 4512  
division (B) (2) of section 3319.112 of the Revised Code as high- 4513  
quality student data. 4514

(C) (1) The board shall conduct an evaluation of each 4515  
teacher employed by the board at least once each school year, 4516  
except as provided in division (C) (2) of this section. The 4517  
evaluation shall be completed by the first day of May and the 4518  
teacher shall receive a written report of the results of the 4519  
evaluation by the tenth day of May. 4520

(2) (a) The board may evaluate each teacher who received a 4521  
rating of accomplished on the teacher's most recent evaluation 4522  
conducted under this section once every three school years, so 4523  
long as the teacher submits a self-directed professional growth 4524  
plan to the evaluator that focuses on specific areas identified 4525  
in the observations and evaluation and the evaluator determines 4526  
that the teacher is making progress on that plan. 4527

(b) The board may evaluate each teacher who received a 4528  
rating of skilled on the teacher's most recent evaluation 4529  
conducted under this section once every two years, so long as 4530  
the teacher and evaluator jointly develop a professional growth 4531  
plan for the teacher that focuses on specific areas identified 4532

in the observations and evaluation and the evaluator determines 4533  
that the teacher is making progress on that plan. 4534

(c) For each teacher who is evaluated pursuant to division 4535  
(C) (2) of this section, the evaluation shall be completed by the 4536  
first day of May of the applicable school year, and the teacher 4537  
shall receive a written report of the results of the evaluation 4538  
by the tenth day of May of that school year. 4539

(d) The board may elect not to conduct an evaluation of a 4540  
teacher who meets one of the following requirements: 4541

(i) The teacher was on leave from the school district for 4542  
fifty per cent or more of the school year, as calculated by the 4543  
board. 4544

(ii) The teacher has submitted notice of retirement and 4545  
that notice has been accepted by the board not later than the 4546  
first day of December of the school year in which the evaluation 4547  
is otherwise scheduled to be conducted. 4548

(e) The board may elect not to conduct an evaluation of a 4549  
teacher who is participating in the teacher residency program 4550  
established under section 3319.223 of the Revised Code for the 4551  
year during which that teacher takes, for the first time, at 4552  
least half of the performance-based assessment prescribed by the 4553  
state board of education for resident educators. 4554

(3) In any year that a teacher is not formally evaluated 4555  
pursuant to division (C) of this section as a result of 4556  
receiving a rating of accomplished or skilled on the teacher's 4557  
most recent evaluation, an individual qualified to evaluate a 4558  
teacher under division (D) of this section shall conduct at 4559  
least one observation of the teacher and hold at least one 4560  
conference with the teacher. The conference shall include a 4561

discussion of progress on the teacher's professional growth 4562  
plan. 4563

(D) Each evaluation conducted pursuant to this section 4564  
shall be conducted by one or more of the following persons who 4565  
hold a credential established by the state board of education 4566  
for being an evaluator: 4567

(1) A person who is under contract with the board pursuant 4568  
to section 3319.01 or 3319.02 of the Revised Code and holds a 4569  
license designated for being a superintendent, assistant 4570  
superintendent, or principal issued under section 3319.22 of the 4571  
Revised Code; 4572

(2) A person who is under contract with the board pursuant 4573  
to section 3319.02 of the Revised Code and holds a license 4574  
designated for being a vocational director, administrative 4575  
specialist, or supervisor in any educational area issued under 4576  
section 3319.22 of the Revised Code; 4577

(3) A person designated to conduct evaluations under an 4578  
agreement entered into by the board, including an agreement 4579  
providing for peer review entered into by the board and 4580  
representatives of teachers employed by the board; 4581

(4) A person who is employed by an entity contracted by 4582  
the board to conduct evaluations and who holds a license 4583  
designated for being a superintendent, assistant superintendent, 4584  
principal, vocational director, administrative specialist, or 4585  
supervisor in any educational area issued under section 3319.22 4586  
of the Revised Code or is qualified to conduct evaluations. 4587

(E) Notwithstanding division (A) (3) of section 3319.112 of 4588  
the Revised Code, the board shall require at least three formal 4589  
observations of each teacher who is under consideration for 4590

nonrenewal and with whom the board has entered into a limited 4591  
contract or an extended limited contract under section 3319.11 4592  
of the Revised Code. 4593

(F) The board shall include in its evaluation policy 4594  
procedures for using the evaluation results for retention and 4595  
promotion decisions and for removal of poorly performing 4596  
teachers. Seniority shall not be the basis for a decision to 4597  
retain a teacher, except when making a decision between teachers 4598  
who have comparable evaluations. 4599

(G) For purposes of section 3333.0411 of the Revised Code, 4600  
the board annually shall report to the state board the number of 4601  
teachers for whom an evaluation was conducted under this section 4602  
and the number of teachers assigned each rating prescribed under 4603  
division (B) (1) of section 3319.112 of the Revised Code or the 4604  
equivalent framework created or adopted by the board, aggregated 4605  
by the teacher preparation programs from which and the years in 4606  
which the teachers graduated. The state board shall establish 4607  
guidelines for reporting the information required by this 4608  
division. The guidelines shall not permit or require that the 4609  
name of, or any other personally identifiable information about, 4610  
any teacher be reported under this division. 4611

(H) Notwithstanding any provision to the contrary in 4612  
Chapter 4117. of the Revised Code, the requirements of this 4613  
section prevail over any conflicting provisions of a collective 4614  
bargaining agreement entered into on or after November 2, 2018. 4615

**Sec. 3319.112.** (A) The state board of education shall 4616  
revise the standards-based state framework for the evaluation of 4617  
teachers based on the recommendations of the educator standards 4618  
board established under section 3319.60 of the Revised Code. The 4619  
state board shall hold at least one public hearing on the 4620

revised framework and shall make the full text of the revised 4621  
framework available at each hearing it holds on the revised 4622  
framework. The state board shall adopt the revised framework. 4623  
The state board may update the framework periodically by 4624  
adoption of a resolution. The framework shall establish an 4625  
evaluation system that does the following: 4626

(1) Provides for multiple evaluation factors; 4627

(2) Is aligned with the standards for teachers adopted 4628  
under section 3319.61 of the Revised Code; 4629

(3) Requires observation of the teacher being evaluated, 4630  
including at least two formal observations by the evaluator of 4631  
at least thirty minutes each and classroom walk-throughs; 4632

(4) Assigns a rating on each evaluation in accordance with 4633  
division (B) of this section; 4634

(5) Requires each teacher to be provided with a written 4635  
report of the results of the teacher's evaluation; 4636

(6) Uses at least two measures of high-quality student 4637  
data to provide evidence of student learning attributable to the 4638  
teacher being evaluated. The state board shall define "high- 4639  
quality student data" for this purpose. When applicable to the 4640  
grade level or subject area taught by a teacher, high-quality 4641  
student data shall include the value-added progress dimension 4642  
established under section 3302.021 of the Revised Code, but the 4643  
teacher or evaluator shall use at least one other measure of 4644  
high-quality student data to demonstrate student learning. In 4645  
accordance with the guidance described in division (D)(3) of 4646  
this section, high-quality student data may be used as evidence 4647  
in any component of the evaluation related to the following: 4648

(a) Knowledge of the students to whom the teacher provides 4649



instruction;	4650
(b) The teacher's use of differentiated instructional practices based on the needs or abilities of individual students;	4651 4652 4653
(c) Assessment of student learning;	4654
(d) The teacher's use of assessment data;	4655
(e) Professional responsibility and growth.	4656
(7) Prohibits the shared attribution of student performance data among all teachers in a district, building, grade, content area, or other group;	4657 4658 4659
(8) Includes development of a professional growth plan or improvement plan for the teacher that is based on the results of the evaluation and is aligned to any school district or building improvement plan required for the teacher's district or building under the "Elementary and Secondary Education Act of 1965," as amended by the "Every Student Succeeds Act of 2015," Pub. L. No. 114-95, 20 U.S.C. 6301 et seq.;	4660 4661 4662 4663 4664 4665 4666
(9) Provides for professional development to accelerate and continue teacher growth and provide support to poorly performing teachers;	4667 4668 4669
(10) Provides for the allocation of financial resources to support professional development;	4670 4671
(11) Prohibits the use of student learning objectives.	4672
(B) For purposes of the framework adopted under this section, the state board also shall do the following:	4673 4674
(1) Revise, as necessary, specific standards and criteria that distinguish between the following levels of performance for	4675 4676

teachers and principals for the purpose of assigning ratings on 4677  
~~the any~~ evaluations conducted under sections 3311.80, 3311.84, 4678  
3319.02, and 3319.111 of the Revised Code using the framework 4679  
prescribed by this section: 4680

(a) Accomplished; 4681

(b) Skilled; 4682

(c) Developing; 4683

(d) Ineffective. 4684

(2) Develop a list of student assessments that measure 4685  
mastery of the course content for the appropriate grade level, 4686  
which may include nationally normed standardized assessments, 4687  
industry certification examinations, or end-of-course 4688  
examinations. The data from these assessments may be considered 4689  
high-quality student data. 4690

(C) The state board shall consult with experts, teachers 4691  
and principals employed in public schools, the educator 4692  
standards board, and representatives of stakeholder groups in 4693  
revising the standards and criteria required by division (B) (1) 4694  
of this section. 4695

(D) To assist school districts in developing evaluation 4696  
policies under sections 3311.80, 3311.84, 3319.02, and 3319.111 4697  
of the Revised Code, the state board shall do all of the 4698  
following: 4699

(1) Serve as a clearinghouse of promising evaluation 4700  
procedures and evaluation models that districts may use; 4701

(2) Provide technical assistance to districts in creating 4702  
evaluation policies; 4703

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

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

(E) Not later than July 1, 2020, the state board, in consultation with state agencies that employ teachers, shall update its standards-based framework for the evaluation of teachers employed by those agencies. Each state agency that employs teachers shall adopt a standards-based teacher evaluation policy to conform with the framework. The policy shall become operative at the expiration of any collective bargaining agreement covering teachers employed by the agency that is in effect on November 2, 2018, and shall be included in any renewal or extension of such an agreement. However, this division does not apply to any person who is employed as a substitute teacher or as an instructor of adult education.

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

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

section 3319.223 of the Revised Code; 4734

(b) A professional educator license, which shall be valid 4735  
for five years and shall be renewable; 4736

(c) A senior professional educator license, which shall be 4737  
valid for five years and shall be renewable; 4738

(d) A lead professional educator license, which shall be 4739  
valid for five years and shall be renewable. 4740

Subject to division (A) (4) of this section, licenses 4741  
issued under division (A) (1) of this section on and after 4742  
~~December 29, 2023, the effective date of this amendment~~ shall 4743  
specify whether the educator is licensed to teach grades pre- 4744  
kindergarten through eight or grades ~~six~~seven through twelve. 4745  
The changes to the grade band specifications under this section 4746  
shall not apply to a person who holds a license under division 4747  
(A) (1) of this section prior to ~~December 29, 2023~~ the effective 4748  
date of this amendment. Further, the changes to the grade band 4749  
specifications under this section shall not apply to any license 4750  
issued to teach in the area of computer information science, 4751  
bilingual education, dance, drama or theater, world language, 4752  
health, library or media, music, physical education, teaching 4753  
English to speakers of other languages, career-technical 4754  
education, or visual arts or to any license issued to an 4755  
intervention specialist, including a gifted intervention 4756  
specialist, or to any other license that does not align to the 4757  
grade band specifications. 4758

(2) (a) Except as provided in division (A) (2) (b) of this 4759  
section, the state board may issue any additional educator 4760  
licenses of categories, types, and levels the board elects to 4761  
provide. 4762

(b) Not later than December 31, 2024, the state board 4763  
shall cease licensing school psychologists. The state board 4764  
shall coordinate with the state board of psychology to 4765  
transition to licensure under Chapter 4732. of the Revised Code 4766  
any school psychologists licensed under rules adopted in 4767  
accordance with sections 3301.07 and 3319.22 of the Revised 4768  
Code. 4769

(3) Except as provided in division (I) of this section, 4770  
the state board shall adopt rules establishing the standards and 4771  
requirements for obtaining each educator license issued under 4772  
this section. The rules shall also include the reasons for which 4773  
a resident educator license may be renewed under division (A) (1) 4774  
(a) of this section. 4775

(4) Notwithstanding the requirement that each license 4776  
issued under division (A) (1) of this section specify the grade 4777  
band in which the educator is licensed to teach, a school 4778  
district or community school may employ an educator to teach 4779  
outside of the designated grade band by not more than two grade 4780  
levels and for not more than two school years at a time. The 4781  
school district superintendent or governing authority of the 4782  
community school may renew that teacher's eligibility to teach 4783  
in accordance with this division on a biennial basis. Any 4784  
educator to whom division (A) (4) of this section applies shall 4785  
be considered a "properly certified or licensed teacher" for the 4786  
purposes of section 3319.074 of the Revised Code. 4787

(B) Except as provided in division (I) of this section, 4788  
the rules adopted under this section shall require at least the 4789  
following standards and qualifications for the educator licenses 4790  
described in division (A) (1) of this section: 4791

(1) An applicant for a resident educator license shall 4792

hold at least a bachelor's degree from an accredited teacher 4793  
preparation program or be a participant in the teach for America 4794  
program and meet the qualifications required under section 4795  
3319.227 of the Revised Code. 4796

(2) An applicant for a professional educator license 4797  
shall: 4798

(a) Hold at least a bachelor's degree from an institution 4799  
of higher education accredited by a regional accrediting 4800  
organization; 4801

