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135th General Assembly  
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Sub. S. B. No. 295

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**A BILL**

To amend sections 3301.0712, 3302.03, 3302.034,  
3302.036, 3302.12, 3313.413, 3314.012, 3314.016,  
3314.017, 3314.0211, 3314.03, 3314.05, 3314.29,  
3314.352, 3314.353, and 3314.354; to enact new  
section 3314.35 and section 3326.53; and to  
repeal sections 3314.35, 3314.351, 3314.355, and  
3314.36 of the Revised Code regarding closure  
requirements or other actions for poor-  
performing public schools.

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

**Section 1.** That sections 3301.0712, 3302.03, 3302.034,  
3302.036, 3302.12, 3313.413, 3314.012, 3314.016, 3314.017,  
3314.0211, 3314.03, 3314.05, 3314.29, 3314.352, 3314.353, and  
3314.354 be amended and new section 3314.35 and section 3326.53  
of the Revised Code be enacted to read as follows:

**Sec. 3301.0712.** (A) The department of education and  
workforce and the chancellor of higher education shall develop a  
system of college and work ready assessments as described in  
division (B) of this section to assess whether each student upon



graduating from high school is ready to enter college or the workforce. Beginning with students who enter the ninth grade for the first time on or after July 1, 2014, the system shall replace the Ohio graduation tests prescribed in division (B)(1) of section 3301.0710 of the Revised Code as a measure of student academic performance and one determinant of eligibility for a high school diploma in the manner prescribed by rule adopted under division (D) of this section.

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

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

(b) Beginning with students who enter the ninth grade for the first time on or after July 1, 2022, the parent or guardian of a student may elect not to have a nationally standardized assessment administered to that student. In that event, the student's school district or school shall not administer the nationally standardized assessment to that student.

(2)(a) Except as provided in division (B)(2)(b) of this section, seven end-of-course examinations, one in each of the areas of English language arts I, English language arts II, science, Algebra I, geometry, American history, and American government. The end-of-course examinations shall be selected

jointly by the department and the chancellor in consultation 49  
with faculty in the appropriate subject areas at institutions of 50  
higher education of the university system of Ohio. Advanced 51  
placement examinations and international baccalaureate 52  
examinations, as prescribed under section 3313.6013 of the 53  
Revised Code, in the areas of science, American history, and 54  
American government may be used as end-of-course examinations in 55  
accordance with division (B) (4) (a) (i) of this section. Final 56  
course grades for courses taken under any other advanced 57  
standing program, as prescribed under section 3313.6013 of the 58  
Revised Code, in the areas of science, American history, and 59  
American government may be used in lieu of end-of-course 60  
examinations in accordance with division (B) (4) (a) (ii) of this 61  
section. 62

(b) Beginning with students who enter ninth grade for the 63  
first time on or after July 1, 2019, five end-of-course 64  
examinations, one in each areas of English language arts II, 65  
science, Algebra I, American history, and American government. 66  
However, only the end-of-course examinations in English language 67  
arts II and Algebra I shall be required for graduation. 68

The department shall, as necessary to implement division 69  
(B) (2) (b) of this section, seek a waiver from the United States 70  
secretary of education for testing requirements prescribed under 71  
federal law to allow for the use and implementation of Algebra I 72  
as the primary assessment of high school mathematics. If the 73  
department does not receive a waiver under this division, the 74  
end-of-course examinations for students described in division 75  
(B) (2) (b) of this section also shall include an end-of-course 76  
examination in the area of geometry. However, the geometry end- 77  
of-course examination shall not be required for graduation. 78

(3) The end-of-course examinations in American history and 79  
American government shall require demonstration of mastery of 80  
the American history and American government content for social 81  
studies standards adopted under division (A) (1) (b) of section 82  
3301.079 of the Revised Code and the topics required under 83  
division (M) of section 3313.603 of the Revised Code. 84