(b) Have successfully completed the Ohio teacher residency 4802  
program established under section 3319.223 of the Revised Code, 4803  
if the applicant's current or most recently issued license is a 4804  
resident educator license issued under this section or an 4805  
alternative resident educator license issued under section 4806  
3319.26 of the Revised Code. 4807

(3) An applicant for a senior professional educator 4808  
license shall: 4809

(a) Hold at least a ~~master's~~ bachelor's degree from an 4810  
institution of higher education accredited by a regional 4811  
accrediting organization; 4812

(b) Have previously held a professional educator license 4813  
issued under this section or section 3319.222 or under former 4814  
section 3319.22 of the Revised Code; 4815

(c) Meet the criteria for the accomplished or 4816  
distinguished level of performance, as described in the 4817  
standards for teachers adopted by the state board under section 4818  
3319.61 of the Revised Code. 4819

(4) An applicant for a lead professional educator license 4820

shall: 4821

(a) Hold at least a ~~master's~~bachelor's degree from an 4822  
institution of higher education accredited by a regional 4823  
accrediting organization; 4824

(b) Have previously held a professional educator license 4825  
or a senior professional educator license issued under this 4826  
section or a professional educator license issued under section 4827  
3319.222 or former section 3319.22 of the Revised Code; 4828

(c) Meet the criteria for the distinguished level of 4829  
performance, as described in the standards for teachers adopted 4830  
by the state board under section 3319.61 of the Revised Code; 4831

(d) Either hold a valid certificate issued by the national 4832  
board for professional teaching standards or meet the criteria 4833  
for a master teacher or other criteria for a lead teacher 4834  
adopted by the educator standards board under division (F) (4) or 4835  
(5) of section 3319.61 of the Revised Code. 4836

(C) The state board shall align the standards and 4837  
qualifications for obtaining a principal license with the 4838  
standards for principals adopted by the state board under 4839  
section 3319.61 of the Revised Code. 4840

(D) If the state board requires any examinations for 4841  
educator licensure, the state board shall provide the results of 4842  
such examinations received by the state board to the chancellor 4843  
of higher education, in the manner and to the extent permitted 4844  
by state and federal law. 4845

(E) Any rules the state board of education adopts, amends, 4846  
or rescinds for educator licenses under this section or any 4847  
other law shall be adopted, amended, or rescinded under Chapter 4848  
119. of the Revised Code except as follows: 4849

(1) Notwithstanding division (E) of section 119.03 and 4850  
division (A)(1) of section 119.04 of the Revised Code, in the 4851  
case of the adoption of any rule or the amendment or rescission 4852  
of any rule that necessitates institutions' offering preparation 4853  
programs for educators and other school personnel that are 4854  
approved by the chancellor of higher education under section 4855  
3333.048 of the Revised Code to revise the curriculum of those 4856  
programs, the effective date shall not be as prescribed in 4857  
division (E) of section 119.03 and division (A)(1) of section 4858  
119.04 of the Revised Code. Instead, the effective date of such 4859  
rules, or the amendment or rescission of such rules, shall be 4860  
the date prescribed by section 3333.048 of the Revised Code. 4861

(2) Notwithstanding the authority to adopt, amend, or 4862  
rescind emergency rules in division (G) of section 119.03 of the 4863  
Revised Code, this authority shall not apply to the state board 4864  
of education with regard to rules for educator licenses. 4865

(F)(1) The rules adopted under this section establishing 4866  
standards requiring additional coursework for the renewal of any 4867  
educator license shall require a school district and a chartered 4868  
nonpublic school to establish local professional development 4869  
committees. In a nonpublic school, the chief administrative 4870  
officer shall establish the committees in any manner acceptable 4871  
to such officer. The committees established under this division 4872  
shall determine whether coursework that a district or chartered 4873  
nonpublic school teacher proposes to complete meets the 4874  
requirement of the rules. The state board shall provide 4875  
technical assistance and support to committees as the committees 4876  
incorporate the professional development standards adopted 4877  
pursuant to section 3319.61 of the Revised Code into their 4878  
review of coursework that is appropriate for license renewal. 4879  
The rules shall establish a procedure by which a teacher may 4880



appeal the decision of a local professional development 4881  
committee. 4882

(2) In any school district in which there is no exclusive 4883  
representative established under Chapter 4117. of the Revised 4884  
Code, the professional development committees shall be 4885  
established as described in division (F) (2) of this section. 4886

Not later than the effective date of the rules adopted 4887  
under this section, the board of education of each school 4888  
district shall establish the structure for one or more local 4889  
professional development committees to be operated by such 4890  
school district. The committee structure so established by a 4891  
district board shall remain in effect unless within thirty days 4892  
prior to an anniversary of the date upon which the current 4893  
committee structure was established, the board provides notice 4894  
to all affected district employees that the committee structure 4895  
is to be modified. Professional development committees may have 4896  
a district-level or building-level scope of operations, and may 4897  
be established with regard to particular grade or age levels for 4898  
which an educator license is designated. 4899

Each professional development committee shall consist of 4900  
at least three classroom teachers employed by the district, one 4901  
principal employed by the district, and one other employee of 4902  
the district appointed by the district superintendent. For 4903  
committees with a building-level scope, the teacher and 4904  
principal members shall be assigned to that building, and the 4905  
teacher members shall be elected by majority vote of the 4906  
classroom teachers assigned to that building. For committees 4907  
with a district-level scope, the teacher members shall be 4908  
elected by majority vote of the classroom teachers of the 4909  
district, and the principal member shall be elected by a 4910

majority vote of the principals of the district, unless there 4911  
are two or fewer principals employed by the district, in which 4912  
case the one or two principals employed shall serve on the 4913  
committee. If a committee has a particular grade or age level 4914  
scope, the teacher members shall be licensed to teach such grade 4915  
or age levels, and shall be elected by majority vote of the 4916  
classroom teachers holding such a license and the principal 4917  
shall be elected by all principals serving in buildings where 4918  
any such teachers serve. The district superintendent shall 4919  
appoint a replacement to fill any vacancy that occurs on a 4920  
professional development committee, except in the case of 4921  
vacancies among the elected classroom teacher members, which 4922  
shall be filled by vote of the remaining members of the 4923  
committee so selected. 4924

Terms of office on professional development committees 4925  
shall be prescribed by the district board establishing the 4926  
committees. The conduct of elections for members of professional 4927  
development committees shall be prescribed by the district board 4928  
establishing the committees. A professional development 4929  
committee may include additional members, except that the 4930  
majority of members on each such committee shall be classroom 4931  
teachers employed by the district. Any member appointed to fill 4932  
a vacancy occurring prior to the expiration date of the term for 4933  
which a predecessor was appointed shall hold office as a member 4934  
for the remainder of that term. 4935

The initial meeting of any professional development 4936  
committee, upon election and appointment of all committee 4937  
members, shall be called by a member designated by the district 4938  
superintendent. At this initial meeting, the committee shall 4939  
select a chairperson and such other officers the committee deems 4940  
necessary, and shall adopt rules for the conduct of its 4941

meetings. Thereafter, the committee shall meet at the call of 4942  
the chairperson or upon the filing of a petition with the 4943  
district superintendent signed by a majority of the committee 4944  
members calling for the committee to meet. 4945

(3) In the case of a school district in which an exclusive 4946  
representative has been established pursuant to Chapter 4117. of 4947  
the Revised Code, professional development committees shall be 4948  
established in accordance with any collective bargaining 4949  
agreement in effect in the district that includes provisions for 4950  
such committees. 4951

If the collective bargaining agreement does not specify a 4952  
different method for the selection of teacher members of the 4953  
committees, the exclusive representative of the district's 4954  
teachers shall select the teacher members. 4955

If the collective bargaining agreement does not specify a 4956  
different structure for the committees, the board of education 4957  
of the school district shall establish the structure, including 4958  
the number of committees and the number of teacher and 4959  
administrative members on each committee; the specific 4960  
administrative members to be part of each committee; whether the 4961  
scope of the committees will be district levels, building 4962  
levels, or by type of grade or age levels for which educator 4963  
licenses are designated; the lengths of terms for members; the 4964  
manner of filling vacancies on the committees; and the frequency 4965  
and time and place of meetings. However, in all cases, except as 4966  
provided in division (F)(4) of this section, there shall be a 4967  
majority of teacher members of any professional development 4968  
committee, there shall be at least five total members of any 4969  
professional development committee, and the exclusive 4970  
representative shall designate replacement members in the case 4971

of vacancies among teacher members, unless the collective 4972  
bargaining agreement specifies a different method of selecting 4973  
such replacements. 4974

(4) Whenever an administrator's coursework plan is being 4975  
discussed or voted upon, the local professional development 4976  
committee shall, at the request of one of its administrative 4977  
members, cause a majority of the committee to consist of 4978  
administrative members by reducing the number of teacher members 4979  
voting on the plan. 4980

(5) A professional development committee may grant an 4981  
individual seeking to renew a license under this section credit 4982  
towards continuing education requirements for completion of a 4983  
statutorily required professional development training. Such an 4984  
individual shall receive continuing education credit for one 4985  
completed professional development course per licensure renewal 4986  
period. To qualify for continuing education credit under this 4987  
division, a professional development course shall be completed 4988  
during the time in which an individual holds a valid license 4989  
under this section. 4990

(G) (1) The state board of education, educational service 4991  
centers, county boards of developmental disabilities, college 4992  
and university departments of education, head start programs, 4993  
and the Ohio education computer network may establish local 4994  
professional development committees to determine whether the 4995  
coursework proposed by their employees who are licensed or 4996  
certificated under this section or section 3319.222 of the 4997  
Revised Code, or under the former version of either section as 4998  
it existed prior to October 16, 2009, meet the requirements of 4999  
the rules adopted under this section. They may establish local 5000  
professional development committees on their own or in 5001

collaboration with a school district or other agency having 5002  
authority to establish them. 5003

Local professional development committees established by 5004  
county boards of developmental disabilities shall be structured 5005  
in a manner comparable to the structures prescribed for school 5006  
districts in divisions (F)(2) and (3) of this section, as shall 5007  
the committees established by any other entity specified in 5008  
division (G)(1) of this section that provides educational 5009  
services by employing or contracting for services of classroom 5010  
teachers licensed or certificated under this section or section 5011  
3319.222 of the Revised Code, or under the former version of 5012  
either section as it existed prior to October 16, 2009. All 5013  
other entities specified in division (G)(1) of this section 5014  
shall structure their committees in accordance with guidelines 5015  
which shall be issued by the state board. 5016

(2) Educational service centers may establish local 5017  
professional development committees to serve educators who are 5018  
not employed in schools in this state, including pupil services 5019  
personnel who are licensed under this section. Local 5020  
professional development committees shall be structured in a 5021  
manner comparable to the structures prescribed for school 5022  
districts in divisions (F)(2) and (3) of this section. 5023

These committees may agree to review the coursework, 5024  
continuing education units, or other equivalent activities 5025  
related to classroom teaching or the area of licensure that is 5026  
proposed by an individual who satisfies both of the following 5027  
conditions: 5028

(a) The individual is licensed or certificated under this 5029  
section or under the former version of this section as it 5030  
existed prior to October 16, 2009. 5031

(b) The individual is not currently employed as an 5032  
educator or is not currently employed by an entity that operates 5033  
a local professional development committee under this section. 5034

Any committee that agrees to work with such an individual 5035  
shall work to determine whether the proposed coursework, 5036  
continuing education units, or other equivalent activities meet 5037  
the requirements of the rules adopted by the state board under 5038  
this section. 5039

(3) Any public agency that is not specified in division 5040  
(G) (1) or (2) of this section but provides educational services 5041  
and employs or contracts for services of classroom teachers 5042  
licensed or certificated under this section or section 3319.222 5043  
of the Revised Code, or under the former version of either 5044  
section as it existed prior to October 16, 2009, may establish a 5045  
local professional development committee, subject to the 5046  
approval of the state board. The committee shall be structured 5047  
in accordance with guidelines issued by the state board. 5048

(H) ~~Not later than July 1, 2016, the~~ The state board, in 5049  
accordance with Chapter 119. of the Revised Code, shall adopt 5050  
rules pursuant to division (A) (3) of this section that do both 5051  
of the following: 5052

(1) Exempt consistently high-performing teachers and 5053  
school counselors from the requirement to complete any 5054  
additional coursework for the renewal of an educator license 5055  
issued under this section or section 3319.26 of the Revised 5056  
Code. The rules also shall specify that such teachers and school 5057  
counselors are exempt from any requirements prescribed by 5058  
professional development committees established under divisions 5059  
(F) and (G) of this section. 5060

(2) For purposes of division (H)(1) of this section, ~~the~~ 5061  
~~state board shall define~~ the term "consistently high-performing 5062  
teacher, or school counselor" means any teacher or school 5063  
counselor who meets both of the following: 5064

(a) For at least four of the past five years, the teacher 5065  
or school counselor has received the highest level of 5066  
performance rating under section 3319.112 or 3319.113 of the 5067  
Revised Code, as applicable, or an equivalent performance rating 5068  
under section 3311.80 of the Revised Code; 5069

(b) The teacher or school counselor meets at least one, or 5070  
any combination, of the following for at least three of the five 5071  
years of the current licensure cycle: 5072

(i) Holds a valid senior or lead professional educator 5073  
license; 5074

(ii) Holds a locally recognized educational leadership 5075  
role that enhances educational practices by providing 5076  
professional learning experience at district, regional, state, 5077  
or higher educational level; 5078

(iii) Serves in a leadership role for a national or state 5079  
professional academic education organization; 5080

(iv) Serves on a state-level committee supporting 5081  
education; 5082

(v) Receives a state or national educational recognition 5083  
or award. 5084

(I) The state board shall issue a resident educator 5085  
license, professional educator license, senior professional 5086  
educator license, lead professional educator license, or any 5087  
other educator license in accordance with Chapter 4796. of the 5088

Revised Code to an applicant if either of the following applies: 5089

(1) The applicant holds a license in another state. 5090

(2) The applicant has satisfactory work experience, a 5091  
government certification, or a private certification as 5092  
described in that chapter as a resident educator, professional 5093  
educator, senior professional educator, lead professional 5094  
educator, or any other type of educator in a state that does not 5095  
issue one or more of those licenses. 5096

Sec. 3319.2210. (A) The state board of education shall 5097  
issue a one-year nonrenewable out-of-state educator license, 5098  
valid for teaching the grade levels and curriculum areas named 5099  
in such license, upon the request of an employing school 5100  
district to a qualified applicant who meets all of the following 5101  
requirements: 5102

(1) Is deemed to be of good moral character; 5103

(2) Is an out-of-state applicant and the holder of a valid 5104  
out-of-state teaching license who has completed a baccalaureate 5105  
degree, an approved teacher preparation program, and the 5106  
examination prescribed by the state in which the licensure is 5107  
held, but who has not yet successfully completed the examination 5108  
prescribed by the state board for Ohio licensure; 5109

(3) Except as provided in division (B) of this section, 5110  
has completed at least six of the required twelve semester hours 5111  
of coursework in the teaching of reading as described in section 5112  
3319.24 of the Revised Code for educators requesting an early 5113  
childhood, primary, middle childhood, pre-kindergarten through 5114  
eight, intervention specialist, early childhood intervention 5115  
specialist, or primary intervention specialist license. The 5116  
remaining coursework requirement shall be listed as a limitation 5117



on the license and must be completed before the out-of-state 5118  
license expires. 5119

(B) An applicant for a one-year nonrenewable out-of-state 5120  
educator license who successfully completes Ohio's foundations 5121  
of reading exam on the applicant's first attempt shall not be 5122  
required to have completed at least six of the required twelve 5123  
semester hours of coursework in the teaching of reading as 5124  
described in section 3319.24 of the Revised Code prior to 5125  
receipt of the license. 5126

**Sec. 3319.264.** (A) Notwithstanding any other provision of 5127  
the Revised Code or any rule adopted by the state board of 5128  
education to the contrary, the state board of education shall 5129  
issue an alternative resident educator license under division 5130  
(C) of section 3319.26 of the Revised Code to each applicant who 5131  
meets both of the following conditions: 5132

(1) The applicant has a master's degree in the subject 5133  
area to be taught from an accredited institution of higher 5134  
education. 5135

(2) The applicant passes an examination in the subject 5136  
area to be taught. 5137

(B) The holder of an alternative resident educator license 5138  
issued under this section shall be subject to divisions (A), 5139  
(B), (D), and (E) of section 3319.26 of the Revised Code and 5140  
shall be granted a professional educator license upon successful 5141  
completion of the requirements described in division (F) of 5142  
section 3319.26 of the Revised Code. 5143

(C) To renew an initial alternative resident educator 5144  
license issued under this section, the holder of that license 5145  
shall complete the pedagogical training institute described in 5146

division (B) of section 3319.26 of the Revised Code. 5147

**Sec. 3319.273.** (A) The department of education and 5148  
workforce may establish alternative pathways for an individual 5149  
who holds a bachelor's degree from an institution of higher 5150  
education accredited by a regional accrediting agency to obtain 5151  
an educator license to work as an administrator or 5152  
superintendent. The department may establish rules as needed to 5153  
implement this section. 5154

(B) The state board of education shall issue an educator 5155  
license to work as an administrator or superintendent to an 5156  
individual who completes an alternative pathway established by 5157  
the department under this section. 5158

**Sec. 3319.316.** The state board of education shall be a 5159  
participating public office for purposes of the retained 5160  
applicant fingerprint database established under section 5161  
109.5721 of the Revised Code and shall receive notification from 5162  
the bureau of criminal identification and investigation of the 5163  
arrest or conviction of the following persons: 5164

(A) Persons to whom the state board has issued a license, 5165  
as defined in section 3319.31 of the Revised Code; 5166

(B) On behalf of employers described in section 3319.391 5167  
or 3327.10 of the Revised Code, persons who are not required to 5168  
hold a license issued by the state board and are employed in or 5169  
contracted for a position that the district, service center, or 5170  
school reasonably determines may involve routine interaction 5171  
with a child or regular responsibility for the care, custody, or 5172  
control of a child, including persons who operate a school bus 5173  
or motor van. Notwithstanding anything to the contrary in 5174  
division (E) of section 109.5721 of the Revised Code, the state 5175

board is authorized to and promptly shall transmit any 5176  
notification received regarding a person under this division to 5177  
the person's employer. 5178

**Sec. 3319.391.** This section applies to any person hired by 5179  
a school district, educational service center, or chartered 5180  
nonpublic school and any contractor or person hired by a 5181  
contractor engaged in providing services that may involve 5182  
routine interaction with a child or regular responsibility for 5183  
the care, custody, or control of a child to a school district, 5184  
educational service center, or chartered nonpublic school in any 5185  
position that does not require a "license" issued by the state 5186  
board of education, as defined in section 3319.31 of the Revised 5187  
Code, or a registration issued by the state board of education 5188  
under Chapter 3319. of the Revised Code, and is not for the 5189  
operation of a vehicle for pupil transportation. This section 5190  
does not apply to any person who volunteers at a school building 5191  
within a district, educational service center, or chartered 5192  
nonpublic school, including a parent volunteer in a student's 5193  
classroom. 5194

(A) (1) For each person to whom this section applies who is 5195  
hired on or after November 14, 2007, the employer shall request 5196  
a criminal records check in accordance with section 3319.39 of 5197  
the Revised Code and shall request a subsequent criminal records 5198  
check by the fifth day of September every fifth year thereafter. 5199

(2) For each person to whom this section applies who is 5200  
hired prior to November 14, 2007, the employer shall request a 5201  
criminal records check by a date prescribed by the state board 5202  
and shall request a subsequent criminal records check by the 5203  
fifth day of September every fifth year thereafter. 5204

(3) If, ~~on the effective date of this amendment~~ October 3, 5205

2023, the most recent criminal records check requested for a 5206  
person under division (A) (1) or (2) of this section was 5207  
completed more than one year prior to that date or does not 5208  
include information gathered pursuant to division (A) of section 5209  
109.57 of the Revised Code, the employer shall request a new 5210  
criminal records check that includes information gathered 5211  
pursuant to division (A) of section 109.57 of the Revised Code 5212  
by a date prescribed by the state board and shall request a 5213  
subsequent criminal records check by the fifth day of September 5214  
every fifth year thereafter. 5215

(B) (1) Each request for a criminal records check under 5216  
this section shall be made to the superintendent of the bureau 5217  
of criminal identification and investigation in the manner 5218  
prescribed in section 3319.39 of the Revised Code, except that 5219  
if both of the following conditions apply to the person subject 5220  
to the records check, the employer shall request the 5221  
superintendent only to obtain any criminal records that the 5222  
federal bureau of investigation has on the person: 5223

(a) The employer previously requested the superintendent 5224  
to determine whether the bureau of criminal identification and 5225  
investigation has any information, gathered pursuant to division 5226  
(A) of section 109.57 of the Revised Code, on the person in 5227  
conjunction with a criminal records check requested under 5228  
section 3319.39 of the Revised Code or under this section. 5229

(b) The person presents proof that the person has been a 5230  
resident of this state for the five-year period immediately 5231  
prior to the date upon which the person becomes subject to a 5232  
criminal records check under this section. 5233

(2) Upon receipt of a request under division (B) (1) of 5234  
this section, the superintendent of the bureau of criminal 5235

identification and investigation shall conduct the criminal 5236  
records check in accordance with section 109.572 of the Revised 5237  
Code as if the request had been made under section 3319.39 of 5238  
the Revised Code. However, as specified in division (B) (2) of 5239  
section 109.572 of the Revised Code, if the employer requests 5240  
the superintendent only to obtain any criminal records that the 5241  
federal bureau of investigation has on the person for whom the 5242  
request is made, the superintendent shall not conduct the review 5243  
prescribed by division (B) (1) of that section. 5244

(C) Notwithstanding division (D) of section 3319.39 of the 5245  
Revised Code, the bureau of criminal identification and 5246  
investigation shall make the initial criminal records check of a 5247  
person requested by an employer under division (A) of this 5248  
section on or after ~~the effective date of this amendment~~ October 5249  
3, 2023, available to the state board. The state board shall use 5250  
the information received to enroll the person in the retained 5251  
applicant fingerprint database, established under section 5252  
109.5721 of the Revised Code, in the same manner as any teacher 5253  
licensed under sections 3319.22 to 3319.31 of the Revised Code. 5254  
If the state board is unable to enroll the person in the 5255  
retained applicant fingerprint database because the person has 5256  
not satisfied the requirements for enrollment, the state board 5257  
shall notify the employer that the person has not satisfied the 5258  
requirements for enrollment. However, the bureau shall not be 5259  
required to make available to the state board the criminal 5260  
records check of any person who is already enrolled in the 5261  
retained applicant fingerprint database on the date the person's 5262  
employer requests a records check of the person under division 5263  
(A) of this section. 5264

If the state board receives notification of the arrest, 5265  
guilty plea, or conviction of a person who is subject to this 5266

section, the state board shall promptly notify the employing 5267  
school district, chartered nonpublic school, or educational 5268  
service center in accordance with division (B) of section 5269  
3319.316 of the Revised Code. 5270

(D) Any person who is the subject of a criminal records 5271  
check under this section and has been convicted of or pleaded 5272  
guilty to any offense described in division (B)(1) of section 5273  
3319.39 of the Revised Code shall not be hired or shall be 5274  
released from employment, as applicable, unless the person meets 5275  
the rehabilitation standards adopted by the state board under 5276  
division (E) of that section. 5277

**Sec. 3326.11.** Each science, technology, engineering, and 5278  
mathematics school established under this chapter and its 5279  
governing body shall comply with sections 9.90, 9.91, 109.65, 5280  
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 5281  
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 5282  
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 5283  
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.5318, 5284  
3313.5319, 3313.608, 3313.6012, 3313.6013, 3313.6014, ~~3313.6015,~~ 5285  
3313.6020, 3313.6021, 3313.6024, 3313.6025, 3313.6026, 5286  
3313.6028, 3313.6029, 3313.61, 3313.611, 3313.614, 3313.615, 5287  
3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411, 5288  
3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 5289  
3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 5290  
3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 5291  
3313.7112, 3313.7117, 3313.721, 3313.753, 3313.80, 3313.801, 5292  
3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 5293  
3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 5294  
3319.21, 3319.238, 3319.318, 3319.32, 3319.321, 3319.324, 5295  
3319.35, 3319.39, 3319.391, 3319.393, 3319.41, 3319.45, 3319.46, 5296  
3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.05, 3321.13, 5297

3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 3322.20, 5298  
3322.24, 3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5299  
5502.703, and 5705.391 and Chapters 102., 117., 1347., 2744., 5300  
3307., 3309., 3365., 3742., 4112., 4123., 4141., and 4167. of 5301  
the Revised Code as if it were a school district. 5302

**Sec. 3327.021.** (A) As used in this section, "out of 5303  
compliance" means that, for a period of five consecutive school 5304  
days or ten school days within a school year, at least one of 5305  
the following has occurred on each of those days: 5306

(1) Students transported to and from school by a school 5307  
bus arrive more than thirty minutes late to school; 5308

(2) Students transported to and from school by a school 5309  
bus are picked up more than thirty minutes after the end of the 5310  
school day; 5311

(3) Students scheduled to be transported to and from 5312  
school by a school bus are not transported by school bus at all 5313  
due to the failure of the bus to arrive; 5314

(4) A school district has been noncompliant with any other 5315  
transportation requirements under Chapter 3327. of the Revised 5316  
Code. 5317

Any school day in which any of the conditions in divisions 5318  
(A) (1) to (4) of this section occur due to inclement weather 5319  
shall not be counted towards the determination of noncompliance 5320  
under this section. 5321

Any school day in which a condition in division (A) (2) of 5322  
this section occurs after school shall not be counted towards 5323  
the determination of noncompliance under this section if the 5324  
condition occurs promptly after school and the school provides 5325  
academic services supervised by a school employee to the 5326

affected students for not more than sixty minutes after the end 5327  
of the school day. This exception applies only for students who 5328  
receive academic services under this section. Any student pickup 5329  
that occurs more than sixty minutes after the end of the school 5330  
day shall be considered for an out of compliance determination. 5331

(B) The department of education and workforce shall 5332  
monitor whether each city, local, or exempted village school 5333  
district is out of compliance. If the department determines that 5334  
a district is out of compliance, the department shall notify a 5335  
school district that it is out of compliance. The first time a 5336  
district receives notification of noncompliance, it shall create 5337  
a corrective action plan and submit that plan to the department 5338  
within one week of receiving notification of the department's 5339  
determination. If a district is subsequently found to be out of 5340  
compliance, the department shall withhold twenty-five per cent 5341  
of the district's daily payment for student transportation under 5342  
Chapter 3317. of the Revised Code, as computed by the 5343  
department, for each day that the district is determined to be 5344  
out of compliance, beginning with the first day after the 5345  
district has submitted the corrective action plan. A district 5346  
may be found out of compliance two more times within the same 5347  
school year, with twenty-five per cent of its daily state 5348  
transportation funding withheld for each day it is determined to 5349  
be out of compliance. 5350