At least twenty per cent of the end-of-course examination 85  
in American government shall address the topics on American 86  
history and American government described in division (M) of 87  
section 3313.603 of the Revised Code. 88

(4) (a) Notwithstanding anything to the contrary in this 89  
section, both of the following shall apply: 90

(i) If a student is enrolled in an appropriate advanced 91  
placement or international baccalaureate course, that student 92  
shall take the advanced placement or international baccalaureate 93  
examination in lieu of the science, American history, or 94  
American government end-of-course examinations prescribed under 95  
division (B) (2) of this section. The department shall specify 96  
the score levels for each advanced placement examination and 97  
international baccalaureate examination for purposes of 98  
calculating the minimum cumulative performance score that 99  
demonstrates the level of academic achievement necessary to earn 100  
a high school diploma. 101

(ii) If a student is enrolled in an appropriate course 102  
under any other advanced standing program, as described in 103  
section 3313.6013 of the Revised Code, that student shall not be 104  
required to take the science, American history, or American 105  
government end-of-course examination, whichever is applicable, 106  
prescribed under division (B) (2) of this section. Instead, that 107  
student's final course grade shall be used in lieu of the 108

applicable end-of-course examination prescribed under that 109  
section. The department, in consultation with the chancellor, 110  
shall adopt guidelines for purposes of calculating the 111  
corresponding final course grades that demonstrate the level of 112  
academic achievement necessary to earn a high school diploma. 113

Division (B) (4) (a) (ii) of this section shall apply only to 114  
courses for which students receive transcribed credit, as 115  
defined in section 3365.01 of the Revised Code. It shall not 116  
apply to remedial or developmental courses. 117

(b) No student shall take a substitute examination or 118  
examination prescribed under division (B) (4) (a) of this section 119  
in place of the end-of-course examinations in English language 120  
arts I, English language arts II, Algebra I, or geometry 121  
prescribed under division (B) (2) of this section. 122

(c) The department shall consider additional assessments 123  
that may be used as substitute examinations in lieu of the end- 124  
of-course examinations prescribed under division (B) (2) of this 125  
section. 126

(5) The department shall do all of the following: 127

(a) Determine and designate at least five ranges of scores 128  
on each of the end-of-course examinations prescribed under 129  
division (B) (2) of this section, and substitute examinations 130  
prescribed under division (B) (4) of this section. Not later than 131  
sixty days after the designation of ranges of scores, the 132  
director of education and workforce shall conduct a public 133  
presentation before the standing committees of the house of 134  
representatives and the senate that consider primary and 135  
secondary education legislation regarding the designated range 136  
of scores. Each range of scores shall be considered to 137

demonstrate a level of achievement so that any student attaining	138
a score within such range has achieved one of the following:	139
(i) An advanced level of skill;	140
(ii) An accomplished level of skill;	141
(iii) A proficient level of skill;	142
(iv) A basic level of skill;	143
(v) A limited level of skill.	144
(b) Determine a method by which to calculate a cumulative	145
performance score based on the results of a student's end-of-	146
course examinations or substitute examinations;	147
(c) Determine the minimum cumulative performance score	148
that demonstrates the level of academic achievement necessary to	149
earn a high school diploma under division (A) (2) of section	150
3313.618 of the Revised Code. However, no new minimum cumulative	151
performance score shall be determined after October 17, 2019.	152
(d) Develop a table of corresponding score equivalents for	153
the end-of-course examinations and substitute examinations in	154
order to calculate student performance consistently across the	155
different examinations.	156
A score of two on an advanced placement examination or a	157
score of two or three on an international baccalaureate	158
examination shall be considered equivalent to a proficient level	159
of skill as specified under division (B) (5) (a) (iii) of this	160
section.	161
(6) (a) A student who meets both of the following	162
conditions shall not be required to take an end-of-course	163
examination:	164

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

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

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

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

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

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

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

(7) (a) Notwithstanding anything to the contrary in this section, the department may replace the algebra I end-of-course examination prescribed under division (B) (2) of this section

with an algebra II end-of-course examination, beginning with the 194  
2016-2017 school year for students who enter ninth grade on or 195  
after July 1, 2016. 196