If a district is determined to be out of compliance for a 5351  
fifth time in the course of a school year, the department shall 5352  
withhold one hundred per cent of its daily state transportation 5353  
aid until the department determines that a district is no longer 5354  
out of compliance. 5355

The department shall reset the calculation of a district's 5356



noncompliance to zero at the beginning of each school year. 5357

(C) For each day, including the initial period that 5358  
determined noncompliance, that the district is found to be out 5359  
of compliance under this section and any of the conditions in 5360  
divisions (A) (1) to (4) of this section occur, the department of 5361  
education and workforce shall calculate the daily amount of that 5362  
payment on a per-pupil basis and disburse that per-pupil amount 5363  
to the district or school in which the pupil is enrolled. The 5364  
district or school shall then remit those funds to the parent, 5365  
guardian, or other person in charge of each pupil who did not 5366  
receive proper transportation while the district was out of 5367  
compliance. Funds shall be disbursed out of the amount withheld 5368  
by the department under division (B) of this section. 5369

(D) This section does not affect the authority of a school 5370  
district to provide payment in lieu of transportation in 5371  
accordance with section 3327.02 of the Revised Code. 5372

Beginning with disputes regarding determinations of school 5373  
district noncompliance with transportation obligations arising 5374  
after December 1, 2023, the department shall issue a 5375  
determination within thirty days of receiving notice of the 5376  
dispute. The department may delay a determination to within 5377  
forty-five days of receiving a dispute notice if the department 5378  
notifies all affected parties in advance that the determination 5379  
will be delayed. 5380

**Sec. 3333.393.** (A) As used in this section and in section 5381  
3333.394 of the Revised Code: 5382

(1) "Academic year" shall be as defined by the chancellor 5383  
of higher education. 5384

(2) "Parent" means the parent, guardian, or custodian of a 5385

qualified student as described by this section. 5386

(3) "Qualified service" means teaching at a qualifying 5387  
school district or another school district, school, or 5388  
educational service center as prescribed in division (G) of this 5389  
section. 5390

(4) "Qualifying school district" means ~~a school district~~ 5391  
~~building~~ any of the following that has been identified as "high 5392  
need" by the chancellor and meets both of the following 5393  
conditions: 5394

~~(a) The school building, that~~ has difficulty attracting 5395  
and retaining classroom teachers who hold a valid educator 5396  
license issued under section 3319.22 of the Revised Code; 5397

~~(b) The, and school is operated by the same school~~ 5398  
~~district that either employs the scholarship recipient or is the~~ 5399  
~~district or school from which the recipient of a scholarship~~ 5400  
~~graduated from high school or was employed;~~ 5401

(a) A school district; 5402

(b) An educational service center; 5403

(c) A community school established under Chapter 3314. of 5404  
the Revised Code; 5405

(d) A STEM school established under Chapter 3326. of the 5406  
Revised Code; 5407

(e) A chartered nonpublic school; 5408

(f) A nonchartered nonpublic school. 5409

(5) "Qualifying employee" means an individual employed at 5410  
a qualifying school ~~and who either holds an educational aide~~ 5411  
~~permit or educational paraprofessional license issued under~~ 5412

~~section 3319.088 or a substitute license under section 3319.226~~ 5413  
~~of the Revised Code district.~~ 5414

(6) "Qualifying high school senior" means a student who is 5415  
currently enrolled in the twelfth grade, and for whom either of 5416  
the following is true: 5417

(a) The student will graduate from a secondary school in a 5418  
qualifying school district where at least twenty-five percent of 5419  
the students are eligible for a free or reduced-price lunch. 5420

(b) The student completes the free application for federal 5421  
student aid for the academic year for which the scholarship 5422  
begins and receives a student aid index of 25,000 or less. 5423

(B) The grow your own teacher college scholarship program 5424  
is hereby established. Each scholarship shall be awarded for up 5425  
to four academic years and shall not exceed \$7,500 for each 5426  
academic year. Under the program, the chancellor of higher 5427  
education, in conjunction with the department of education and 5428  
workforce, shall award scholarships to the following: 5429

(1) ~~Low income~~ Qualifying high school seniors who commit 5430  
to teaching in a qualifying school district for a minimum of 5431  
four years upon graduation from a teacher training program at a 5432  
state institution of higher education or an Ohio nonprofit 5433  
institution of higher education that has a certificate of 5434  
authorization under Chapter 1713. of the Revised Code. 5435

(2) Qualifying employees who commit to teaching in a 5436  
qualifying school district for a minimum of four years upon 5437  
graduation from a teacher training program at a state 5438  
institution of higher education or an Ohio nonprofit institution 5439  
of higher education that has a certificate of authorization 5440  
under Chapter 1713. of the Revised Code. 5441

~~Each scholarship shall be awarded for up to four academic years and shall not exceed \$7,500 for each academic year.~~ 5442  
5443

(C) The department and the chancellor shall develop an application process for awarding scholarships under the program. 5444  
The department and the chancellor also shall appoint a highly 5445  
qualified and diverse application committee to assist in the 5446  
selection of scholarship recipients. If insufficient funds are 5447  
available to fund all qualifying applicants, the chancellor may 5448  
prioritize those students with the most financial need. 5449  
5450

(D) (1) Scholarships shall be awarded to students under 5451  
division (B) (1) of this section who meet both of the following 5452  
conditions: 5453

(a) Received a high school diploma or honors diploma under 5454  
section 3313.61 of the Revised Code; 5455

(b) Commit to completing the four-year teaching obligation 5456  
within not more than six years after graduating from the teacher 5457  
training program. 5458

(2) Scholarships shall be awarded to qualifying employees 5459  
under division (B) (2) of this section who commit to completing 5460  
the four-year teaching obligation within not more than six years 5461  
after graduating from the teacher training program. Qualifying 5462  
employees shall ~~be permitted to complete coursework associated~~ 5463  
~~with a teacher training program on evenings or weekends as~~ 5464  
~~necessary while maintaining maintain~~ employment at a the 5465  
qualifying school district during their teacher training program 5466  
unless they must terminate or suspend their employment to 5467  
complete the student teaching requirements of the teacher 5468  
training program. 5469

(E) ~~A teacher training program, in consultation with the~~ 5470

~~department of education and workforce, may grant credit to a~~ 5471  
~~qualifying employee who has commensurate work experience at a~~ 5472  
~~qualifying school under this section for completion of a teacher~~ 5473  
~~training program.~~ 5474

~~(F)~~The chancellor shall require that all applicants to 5475  
the grow your own teacher program file a statement of service 5476  
status in compliance with section 3345.32 of the Revised Code, 5477  
if applicable, and that all applicants have not been convicted 5478  
of, plead guilty to, or adjudicated a delinquent child for any 5479  
violation listed in section 3333.38 of the Revised Code. 5480

~~(G)~~(F) Recipients shall complete the four-year teaching 5481  
commitment within not more than six years after graduating from 5482  
the teacher training program. Failure to fulfill the commitment 5483  
shall convert the scholarship into a loan to be repaid under 5484  
section 3333.394 of the Revised Code. 5485

(G) Upon completion of a teacher training program, if the 5486  
qualifying school district is unable to hire the graduate, the 5487  
recipient may be permitted by the chancellor to complete the 5488  
required teaching commitment at another high need school 5489  
district, school, or educational service center that has 5490  
difficulty attracting and retaining classroom teachers who hold 5491  
a valid educator license as described in division (A) (4) of this 5492  
section. 5493

**Sec. 3333.394.** (A) (1) Each recipient who accepts a 5494  
scholarship under the grow your own teacher program under 5495  
section 3333.393 of the Revised Code shall sign a promissory 5496  
note payable to the state ~~in~~. In the event the scholarship is 5497  
terminated or the recipient does not satisfy the service 5498  
requirement under division ~~(G)~~(F) of section 3333.393 of the 5499  
Revised Code ~~or the scholarship is terminated, the promissory~~ 5500

takes immediate effect. The amount payable under the note shall 5501  
be the amount of total ~~scholarships~~ scholarship funds accepted 5502  
by the recipient under the program, unless a portion is forgiven 5503  
as described under this section. 5504

(2) ~~Each recipient shall be awarded an amount of up to~~ 5505  
~~\$7,500 at the beginning of each school year in which the~~ 5506  
~~recipient begins or maintains qualifying employment as defined~~ 5507  
~~in section 3333.393 of the Revised Code.~~ Upon completion of ~~that~~ 5508  
a full school year of qualified service as defined in division 5509  
(A) (3) of section 3333.393 of the Revised Code, the twenty-five 5510  
percent of the total amount the recipient received at the 5511  
beginning of the year awarded under the promissory note shall be 5512  
forgiven. An individual may receive an award under this division 5513  
for up to four years. If a recipient is unable to complete the 5514  
required qualified service as a result of a reduction in force 5515  
at the recipient's school of employment before the end of the 5516  
school year, the chancellor shall deem that school year as one 5517  
year of qualified service completed. 5518

(3) ~~Failure to complete a full school year of employment~~ 5519  
~~converts the award made under division (A) (1) of this section~~ 5520  
~~into a loan to be repaid. The loan to be repaid shall be the~~ 5521  
~~amount of the award made at the beginning of that school year.~~ 5522

(4) ~~An award made under this division shall not exceed~~ 5523  
~~\$7,500 in each school year. The total amount awarded to an~~ 5524  
~~individual under this section and section 3333.393 of the~~ 5525  
~~Revised Code shall not exceed the total cost of a qualifying~~ 5526  
~~employee's loans for a teacher training program.~~ The promissory 5527  
note shall be rescinded in the event that a recipient dies or 5528  
becomes totally and permanently disabled. 5529

~~(B) (1) As specified in division (A) (2) of this section,~~ 5530

~~the amount of the annual award made under division (A) of this section shall be forgiven following completion of one year of qualified employment by the recipient in accordance with division (C) of section 3333.393 of the Revised Code.~~ 5531-5534

~~(2) An award also shall be forgiven in the event that a recipient dies, becomes totally and permanently disabled, or is unable to complete the required qualified service as a result of a reduction in force at the recipient's school of employment before the end of the academic year.~~ 5535-5539

~~(C)-(B)~~ The scholarship shall be deemed terminated upon the recipient's separation from employment at a qualifying school or the recipient's failure to meet the standards of the scholarship as determined by the department and the chancellor and shall be converted to a loan to be repaid under division (A) of this section. 5540-5545

~~(D)-(C)~~ The chancellor and the attorney general shall collect payments on the converted loan in accordance with section 131.02 of the Revised Code, but shall not charge an interest rate on such payments. 5546-5549

**Sec. 3345.205.** (A) For purposes of this section: 5550

(1) "Early childhood teacher preparation program" means a program approved under section 3333.048 of the Revised Code, or a program that, upon completion of which, results in a credential, including a child development associate certification, or an associate or higher degree in child development or early childhood education. 5551-5556

(2) "Early learning and development program" has the same meaning as in section 5104.29 of the Revised Code. 5557-5558

(3) "Eligible institution" means all of the following: 5559

<u>(a) A state institution of higher education, as defined in</u>	5560
<u>section 3345.011 of the Revised Code;</u>	5561
<u>(b) A private college, as defined in section 3365.01 of</u>	5562
<u>the Revised Code;</u>	5563
<u>(c) An Ohio technical center, as defined in section</u>	5564
<u>3333.94 of the Revised Code;</u>	5565
<u>(d) A career-technical center, joint vocational school</u>	5566
<u>district, comprehensive career-technical center, or compact</u>	5567
<u>career-technical center;</u>	5568
<u>(e) A secondary or high school;</u>	5569
<u>(f) Any other organization or institution that offers a</u>	5570
<u>child development associate credential during the time in which</u>	5571
<u>an individual is working to complete that credential.</u>	5572
<u>(4) "Tiered quality rating and improvement system" means</u>	5573
<u>the program established under section 5104.29 of the Revised</u>	5574
<u>Code.</u>	5575
<u>(B) (1) Each eligible institution shall permit a student</u>	5576
<u>enrolled in one of its early childhood teacher preparation</u>	5577
<u>programs who is employed by an early learning and development</u>	5578
<u>program that participates in the state's tiered quality rating</u>	5579
<u>and improvement system to complete any of the eligible</u>	5580
<u>institution's student teaching requirements or field experience</u>	5581
<u>hours at the student's place of employment.</u>	5582
<u>(2) No eligible institution shall prohibit a student from</u>	5583
<u>being paid for hours worked in accordance with division (B) (1)</u>	5584
<u>of this section.</u>	5585
<u>(C) The chancellor of higher education and the department</u>	5586
<u>of children and youth shall collaborate with industry</u>	5587



stakeholders to develop strategies to assist employees of early 5588  
learning and development programs that participate in the 5589  
state's tiered quality rating and improvement system and who are 5590  
enrolled in an early childhood teacher preparation program to 5591  
complete student teaching or field experience hours at the 5592  
employee's place of employment. 5593

**Sec. 5502.70.** (A) There is hereby created in the 5594  
department of public safety the Ohio mobile training team, which 5595  
shall be administered by a chief mobile training officer. The 5596  
team shall provide services to public and nonpublic schools 5597  
regarding school safety and security. 5598

(B) Not later than ~~ninety days after the effective date of~~ 5599  
~~this section~~ December 11, 2022, the director of public safety 5600  
shall appoint an individual who satisfies the criteria specified 5601  
in division (B) of section 5502.701 of the Revised Code as the 5602  
chief mobile training officer, who shall serve at the pleasure 5603  
of the director. To carry out the duties prescribed by this 5604  
section or sections 5502.702 and 5502.703 of the Revised Code, 5605  
the chief mobile training officer may hire and maintain 5606  
necessary staff and may enter into any necessary agreements. 5607

(C) Not later than ninety days after the appointment of 5608  
the chief mobile training officer, the director of public safety 5609  
shall appoint sixteen regional mobile training officers, each of 5610  
whom shall satisfy the criteria specified in division (B) of 5611  
section 5502.701 of the Revised Code, to conduct the duties 5612  
described in sections 5502.702 and 5502.703 of the Revised Code. 5613

The regions shall be the same as those described in 5614  
~~division (A) of~~ section 3312.02 of the Revised Code. To carry 5615  
out the duties prescribed by sections 5502.702 and 5502.703 of 5616  
the Revised Code, a regional mobile training officer may hire 5617

and maintain necessary staff and may enter into any necessary 5618  
agreements. 5619

(D) Except as otherwise provided by law, nothing in this 5620  
section or in sections 5502.702 and 5502.703 of the Revised Code 5621  
shall be construed to give the director of public safety, the 5622  
chief mobile training officer, or a regional mobile training 5623  
officer authority over the incident management structure or 5624  
responsibilities of local emergency response personnel. 5625

(E) The department of public safety, in accordance with 5626  
Chapter 119. of the Revised Code, shall adopt rules with respect 5627  
to the Ohio mobile training team. The rules shall be made 5628  
available for public inspection at the department of public 5629  
safety and at other places and during reasonable hours as fixed 5630  
by the chief mobile training officer of the Ohio mobile training 5631  
team. 5632

**Section 2.** That existing sections 3301.0714, 3301.28, 5633  
3302.03, 3302.12, 3302.151, 3307.353, 3309.345, 3311.80, 5634  
3312.02, 3313.26, 3313.413, 3313.46, 3313.48, 3313.60, 5635  
3313.6011, 3313.92, 3313.984, 3314.012, 3314.015, 3314.016, 5636  
3314.017, 3314.0211, 3314.03, 3314.11, 3314.29, 3314.35, 5637  
3319.079, 3319.0811, 3319.111, 3319.112, 3319.22, 3319.2210, 5638  
3319.316, 3319.391, 3326.11, 3327.021, 3333.393, 3333.394, and 5639  
5502.70 of the Revised Code are hereby repealed. 5640

**Section 3.** That sections 3301.0717, 3301.131, 3301.134, 5641  
3301.14, 3301.30, 3302.22, 3313.6015, 3314.20, 3317.50, 3317.51, 5642  
3319.234, 3319.55, 3319.56, and 3319.57 of the Revised Code are 5643  
hereby repealed. 5644

**Section 4.** That the versions of sections 3301.0714 and 5645  
3314.03 of the Revised Code that are scheduled to take effect on 5646

January 1, 2025, be amended to read as follows: 5647

**Sec. 3301.0714.** (A) The department of education and 5648  
workforce shall adopt rules for a statewide education management 5649  
information system. The rules shall require the department to 5650  
establish guidelines for the establishment and maintenance of 5651  
the system in accordance with this section and the rules adopted 5652  
under this section. The guidelines shall include: 5653

(1) Standards identifying and defining the types of data 5654  
in the system in accordance with divisions (B) and (C) of this 5655  
section; 5656

(2) Procedures for annually collecting and reporting the 5657  
data to the department in accordance with division (D) of this 5658  
section; 5659

(3) Procedures for annually compiling the data in 5660  
accordance with division (G) of this section; 5661

(4) Procedures for annually reporting the data to the 5662  
public in accordance with division (H) of this section; 5663

(5) Standards to provide strict safeguards to protect the 5664  
confidentiality of personally identifiable student data. 5665

(B) The guidelines adopted under this section shall 5666  
require the data maintained in the education management 5667  
information system to include at least the following: 5668

(1) Student participation and performance data, for each 5669  
grade in each school district as a whole and for each grade in 5670  
each school building in each school district, that includes: 5671

(a) The numbers of students receiving each category of 5672  
instructional service offered by the school district, such as 5673  
regular education instruction, vocational education instruction, 5674

specialized instruction programs or enrichment instruction that 5675  
is part of the educational curriculum, instruction for gifted 5676  
students, instruction for students with disabilities, and 5677  
remedial instruction. The guidelines shall require instructional 5678  
services under this division to be divided into discrete 5679  
categories if an instructional service is limited to a specific 5680  
subject, a specific type of student, or both, such as regular 5681  
instructional services in mathematics, remedial reading 5682  
instructional services, instructional services specifically for 5683  
students gifted in mathematics or some other subject area, or 5684  
instructional services for students with a specific type of 5685  
disability. The categories of instructional services required by 5686  
the guidelines under this division shall be the same as the 5687  
categories of instructional services used in determining cost 5688  
units pursuant to division (C) (3) of this section. 5689

(b) The numbers of students receiving support or 5690  
extracurricular services for each of the support services or 5691  
extracurricular programs offered by the school district, such as 5692  
counseling services, health services, and extracurricular sports 5693  
and fine arts programs. The categories of services required by 5694  
the guidelines under this division shall be the same as the 5695  
categories of services used in determining cost units pursuant 5696  
to division (C) (4) (a) of this section. 5697

(c) Average student grades in each subject in grades nine 5698  
through twelve; 5699

(d) Academic achievement levels as assessed under sections 5700  
3301.0710, 3301.0711, and 3301.0712 of the Revised Code; 5701

(e) The number of students designated as having a 5702  
disabling condition pursuant to division (C) (1) of section 5703  
3301.0711 of the Revised Code; 5704

(f) The numbers of students reported to the department	5705
pursuant to division (C) (2) of section 3301.0711 of the Revised	5706
Code;	5707
(g) Attendance rates and the average daily attendance for	5708
the year. For purposes of this division, a student shall be	5709
counted as present for any field trip that is approved by the	5710
school administration.	5711
(h) Expulsion rates;	5712
(i) Suspension rates;	5713
(j) Dropout rates;	5714
(k) Rates of retention in grade;	5715
(l) For pupils in grades nine through twelve, the average	5716
number of carnegie units, as calculated in accordance with the	5717
director's rules;	5718
(m) Graduation rates, to be calculated in a manner	5719
specified by the department that reflects the rate at which	5720
students who were in the ninth grade three years prior to the	5721
current year complete school and that is consistent with	5722
nationally accepted reporting requirements;	5723
(n) Results of diagnostic assessments administered to	5724
kindergarten students as required under section 3301.0715 of the	5725
Revised Code to permit a comparison of the academic readiness of	5726
kindergarten students. However, no district shall be required to	5727
report to the department the results of any diagnostic	5728
assessment administered to a kindergarten student, except for	5729
the language and reading assessment described in division (A) (2)	5730
of section 3301.0715 of the Revised Code, if the parent of that	5731
student requests the district not to report those results.	5732

~~(o) Beginning on July 1, 2018, for each disciplinary action which is required to be reported under division (B) (5) of this section, districts and schools also shall include an identification of the person or persons, if any, at whom the student's violent behavior that resulted in discipline was directed. The person or persons shall be identified by the respective classification at the district or school, such as student, teacher, or nonteaching employee, but shall not be identified by name.~~ 5733  
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~~Division (B) (1) (o) of this section does not apply after the date that is two years following the submission of the report required by Section 733.13 of H.B. 49 of the 132nd general assembly.~~ 5742  
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5744  
5745

~~(p)~~ The number of students earning each state diploma seal included in the system prescribed under division (A) of section 3313.6114 of the Revised Code; 5746  
5747  
5748

~~(q)~~ (p) The number of students demonstrating competency for graduation using each option described in divisions (B) (1) (a) to (d) of section 3313.618 of the Revised Code; 5749  
5750  
5751

~~(r)~~ (q) The number of students completing each foundational and supporting option as part of the demonstration of competency for graduation pursuant to division (B) (1) (b) of section 3313.618 of the Revised Code; 5752  
5753  
5754  
5755

~~(s)~~ (r) The number of students enrolled in all-day kindergarten, as defined in section 3321.05 of the Revised Code. 5756  
5757

(2) Personnel and classroom enrollment data for each school district, including: 5758  
5759

(a) The total numbers of licensed employees and nonlicensed employees and the numbers of full-time equivalent 5760  
5761

licensed employees and nonlicensed employees providing each 5762  
category of instructional service, instructional support 5763  
service, and administrative support service used pursuant to 5764  
division (C) (3) of this section. The guidelines adopted under 5765  
this section shall require these categories of data to be 5766  
maintained for the school district as a whole and, wherever 5767  
applicable, for each grade in the school district as a whole, 5768  
for each school building as a whole, and for each grade in each 5769  
school building. 5770

(b) The total number of employees and the number of full- 5771  
time equivalent employees providing each category of service 5772  
used pursuant to divisions (C) (4) (a) and (b) of this section, 5773  
and the total numbers of licensed employees and nonlicensed 5774  
employees and the numbers of full-time equivalent licensed 5775  
employees and nonlicensed employees providing each category used 5776  
pursuant to division (C) (4) (c) of this section. The guidelines 5777  
adopted under this section shall require these categories of 5778  
data to be maintained for the school district as a whole and, 5779  
wherever applicable, for each grade in the school district as a 5780  
whole, for each school building as a whole, and for each grade 5781  
in each school building. 5782

(c) The total number of regular classroom teachers 5783  
teaching classes of regular education and the average number of 5784  
pupils enrolled in each such class, in each of grades 5785  
kindergarten through five in the district as a whole and in each 5786  
school building in the school district. 5787

(d) The number of lead teachers employed by each school 5788  
district and each school building. 5789

(3) (a) Student demographic data for each school district, 5790  
including information regarding the gender ratio of the school 5791

district's pupils, the racial make-up of the school district's 5792  
pupils, the number of English learners in the district, and an 5793  
appropriate measure of the number of the school district's 5794  
pupils who reside in economically disadvantaged households. The 5795  
demographic data shall be collected in a manner to allow 5796  
correlation with data collected under division (B) (1) of this 5797  
section. Categories for data collected pursuant to division (B) 5798  
(3) of this section shall conform, where appropriate, to 5799  
standard practices of agencies of the federal government. 5800

(b) With respect to each student entering kindergarten, 5801  
whether the student previously participated in a public 5802  
preschool program, a private preschool program, or a head start 5803  
program, and the number of years the student participated in 5804  
each of these programs. 5805

(4) (a) The core curriculum and instructional materials 5806  
being used for English language arts in each of grades pre- 5807  
kindergarten to five; 5808

(b) The reading intervention programs being used in each 5809  
of grades pre-kindergarten to twelve. 5810

(5) Any data required to be collected pursuant to federal 5811  
law. 5812

(C) The education management information system shall 5813  
include cost accounting data for each district as a whole and 5814  
for each school building in each school district. The guidelines 5815  
adopted under this section shall require the cost data for each 5816  
school district to be maintained in a system of mutually 5817  
exclusive cost units and shall require all of the costs of each 5818  
school district to be divided among the cost units. The 5819  
guidelines shall require the system of mutually exclusive cost 5820



units to include at least the following:	5821
(1) Administrative costs for the school district as a whole. The guidelines shall require the cost units under this division (C) (1) to be designed so that each of them may be compiled and reported in terms of average expenditure per pupil in enrolled ADM in the school district, as determined pursuant to section 3317.03 of the Revised Code.	5822 5823 5824 5825 5826 5827
(2) Administrative costs for each school building in the school district. The guidelines shall require the cost units under this division (C) (2) to be designed so that each of them may be compiled and reported in terms of average expenditure per full-time equivalent pupil receiving instructional or support services in each building.	5828 5829 5830 5831 5832 5833
(3) Instructional services costs for each category of instructional service provided directly to students and required by guidelines adopted pursuant to division (B) (1) (a) of this section. The guidelines shall require the cost units under division (C) (3) of this section to be designed so that each of them may be compiled and reported in terms of average expenditure per pupil receiving the service in the school district as a whole and average expenditure per pupil receiving the service in each building in the school district and in terms of a total cost for each category of service and, as a breakdown of the total cost, a cost for each of the following components:	5834 5835 5836 5837 5838 5839 5840 5841 5842 5843 5844
(a) The cost of each instructional services category required by guidelines adopted under division (B) (1) (a) of this section that is provided directly to students by a classroom teacher;	5845 5846 5847 5848
(b) The cost of the instructional support services, such	5849

as services provided by a speech-language pathologist, classroom 5850  
aide, multimedia aide, or librarian, provided directly to 5851  
students in conjunction with each instructional services 5852  
category; 5853

(c) The cost of the administrative support services 5854  
related to each instructional services category, such as the 5855  
cost of personnel that develop the curriculum for the 5856  
instructional services category and the cost of personnel 5857  
supervising or coordinating the delivery of the instructional 5858  
services category. 5859

(4) Support or extracurricular services costs for each 5860  
category of service directly provided to students and required 5861  
by guidelines adopted pursuant to division (B) (1) (b) of this 5862  
section. The guidelines shall require the cost units under 5863  
division (C) (4) of this section to be designed so that each of 5864  
them may be compiled and reported in terms of average 5865  
expenditure per pupil receiving the service in the school 5866  
district as a whole and average expenditure per pupil receiving 5867  
the service in each building in the school district and in terms 5868  
of a total cost for each category of service and, as a breakdown 5869  
of the total cost, a cost for each of the following components: 5870

(a) The cost of each support or extracurricular services 5871  
category required by guidelines adopted under division (B) (1) (b) 5872  
of this section that is provided directly to students by a 5873  
licensed employee, such as services provided by a guidance 5874  
counselor or any services provided by a licensed employee under 5875  
a supplemental contract; 5876