(b) If the department replaces the algebra I end-of-course 197  
examination with an algebra II end-of-course examination as 198  
authorized under division (B)(7)(a) of this section, both of the 199  
following shall apply: 200

(i) A student who is enrolled in an advanced placement or 201  
international baccalaureate course in algebra II shall take the 202  
advanced placement or international baccalaureate examination in 203  
lieu of the algebra II end-of-course examination. 204

(ii) A student who is enrolled in an algebra II course 205  
under any other advanced standing program, as described in 206  
section 3313.6013 of the Revised Code, shall not be required to 207  
take the algebra II end-of-course examination. Instead, that 208  
student's final course grade shall be used in lieu of the 209  
examination. 210

(c) If a school district or school utilizes an integrated 211  
approach to mathematics instruction, the district or school may 212  
do either or both of the following: 213

(i) Administer an integrated mathematics I end-of-course 214  
examination in lieu of the prescribed algebra I end-of-course 215  
examination; 216

(ii) Administer an integrated mathematics II end-of-course 217  
examination in lieu of the prescribed geometry end-of-course 218  
examination. 219

(8)(a) For students entering the ninth grade for the first 220  
time on or after July 1, 2014, but prior to July 1, 2015, the 221  
assessment in the area of science shall be physical science or 222



biology. For students entering the ninth grade for the first 223  
time on or after July 1, 2015, the assessment in the area of 224  
science shall be biology. 225

(b) Until July 1, 2019, the department shall make 226  
available the end-of-course examination in physical science for 227  
students who entered the ninth grade for the first time on or 228  
after July 1, 2014, but prior to July 1, 2015, and who wish to 229  
retake the examination. 230

(c) The department shall adopt rules prescribing the 231  
requirements for the end-of-course examination in science for 232  
students who entered the ninth grade for the first time on or 233  
after July 1, 2014, but prior to July 1, 2015, and who have not 234  
met the requirement prescribed by section 3313.618 of the 235  
Revised Code by July 1, 2019, due to a student's failure to 236  
satisfy division (A) (2) of section 3313.618 of the Revised Code. 237

(9) The department shall not develop or administer an end- 238  
of-course examination in the area of world history. 239

(10) The department, in consultation with the chancellor 240  
and the governor's office of workforce transformation, shall 241  
determine a competency score for both of the Algebra I and 242  
English language arts II end-of-course examinations for the 243  
purpose of graduation eligibility. 244

(C) The department shall convene a group of national 245  
experts, state experts, and local practitioners to provide 246  
advice, guidance, and recommendations for the alignment of 247  
standards and model curricula to the assessments and in the 248  
design of the end-of-course examinations prescribed by this 249  
section. 250

(D) Upon completion of the development of the assessment 251

system, the department shall adopt rules prescribing all of the 252  
following: 253

(1) A timeline and plan for implementation of the 254  
assessment system, including a phased implementation if the 255  
department determines such a phase-in is warranted; 256

(2) The date after which a person shall meet the 257  
requirements of the entire assessment system as a prerequisite 258  
for a diploma of adult education under section 3313.611 of the 259  
Revised Code; 260

(3) Whether and the extent to which a person may be 261  
excused from an American history end-of-course examination and 262  
an American government end-of-course examination under division 263  
(H) of section 3313.61 and division (B) (3) of section 3313.612 264  
of the Revised Code; 265

(4) The date after which a person who has fulfilled the 266  
curriculum requirement for a diploma but has not passed one or 267  
more of the required assessments at the time the person 268  
fulfilled the curriculum requirement shall meet the requirements 269  
of the entire assessment system as a prerequisite for a high 270  
school diploma under division (B) of section 3313.614 of the 271  
Revised Code; 272