(b) The cost of each such services category provided 5877  
directly to students by a nonlicensed employee, such as 5878  
janitorial services, cafeteria services, or services of a sports 5879

trainer; 5880

(c) The cost of the administrative services related to 5881  
each services category in division (C) (4) (a) or (b) of this 5882  
section, such as the cost of any licensed or nonlicensed 5883  
employees that develop, supervise, coordinate, or otherwise are 5884  
involved in administering or aiding the delivery of each 5885  
services category. 5886

(D) (1) The guidelines adopted under this section shall 5887  
require school districts to collect information about individual 5888  
students, staff members, or both in connection with any data 5889  
required by division (B) or (C) of this section or other 5890  
reporting requirements established in the Revised Code. The 5891  
guidelines may also require school districts to report 5892  
information about individual staff members in connection with 5893  
any data required by division (B) or (C) of this section or 5894  
other reporting requirements established in the Revised Code. 5895  
The guidelines shall not authorize school districts to request 5896  
social security numbers of individual students. The guidelines 5897  
shall prohibit the reporting under this section of a student's 5898  
name, address, and social security number to the department. The 5899  
guidelines shall also prohibit the reporting under this section 5900  
of any personally identifiable information about any student, 5901  
except for the purpose of assigning the data verification code 5902  
required by division (D) (2) of this section, to any other person 5903  
unless such person is employed by the school district or the 5904  
information technology center operated under section 3301.075 of 5905  
the Revised Code and is authorized by the district or technology 5906  
center to have access to such information or is employed by an 5907  
entity with which the department contracts for the scoring or 5908  
the development of state assessments. The guidelines may require 5909  
school districts to provide the social security numbers of 5910

individual staff members and the county of residence for a 5911  
student. Nothing in this section prohibits the department from 5912  
providing a student's county of residence to the department of 5913  
taxation to facilitate the distribution of tax revenue. 5914

(2) (a) The guidelines shall provide for each school 5915  
district or community school to assign a data verification code 5916  
that is unique on a statewide basis over time to each student 5917  
whose initial Ohio enrollment is in that district or school and 5918  
to report all required individual student data for that student 5919  
utilizing such code. The guidelines shall also provide for 5920  
assigning data verification codes to all students enrolled in 5921  
districts or community schools on the effective date of the 5922  
guidelines established under this section. The assignment of 5923  
data verification codes for other entities, as described in 5924  
division (D) (2) (d) of this section, the use of those codes, and 5925  
the reporting and use of associated individual student data 5926  
shall be coordinated by the department of education and 5927  
workforce in accordance with state and federal law. 5928

School districts shall report individual student data to 5929  
the department through the information technology centers 5930  
utilizing the code. The entities described in division (D) (2) (d) 5931  
of this section shall report individual student data to the 5932  
department in the manner prescribed by the department. 5933

(b) (i) Except as provided in sections 3301.941, 3310.11, 5934  
3310.42, 3310.63, 3313.978, 3317.20, and 5747.057 of the Revised 5935  
Code, and in division (D) (2) (b) (ii) of this section, at no time 5936  
shall the department have access to information that would 5937  
enable any data verification code to be matched to personally 5938  
identifiable student data. 5939

(ii) For the purpose of making per-pupil payments to 5940

community schools under section 3317.022 of the Revised Code, 5941  
the department shall have access to information that would 5942  
enable any data verification code to be matched to personally 5943  
identifiable student data. 5944

(c) Each school district and community school shall ensure 5945  
that the data verification code is included in the student's 5946  
records reported to any subsequent school district, community 5947  
school, or state institution of higher education, as defined in 5948  
section 3345.011 of the Revised Code, in which the student 5949  
enrolls. Any such subsequent district or school shall utilize 5950  
the same identifier in its reporting of data under this section. 5951

(d) (i) The director of any state agency that administers a 5952  
publicly funded program providing services to children who are 5953  
younger than compulsory school age, as defined in section 5954  
3321.01 of the Revised Code, including the directors of health, 5955  
job and family services, mental health and addiction services, 5956  
children and youth, and developmental disabilities, shall 5957  
request and receive, pursuant to sections 3301.0723 and 5180.33 5958  
of the Revised Code, a data verification code for a child who is 5959  
receiving those services. 5960

(ii) The director of developmental disabilities, director 5961  
of health, director of job and family services, director of 5962  
mental health and addiction services, medicaid director, 5963  
executive director of the commission on minority health, 5964  
executive director of the opportunities for Ohioans with 5965  
disabilities agency, or director of education and workforce, on 5966  
behalf of a program that receives public funds and provides 5967  
services to children who are younger than compulsory school age, 5968  
may request and receive, pursuant to section 3301.0723 of the 5969  
Revised Code, a data verification code for a child who is 5970

receiving services from the program. 5971

(E) The guidelines adopted under this section may require 5972  
school districts to collect and report data, information, or 5973  
reports other than that described in divisions (A), (B), and (C) 5974  
of this section for the purpose of complying with other 5975  
reporting requirements established in the Revised Code. The 5976  
other data, information, or reports may be maintained in the 5977  
education management information system but are not required to 5978  
be compiled as part of the profile formats required under 5979  
division (G) of this section or the annual statewide report 5980  
required under division (H) of this section. 5981

(F) The board of education of each school district shall 5982  
annually collect and report to the department, in accordance 5983  
with the guidelines established by the department, the data 5984  
required pursuant to this section. A school district may collect 5985  
and report these data notwithstanding section 2151.357 or 5986  
3319.321 of the Revised Code. 5987

(G) The department shall, in accordance with the 5988  
procedures it adopts, annually compile the data reported by each 5989  
school district pursuant to division (D) of this section. The 5990  
department shall design formats for profiling each school 5991  
district as a whole and each school building within each 5992  
district and shall compile the data in accordance with these 5993  
formats. These profile formats shall: 5994

(1) Include all of the data gathered under this section in 5995  
a manner that facilitates comparison among school districts and 5996  
among school buildings within each school district; 5997

(2) Present the data on academic achievement levels as 5998  
assessed by the testing of student achievement maintained 5999

pursuant to division (B)(1)(d) of this section. 6000

(H)(1) The department shall, in accordance with the 6001  
procedures it adopts, annually prepare a statewide report for 6002  
all school districts and the general public that includes the 6003  
profile of each of the school districts developed pursuant to 6004  
division (G) of this section. Copies of the report shall be sent 6005  
to each school district. 6006

(2) The department shall, in accordance with the 6007  
procedures it adopts, annually prepare an individual report for 6008  
each school district and the general public that includes the 6009  
profiles of each of the school buildings in that school district 6010  
developed pursuant to division (G) of this section. ~~Copies of~~ 6011  
~~the report shall be sent to the superintendent of the district~~ 6012  
~~and to each member of the district board of education.~~ 6013

~~(3) Copies of the reports prescribed in divisions (H)(1)~~ 6014  
~~and (2) of this section shall be made available to the general~~ 6015  
~~public at each school district's offices. Each district board of~~ 6016  
~~education shall make copies of each report available to any~~ 6017  
~~person upon request and payment of a reasonable fee for the cost~~ 6018  
~~of reproducing the report. The board shall annually publish in a~~ 6019  
~~newspaper of general circulation in the school district, at~~ 6020  
~~least twice during the two weeks prior to the week in which the~~ 6021  
~~reports will first be available, a notice containing the address~~ 6022  
~~where the reports are available and the date on which the~~ 6023  
~~reports will be available.~~ 6024

(I) Any data that is collected or maintained pursuant to 6025  
this section and that identifies an individual pupil is not a 6026  
public record for the purposes of section 149.43 of the Revised 6027  
Code. 6028

(J) As used in this section: 6029

(1) "School district" means any city, local, exempted 6030  
village, or joint vocational school district and, in accordance 6031  
with section 3314.17 of the Revised Code, any community school. 6032  
As used in division (L) of this section, "school district" also 6033  
includes any educational service center or other educational 6034  
entity required to submit data using the system established 6035  
under this section. 6036

(2) "Cost" means any expenditure for operating expenses 6037  
made by a school district excluding any expenditures for debt 6038  
retirement except for payments made to any commercial lending 6039  
institution for any loan approved pursuant to section 3313.483 6040  
of the Revised Code. 6041

(K) Any person who removes data from the information 6042  
system established under this section for the purpose of 6043  
releasing it to any person not entitled under law to have access 6044  
to such information is subject to section 2913.42 of the Revised 6045  
Code prohibiting tampering with data. 6046

(L) (1) In accordance with division (L) (2) of this section 6047  
and the rules adopted under division (L) (10) of this section, 6048  
the department may sanction any school district that reports 6049  
incomplete or inaccurate data, reports data that does not 6050  
conform to data requirements and descriptions published by the 6051  
department, fails to report data in a timely manner, or 6052  
otherwise does not make a good faith effort to report data as 6053  
required by this section. 6054

(2) If the department decides to sanction a school 6055  
district under this division, the department shall take the 6056  
following sequential actions: 6057



(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; 6086

(vi) Conduct an investigation to determine whether to 6087  
suspend or revoke the license of any district employee in 6088  
accordance with division (N) of this section; 6089

(vii) If the district is issued a report card under 6090  
section 3302.03 of the Revised Code, indicate on the report card 6091  
that the district has been sanctioned for failing to report data 6092  
as required by this section; 6093

(viii) If the district is issued a report card under 6094  
section 3302.03 of the Revised Code and incomplete or inaccurate 6095  
data submitted by the district likely caused the district to 6096  
receive a higher performance rating than it deserved under that 6097  
section, issue a revised report card for the district; 6098

(ix) Any other action designed to correct the district's 6099  
data reporting problems. 6100

(3) Any time the department takes an action against a 6101  
school district under division (L)(2) of this section, the 6102  
department shall make a report of the circumstances that 6103  
prompted the action. The department shall send a copy of the 6104  
report to the district superintendent or chief administrator and 6105  
maintain a copy of the report in its files. 6106

(4) If any action taken under division (L)(2) of this 6107  
section resolves a school district's data reporting problems to 6108  
the department's satisfaction, the department shall not take any 6109  
further actions described by that division. If the department 6110  
withheld funds from the district under that division, the 6111  
department may release those funds to the district, except that 6112  
if the department withheld funding under division (L)(2)(c) of 6113  
this section, the department shall not release the funds 6114

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 6145  
excess state funds in any fiscal year, the district shall 6146  
reimburse the department an amount equal to the excess funds, in 6147  
accordance with a payment schedule determined by the department. 6148  
The department may withhold state funds due to the district for 6149  
this purpose. 6150

(8) Any school district that has funds withheld under 6151  
division (L) (2) of this section may appeal the withholding in 6152  
accordance with Chapter 119. of the Revised Code. 6153

(9) In all cases of a disagreement between the department 6154  
and a school district regarding the appropriateness of an action 6155  
taken under division (L) (2) of this section, the burden of proof 6156  
shall be on the district to demonstrate that it made a good 6157  
faith effort to report data as required by this section. 6158

(10) The director of education and workforce shall adopt 6159  
rules under Chapter 119. of the Revised Code to implement 6160  
division (L) of this section. 6161

(M) No information technology center or school district 6162  
shall acquire, change, or update its student administration 6163  
software package to manage and report data required to be 6164  
reported to the department unless it converts to a student 6165  
software package that is certified by the department. 6166

(N) The state board of education, in accordance with 6167  
sections 3319.31 and 3319.311 of the Revised Code, may suspend 6168  
or revoke a license as defined under division (A) of section 6169  
3319.31 of the Revised Code that has been issued to any school 6170  
district employee found to have willfully reported erroneous, 6171  
inaccurate, or incomplete data to the education management 6172  
information system. 6173

(O) No person shall release or maintain any information 6174  
about any student in violation of this section. Whoever violates 6175  
this division is guilty of a misdemeanor of the fourth degree. 6176

(P) The department shall disaggregate the data collected 6177  
under division (B) (1) (n) of this section according to the race 6178  
and socioeconomic status of the students assessed. 6179

(Q) If the department cannot compile any of the 6180  
information required by division (I) of section 3302.03 of the 6181  
Revised Code based upon the data collected under this section, 6182  
the department shall develop a plan and a reasonable timeline 6183  
for the collection of any data necessary to comply with that 6184  
division. 6185

**Sec. 3314.03.** A copy of every contract entered into under 6186  
this section shall be filed with the director of education and 6187  
workforce. The department of education and workforce shall make 6188  
available on its web site a copy of every approved, executed 6189  
contract filed with the director under this section. 6190

(A) Each contract entered into between a sponsor and the 6191  
governing authority of a community school shall specify the 6192  
following: 6193

(1) That the school shall be established as either of the 6194  
following: 6195

(a) A nonprofit corporation established under Chapter 6196  
1702. of the Revised Code, if established prior to April 8, 6197  
2003; 6198

(b) A public benefit corporation established under Chapter 6199  
1702. of the Revised Code, if established after April 8, 2003. 6200

(2) The education program of the school, including the 6201

school's mission, the characteristics of the students the school 6202  
is expected to attract, the ages and grades of students, and the 6203  
focus of the curriculum; 6204

(3) The academic goals to be achieved and the method of 6205  
measurement that will be used to determine progress toward those 6206  
goals, which shall include the statewide achievement 6207  
assessments; 6208

(4) Performance standards, including but not limited to 6209  
all applicable report card measures set forth in section 3302.03 6210  
or 3314.017 of the Revised Code, by which the success of the 6211  
school will be evaluated by the sponsor; 6212

(5) The admission standards of section 3314.06 of the 6213  
Revised Code and, if applicable, section 3314.061 of the Revised 6214  
Code; 6215

(6) (a) Dismissal procedures; 6216

(b) A requirement that the governing authority adopt an 6217  
attendance policy that includes a procedure for automatically 6218  
withdrawing a student from the school if the student without a 6219  
legitimate excuse fails to participate in seventy-two 6220  
consecutive hours of the learning opportunities offered to the 6221  
student. 6222

(7) The ways by which the school will achieve racial and 6223  
ethnic balance reflective of the community it serves; 6224

(8) Requirements for financial audits by the auditor of 6225  
state. The contract shall require financial records of the 6226  
school to be maintained in the same manner as are financial 6227  
records of school districts, pursuant to rules of the auditor of 6228  
state. Audits shall be conducted in accordance with section 6229  
117.10 of the Revised Code. 6230

(9) An addendum to the contract outlining the facilities	6231
to be used that contains at least the following information:	6232
(a) A detailed description of each facility used for	6233
instructional purposes;	6234
(b) The annual costs associated with leasing each facility	6235
that are paid by or on behalf of the school;	6236
(c) The annual mortgage principal and interest payments	6237
that are paid by the school;	6238
(d) The name of the lender or landlord, identified as	6239
such, and the lender's or landlord's relationship to the	6240
operator, if any.	6241
(10) Qualifications of employees, including both of the	6242
following:	6243
(a) A requirement that the school's classroom teachers be	6244
licensed in accordance with sections 3319.22 to 3319.31 of the	6245
Revised Code, except that a community school may engage	6246
noncertificated persons to teach up to twelve hours or forty	6247
hours per week pursuant to section 3319.301 of the Revised Code;	6248
(b) A prohibition against the school employing an	6249
individual described in section 3314.104 of the Revised Code in	6250
any position.	6251
(11) That the school will comply with the following	6252
requirements:	6253
(a) The school will provide learning opportunities to a	6254
minimum of twenty-five students for a minimum of nine hundred	6255
twenty hours per school year.	6256
(b) The governing authority will purchase liability	6257

insurance, or otherwise provide for the potential liability of 6258  
the school. 6259

(c) The school will be nonsectarian in its programs, 6260  
admission policies, employment practices, and all other 6261  
operations, and will not be operated by a sectarian school or 6262  
religious institution. 6263

(d) The school will comply with sections 9.90, 9.91, 6264  
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 6265  
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 6266  
3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 6267  
3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, ~~3313.6015,~~ 6268  
3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 6269  
3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 6270  
3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 6271  
3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 6272  
3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 6273  
3313.721, 3313.753, 3313.80, 3313.814, 3313.816, 3313.817, 6274  
3313.818, 3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 6275  
3319.077, 3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 6276  
3319.324, 3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 6277  
3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 6278  
3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 6279  
3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and 6280  
Chapters 117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., 6281  
and 4167. of the Revised Code as if it were a school district 6282  
and will comply with section 3301.0714 of the Revised Code in 6283  
the manner specified in section 3314.17 of the Revised Code. 6284

(e) The school shall comply with Chapter 102. and section 6285  
2921.42 of the Revised Code. 6286

(f) The school will comply with sections 3313.61, 6287



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 6319  
divisions (A) (3) and (4) of this section and its financial 6320  
status to the sponsor and the parents of all students enrolled 6321  
in the school. 6322

(h) The school, unless it is an internet- or computer- 6323  
based community school, will comply with section 3313.801 of the 6324  
Revised Code as if it were a school district. 6325

(i) If the school is the recipient of moneys from a grant 6326  
awarded under the federal race to the top program, Division (A), 6327  
Title XIV, Sections 14005 and 14006 of the "American Recovery 6328  
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 6329  
the school will pay teachers based upon performance in 6330  
accordance with section 3317.141 and will comply with section 6331  
3319.111 of the Revised Code as if it were a school district. 6332

(j) If the school operates a preschool program that is 6333  
licensed by the department under sections 3301.52 to 3301.59 of 6334  
the Revised Code, the school shall comply with sections 3301.50 6335  
to 3301.59 of the Revised Code and the minimum standards for 6336  
preschool programs prescribed in rules adopted by the department 6337  
of children and youth under section 3301.53 of the Revised Code. 6338

(k) The school will comply with sections 3313.6021 and 6339  
3313.6023 of the Revised Code as if it were a school district 6340  
unless it is either of the following: 6341

(i) An internet- or computer-based community school; 6342

(ii) A community school in which a majority of the 6343  
enrolled students are children with disabilities as described in 6344  
division ~~(A) (4) (b)~~ (B) (2) of section 3314.35 of the Revised 6345  
Code. 6346

(l) The school will comply with section 3321.191 of the 6347

Revised Code, unless it is an internet- or computer-based 6348  
community school that is subject to section 3314.261 of the 6349  
Revised Code. 6350

(12) Arrangements for providing health and other benefits 6351  
to employees; 6352

(13) The length of the contract, which shall begin at the 6353  
beginning of an academic year. No contract shall exceed five 6354  
years unless such contract has been renewed pursuant to division 6355  
(E) of this section. 6356

(14) The governing authority of the school, which shall be 6357  
responsible for carrying out the provisions of the contract; 6358

(15) A financial plan detailing an estimated school budget 6359  
for each year of the period of the contract and specifying the 6360  
total estimated per pupil expenditure amount for each such year. 6361

(16) Requirements and procedures regarding the disposition 6362  
of employees of the school in the event the contract is 6363  
terminated or not renewed pursuant to section 3314.07 of the 6364  
Revised Code; 6365

(17) Whether the school is to be created by converting all 6366  
or part of an existing public school or educational service 6367  
center building or is to be a new start-up school, and if it is 6368  
a converted public school or service center building, 6369  
specification of any duties or responsibilities of an employer 6370  
that the board of education or service center governing board 6371  
that operated the school or building before conversion is 6372  
delegating to the governing authority of the community school 6373  
with respect to all or any specified group of employees provided 6374  
the delegation is not prohibited by a collective bargaining 6375  
agreement applicable to such employees; 6376

(18) Provisions establishing procedures for resolving 6377  
disputes or differences of opinion between the sponsor and the 6378  
governing authority of the community school; 6379

(19) A provision requiring the governing authority to 6380  
adopt a policy regarding the admission of students who reside 6381  
outside the district in which the school is located. That policy 6382  
shall comply with the admissions procedures specified in 6383  
sections 3314.06 and 3314.061 of the Revised Code and, at the 6384  
sole discretion of the authority, shall do one of the following: 6385

(a) Prohibit the enrollment of students who reside outside 6386  
the district in which the school is located; 6387

(b) Permit the enrollment of students who reside in 6388  
districts adjacent to the district in which the school is 6389  
located; 6390

(c) Permit the enrollment of students who reside in any 6391  
other district in the state. 6392

(20) A provision recognizing the authority of the 6393  
department to take over the sponsorship of the school in 6394  
accordance with the provisions of division (C) of section 6395  
3314.015 of the Revised Code; 6396

(21) A provision recognizing the sponsor's authority to 6397  
assume the operation of a school under the conditions specified 6398  
in division (B) of section 3314.073 of the Revised Code; 6399

(22) A provision recognizing both of the following: 6400

(a) The authority of public health and safety officials to 6401  
inspect the facilities of the school and to order the facilities 6402  
closed if those officials find that the facilities are not in 6403  
compliance with health and safety laws and regulations; 6404

(b) The authority of the department as the community 6405  
school oversight body to suspend the operation of the school 6406  
under section 3314.072 of the Revised Code if the department has 6407  
evidence of conditions or violations of law at the school that 6408  
pose an imminent danger to the health and safety of the school's 6409  
students and employees and the sponsor refuses to take such 6410  
action. 6411

(23) A description of the learning opportunities that will 6412  
be offered to students including both classroom-based and non- 6413  
classroom-based learning opportunities that is in compliance 6414  
with criteria for student participation established by the 6415  
department under division (H) (2) of section 3314.08 of the 6416  
Revised Code; 6417

(24) The school will comply with sections 3302.04 and 6418  
3302.041 of the Revised Code, except that any action required to 6419  
be taken by a school district pursuant to those sections shall 6420  
be taken by the sponsor of the school. 6421

(25) Beginning in the 2006-2007 school year, the school 6422  
will open for operation not later than the thirtieth day of 6423  
September each school year, unless the mission of the school as 6424  
specified under division (A) (2) of this section is solely to 6425  
serve dropouts. In its initial year of operation, if the school 6426  
fails to open by the thirtieth day of September, or within one 6427  
year after the adoption of the contract pursuant to division (D) 6428  
of section 3314.02 of the Revised Code if the mission of the 6429  
school is solely to serve dropouts, the contract shall be void. 6430

(26) Whether the school's governing authority is planning 6431  
to seek designation for the school as a STEM school equivalent 6432  
under section 3326.032 of the Revised Code; 6433

- (27) That the school's attendance and participation policies will be available for public inspection; 6434  
6435
- (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; 6436  
6437  
6438  
6439  
6440  
6441  
6442
- (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: 6443  
6444  
6445
- (a) An indication of what blended learning model or models will be used; 6446  
6447
- (b) A description of how student instructional needs will be determined and documented; 6448  
6449
- (c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level; 6450  
6451
- (d) The school's attendance requirements, including how the school will document participation in learning opportunities; 6452  
6453  
6454
- (e) A statement describing how student progress will be monitored; 6455  
6456
- (f) A statement describing how private student data will be protected; 6457  
6458
- (g) A description of the professional development activities that will be offered to teachers. 6459  
6460

(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 6489  
of the school; 6490

(5) Internal financial controls. 6491

When submitting the plan under this division, the school 6492  
shall also submit copies of all policies and procedures 6493  
regarding internal financial controls adopted by the governing 6494  
authority of the school. 6495

(C) A contract entered into under section 3314.02 of the 6496  
Revised Code between a sponsor and the governing authority of a 6497  
community school may provide for the community school governing 6498  
authority to make payments to the sponsor, which is hereby 6499  
authorized to receive such payments as set forth in the contract 6500  
between the governing authority and the sponsor. The total 6501  
amount of such payments for monitoring, oversight, and technical 6502  
assistance of the school shall not exceed three per cent of the 6503  
total amount of payments for operating expenses that the school 6504  
receives from the state. 6505

(D) The contract shall specify the duties of the sponsor 6506  
which shall be in accordance with the written agreement entered 6507  
into with the department under division (B) of section 3314.015 6508  
of the Revised Code and shall include the following: 6509

(1) Monitor the community school's compliance with all 6510  
laws applicable to the school and with the terms of the 6511  
contract; 6512

(2) Monitor and evaluate the academic and fiscal 6513  
performance and the organization and operation of the community 6514  
school on at least an annual basis; 6515

(3) ~~Report on an annual basis the results of the~~ 6516  
~~evaluation conducted under division (D) (2) of this section to~~ 6517



~~the department and to the parents of students enrolled in the~~ 6518  
~~community school;~~ 6519

~~(4)~~ Provide technical assistance to the community school 6520  
in complying with laws applicable to the school and terms of the 6521  
contract; 6522

~~(5)~~ (4) Take steps to intervene in the school's operation 6523  
to correct problems in the school's overall performance, declare 6524  
the school to be on probationary status pursuant to section 6525  
3314.073 of the Revised Code, suspend the operation of the 6526  
school pursuant to section 3314.072 of the Revised Code, or 6527  
terminate the contract of the school pursuant to section 3314.07 6528  
of the Revised Code as determined necessary by the sponsor; 6529

~~(6)~~ (5) Have in place a plan of action to be undertaken in 6530  
the event the community school experiences financial 6531  
difficulties or closes prior to the end of a school year. 6532

(E) Upon the expiration of a contract entered into under 6533  
this section, the sponsor of a community school may, with the 6534  
approval of the governing authority of the school, renew that 6535  
contract for a period of time determined by the sponsor, but not 6536  
ending earlier than the end of any school year, if the sponsor 6537  
finds that the school's compliance with applicable laws and 6538  
terms of the contract and the school's progress in meeting the 6539  
academic goals prescribed in the contract have been 6540  
satisfactory. Any contract that is renewed under this division 6541  
remains subject to the provisions of sections 3314.07, 3314.072, 6542  
and 3314.073 of the Revised Code. 6543

(F) If a community school fails to open for operation 6544  
within one year after the contract entered into under this 6545  
section is adopted pursuant to division (D) of section 3314.02 6546

of the Revised Code or permanently closes prior to the 6547  
expiration of the contract, the contract shall be void and the 6548  
school shall not enter into a contract with any other sponsor. A 6549  
school shall not be considered permanently closed because the 6550  
operations of the school have been suspended pursuant to section 6551  
3314.072 of the Revised Code. 6552

**Section 5.** That the existing versions of sections 6553  
3301.0714 and 3314.03 of the Revised Code that are scheduled to 6554  
take effect January 1, 2025, are hereby repealed. 6555

**Section 6.** Sections 4 and 5 of this act take effect on 6556  
January 1, 2025, or on the effective date of this section, 6557  
whichever is later. 6558

**Section 7.** Notwithstanding anything to the contrary in 6559  
section 3317.011 of the Revised Code, for fiscal years 2024 and 6560  
2025, the department of education and workforce shall do all of 6561  
the following: 6562

(A) Calculate a school district's academic co-curricular 6563  
activities cost under division (E) (4) of that section using the 6564  
sum of the enrolled ADM of every school district that reported 6565  
the data specified in division (E) (4) (a) of that section; 6566

(B) Calculate a district's supplies and academic content 6567  
cost under division (E) (6) of that section using the sum of the 6568  
enrolled ADM of every school district that reported the data 6569  
specified in division (E) (6) (a) of that section; 6570

(C) Calculate a district's athletic co-curricular 6571  
activities base cost under division (H) of that section using 6572  
the sum of the enrolled ADM of every school district that 6573  
reported the data specified in division (H) (2) of that section; 6574

(D) Calculate a district's building operations cost under 6575

division (G) (3) of that section using the sum of the enrolled ADM of every city, local, and exempted village school district that reported the data specified in divisions (G) (3) (a) (i) and (ii) of that section.

**Section 8.** (A) The Department of Education and Workforce shall develop a comprehensive framework to be used to determine the performance of sponsors of community schools established under Chapter 3314. of the Revised Code. The Department shall engage a facilitator to work with community school stakeholders in developing the framework.

(B) The framework developed shall do at least all of the following:

(1) Provide meaningful differentiation of performance by community school sponsors;

(2) Include specific academic and operational performance indicators, metrics, and standards;

(3) Specify the frequency with which sponsors should be assessed;

(4) Include recommendations for consequences for consistently underperforming sponsors.

(C) The Department shall provide a copy of the framework developed under this section and the Department's legislative recommendations to the Governor, President of the Senate, Speaker of the House of Representatives, and community school stakeholders not later than March 31, 2025.

(D) Notwithstanding anything in the Revised Code to the contrary, the Department shall not evaluate community school sponsors for the 2024-2025 school year, unless a sponsor elects

to be evaluated. If a sponsor elects to be evaluated for 2024- 6604  
2025, the sponsor shall be eligible for any benefits established 6605  
under state law based on that evaluation. 6606

**Section 9.** Not later than one hundred twenty days after 6607  
the effective date of this section, the Department of Education 6608  
and Workforce shall develop and recommend to the General 6609  
Assembly a proposal for an apprenticeship program for school 6610  
principals. 6611

**Section 10.** Notwithstanding anything to the contrary in 6612  
division (I) of section 133.06 of the Revised Code, from the 6613  
effective date of this section through December 31, 2027, a 6614  
school district may incur net indebtedness by the issuance of 6615  
securities in accordance with the provisions of Chapter 133. of 6616  
the Revised Code in excess of the limit specified in division 6617  
(B) or (C) of section 133.06 of the Revised Code when necessary 6618  
to raise the school district portion of the basic project cost 6619  
and any additional funds necessary to participate in a project 6620  
under Chapter 3318. of the Revised Code, including the cost of 6621  
items designated by the facilities construction commission as 6622  
required locally funded initiatives, the cost of other locally 6623  
funded initiatives in an amount that does not exceed seventy- 6624  
five per cent of the district's portion of the basic project 6625  
cost, and the cost for site acquisition. A school district shall 6626  
notify the Director of Education and Workforce whenever that 6627  
district will exceed either limit pursuant to this section. 6628

**Section 11.** That Section 265.270 of H.B. 33 of the 135th 6629  
General Assembly be amended to read as follows: 6630

**Sec. 265.270.** FOUNDATION FUNDING - ALL STUDENTS 6631

Of the portion of the formula aid distributed to city, 6632

local, and exempted village school districts, joint vocational 6633  
school districts, community schools, and STEM schools under this 6634  
section, an amount in each fiscal year, as calculated by the 6635  
Department of Education and Workforce, shall be used for the 6636  
purposes of division (B) of section 3317.0215 of the Revised 6637  
Code. 6638

Of the foregoing appropriation item 200550, Foundation 6639  
Funding - All Students, up to \$5,357,606 in each fiscal year 6640  
shall be used to fund gifted education at educational service 6641  
centers. The Department shall distribute the funding through the 6642  
unit-based funding methodology in place under division (L) of 6643  
section 3317.024, division (E) of section 3317.05, and divisions 6644  
(A), (B), and (C) of section 3317.053 of the Revised Code as 6645  
they existed prior to fiscal year 2010. 6646

Of the foregoing appropriation item 200550, Foundation 6647  
Funding - All Students, up to \$45,650,000 in fiscal year 2024 6648  
and up to \$47,600,000 in fiscal year 2025 shall be reserved to 6649  
fund the state reimbursement of educational service centers 6650  
under section 3317.11 of the Revised Code. 6651

Of the foregoing appropriation item 200550, Foundation 6652  
Funding - All Students, up to \$3,500,000 in each fiscal year 6653  
shall be distributed to educational service centers for school 6654  
improvement initiatives and for the provision of technical 6655  
assistance to schools and districts consistent with requirements 6656  
of section 3312.01 of the Revised Code. The Department may 6657  
distribute these funds through a competitive grant process. 6658

Of the foregoing appropriation item 200550, Foundation 6659  
Funding - All Students, up to \$7,000,000 in each fiscal year 6660  
shall be reserved for payments under the section of ~~this act~~ 6661  
H.B. 33 of the 135th General Assembly entitled "POWER PLANT 6662

VALUATION ADJUSTMENT." If this amount is not sufficient, the 6663  
Director of Education and Workforce may reallocate excess funds 6664  
for other purposes supported by this appropriation item in order 6665  
to fully pay the amounts required by that section, provided that 6666  
the aggregate amount appropriated in appropriation item 200550, 6667  
Foundation Funding - All Students, is not exceeded. 6668

Of the foregoing appropriation item 200550, Foundation 6669  
Funding - All Students, up to \$4,000,000 in each fiscal year 6670  
shall be used to support the administration of state scholarship 6671  
programs. 6672

Of the foregoing appropriation item 200550, Foundation 6673  
Funding - All Students, up to \$1,000,000 in each fiscal year 6674  
shall be distributed to the Cleveland Municipal School District 6675  
to provide tutorial assistance as provided in division (B) of 6676  
section 3313.979 of the Revised Code. The Cleveland Municipal 6677  
School District shall report the use of these funds in the 6678  
district's three-year continuous improvement plan as described 6679  
in section 3302.04 of the Revised Code in a manner approved by 6680  
the Department. 6681

Of the foregoing appropriation item 200550, Foundation 6682  
Funding - All Students, up to \$3,000,000 in each fiscal year may 6683  
be used for payment of the College Credit Plus Program for 6684  
students instructed at home pursuant to section 3321.04 of the 6685  
Revised Code. 6686

Of the foregoing appropriation item 200550, Foundation 6687  
Funding - All Students, an amount shall be available in each 6688  
fiscal year to be paid to joint vocational school districts in 6689  
accordance with sections 3317.16 and 3317.162 of the Revised 6690  
Code and the section of ~~this act~~ H.B. 33 of the 135th General 6691  
Assembly entitled "FORMULA TRANSITION SUPPLEMENT." 6692

Of the foregoing appropriation item 200550, Foundation 6693  
Funding - All Students, up to \$700,000 in each fiscal year shall 6694  
be used by the Department for a program to pay for educational 6695  
services for youth who have been assigned by a juvenile court or 6696  
other authorized agency to any of the facilities described in 6697  
division (A) of the section of ~~this act~~ H.B. 33 of the 135th 6698  
General Assembly entitled "PRIVATE TREATMENT FACILITY PROJECT." 6699

Of the foregoing appropriation item 200550, Foundation 6700  
Funding - All Students, a portion may be used to pay college- 6701  
preparatory boarding schools the per pupil boarding amount 6702  
pursuant to section 3328.34 of the Revised Code. 6703

Of the foregoing appropriation item 200550, Foundation 6704  
Funding - All Students, up to \$1,760,000 in each fiscal year may 6705  
be used by the Department for duties and activities related to 6706  
the establishment of academic distress commissions under section 6707  
3302.10 of the Revised Code, to provide support and assistance 6708  
to academic distress commissions to further their duties under 6709  
Chapter 3302. of the Revised Code, and to provide technical 6710  
assistance and tools to support districts subject to academic 6711  
distress commissions. 6712

Of the foregoing appropriation item 200550, Foundation 6713  
Funding - All Students, up to \$1,500,000 in each fiscal year 6714  
shall be distributed to the Ohio STEM Learning Network to 6715  
support the expansion of free STEM programming aligned to Ohio's 6716  
STEM priorities, to create regional STEM supports targeting 6717  
underserved student populations, and to support the Ohio STEM 6718  
Committee's STEM school designation process. 6719

Of the foregoing appropriation item 200550, Foundation 6720  
Funding - All Students, up to \$4,500,000 in each fiscal year 6721  
shall be used to make supplemental payments under section 6722

3317.22 of the Revised Code. If the amount appropriated is 6723  
insufficient, the ~~Department shall prorate the payments so~~ 6724  
Director of Education and Workforce may reallocate excess funds 6725  
for other purposes supported by this appropriation item in order 6726  
to fully pay the amounts required by that section, provided that 6727  
the aggregate amount appropriated in ~~this section appropriation~~ 6728  
item 200550, Foundation Funding - All Students, is not exceeded. 6729

The remainder of the foregoing appropriation item 200550, 6730  
Foundation Funding - All Students, shall be used to distribute 6731  
the amounts calculated for formula aid under division (A) (1) of 6732  
section 3317.019, section 3317.022 of the Revised Code, and the 6733  
sections of ~~this act~~ H.B. 33 of the 135th General Assembly 6734  
entitled "COMMUNITY SCHOOL EQUITY SUPPLEMENT" and "FORMULA 6735  
TRANSITION SUPPLEMENT." 6736

Appropriation items 200502, Pupil Transportation, and 6737  
200550, Foundation Funding - All Students, other than specific 6738  
set-asides, are collectively used in each fiscal year to pay 6739  
state formula aid obligations for school districts, community 6740  
schools, STEM schools, college preparatory boarding schools, 6741  
joint vocational school districts, and state scholarship 6742  
programs under ~~this act~~ H.B. 33 of the 135th General Assembly. 6743  
The first priority of these appropriation items, with the 6744  
exception of specific set-asides, is to fund state formula aid 6745  
obligations. It may be necessary to reallocate funds among these 6746  
appropriation items or use excess funds from other General 6747  
Revenue Fund appropriation items in the Department of Education 6748  
and Workforce's budget, including appropriation item 200903, 6749  
Property Tax Reimbursement - Education, in each fiscal year in 6750  
order to meet state formula aid obligations. If it is determined 6751  
that it is necessary to transfer funds among these appropriation 6752  
items or to transfer funds from other General Revenue Fund 6753



appropriations in the Department's budget to meet state formula 6754  
aid obligations, the Director of Education and Workforce shall 6755  
seek approval from the Director of Budget and Management to 6756  
transfer funds as needed. 6757

The Director of Education and Workforce may use a portion 6758  
of the funds encumbered in fiscal year 2023 and any unexpended 6759  
and unencumbered balance from fiscal year 2024 from 6760  
appropriation item 200550, Foundation Funding - All Students, to 6761  
comply with Title II, Sec. 2004(b) of the federal "American 6762  
Rescue Plan Act of 2021," Pub. L. No. 117-2. 6763

The Director of Education and Workforce shall make 6764  
payments, transfers, and deductions, as authorized by Title 6765  
XXXVIII of the Revised Code in amounts substantially equal to 6766  
those made in the prior year, or otherwise, at the discretion of 6767  
the Director, until at least the effective date of the 6768  
amendments and enactments made to Title XXXVIII of the Revised 6769  
Code by ~~this act~~ H.B. 33 of the 135th General Assembly. Any 6770  
funds paid to districts or schools under this section shall be 6771  
credited toward the annual funds calculated for the district or 6772  
school after the changes made to Title XXXVIII of the Revised 6773  
Code in ~~this act~~ H.B. 33 of the 135th General Assembly are 6774  
effective. Upon the effective date of changes made to Title 6775  
XXXVIII of the Revised Code in ~~this act~~ H.B. 33 of the 135th 6776  
General Assembly, funds shall be calculated as an annual amount. 6777

**Section 12.** That existing Section 265.270 of H.B. 33 of 6778  
the 135th General Assembly is hereby repealed. 6779

**Section 13.** (A) As used in this section: 6780

(1) "Internet- or computer-based community school" has the 6781  
same meaning as in section 3314.02 of the Revised Code. 6782

(2) "State assessment" means statewide achievement and diagnostic assessments prescribed under sections 3301.079, 3301.0710, 3301.0712, and 3301.0715 of the Revised Code.

(B) The Department of Education and Workforce shall establish a pilot program for the 2024-2025 school year based on state assessments to test the feasibility of remotely administered and proctored assessments.

(C) The Department shall develop standards, requirements, and methodology for how the pilot program will be administered and operated, including all of the following:

(1) Selection of internet- or computer-based community schools to participate in the pilot program;

(2) Selection of which assessments to administer remotely and when assessments shall be administered;

(3) The logistics of how assessments will be administered, including timing, location, and technology required to administer assessments remotely.

(D) The Department shall endeavor to include a variety of schools in the pilot program, including at least one statewide internet- or computer-based community school with a total enrollment of at least five thousand students.

(E) Each student who takes a remotely administered and proctored achievement assessment or diagnostic assessment under the pilot program shall take the assessment in the manner otherwise required pursuant to sections 3301.079, 3301.0710, 3301.0712, and 3301.0715 of the Revised Code.

(F) Not later than September 1, 2025, the Department shall submit a report to the General Assembly under section 101.68 of

the Revised Code detailing the findings of the pilot program. 6811

**Section 14.** Notwithstanding any provision of law to the 6812  
contrary, during the biennium ending June 30, 2025, the Director 6813  
of Education and Workforce shall request the Director of Budget 6814  
and Management to transfer up to \$1,500,000 cash from the 6815  
General Revenue Fund to the High School Financial Literacy Fund. 6816  
The Director of Budget and Management shall transfer the funds 6817  
at the time requested by the Director of Education and 6818  
Workforce. 6819