(5) The extent to which the assessment system applies to 273  
students enrolled in a dropout recovery and prevention program 274  
for purposes of division (F) of section 3313.603 ~~and section~~ 275  
~~3314.36~~ of the Revised Code. 276

(E) (1) Any person enrolled in a nonchartered nonpublic 277  
school or any person who is exempt from attendance at school for 278  
the purpose of home education under section 3321.042 of the 279  
Revised Code may choose to participate in the system of 280

assessments administered under divisions (B)(1) and (2) of this 281  
section. However, no such person shall be required to 282  
participate in the system of assessments. 283

(2) The department shall adopt rules for the 284  
administration and scoring of any assessments under division (E) 285  
(1) of this section. 286

(F) The department shall select at least one nationally 287  
recognized job skills assessment. Each school district shall 288  
administer that assessment to those students who opt to take it. 289  
The department shall reimburse a school district for the costs 290  
of administering that assessment. The department shall establish 291  
the minimum score a student must attain on the job skills 292  
assessment in order to demonstrate a student's workforce 293  
readiness and employability. The administration of the job 294  
skills assessment to a student under this division shall not 295  
exempt a school district from administering the assessments 296  
prescribed in division (B) of this section to that student. 297

**Sec. 3302.03.** Not later than the thirty-first day of July 298  
of each year, the department of education and workforce shall 299  
submit preliminary report card data for overall academic 300  
performance and for each separate performance measure for each 301  
school district, and each school building, in accordance with 302  
this section. 303

Annually, not later than the fifteenth day of September or 304  
the preceding Friday when that day falls on a Saturday or 305  
Sunday, the department shall assign a letter grade or 306  
performance rating for overall academic performance and for each 307  
separate performance measure for each school district, and each 308  
school building in a district, in accordance with this section. 309  
The department shall adopt rules pursuant to Chapter 119. of the 310

Revised Code to implement this section. The department's rules 311  
shall establish performance criteria for each letter grade or 312  
performance rating and prescribe a method by which the 313  
department assigns each letter grade or performance rating. For 314  
a school building to which any of the performance measures do 315  
not apply, due to grade levels served by the building, the 316  
department shall designate the performance measures that are 317  
applicable to the building and that must be calculated 318  
separately and used to calculate the building's overall grade or 319  
performance rating. The department shall issue annual report 320  
cards reflecting the performance of each school district, each 321  
building within each district, and for the state as a whole 322  
using the performance measures and letter grade or performance 323  
rating system described in this section. The department shall 324  
include on the report card for each district and each building 325  
within each district the most recent two-year trend data in 326  
student achievement for each subject and each grade. 327

(A) (1) For the 2012-2013 school year, the department shall 328  
issue grades as described in division (F) of this section for 329  
each of the following performance measures: 330

(a) Annual measurable objectives; 331

(b) Performance index score for a school district or 332  
building. Grades shall be awarded as a percentage of the total 333  
possible points on the performance index system as adopted by 334  
the department. In adopting benchmarks for assigning letter 335  
grades under division (A) (1) (b) of this section, the department 336  
shall designate ninety per cent or higher for an "A," at least 337  
seventy per cent but not more than eighty per cent for a "C," 338  
and less than fifty per cent for an "F." 339

(c) The extent to which the school district or building 340

meets each of the applicable performance indicators established 341  
by the department under section 3302.02 of the Revised Code and 342  
the percentage of applicable performance indicators that have 343  
been achieved. In adopting benchmarks for assigning letter 344  
grades under division (A) (1) (c) of this section, the department 345  
shall designate ninety per cent or higher for an "A." 346

(d) The four- and five-year adjusted cohort graduation 347  
rates. 348

In adopting benchmarks for assigning letter grades under 349  
division (A) (1) (d), (B) (1) (d), or (C) (1) (d) of this section, the 350  
department shall designate a four-year adjusted cohort 351  
graduation rate of ninety-three per cent or higher for an "A" 352  
and a five-year cohort graduation rate of ninety-five per cent 353  
or higher for an "A." 354

(e) The overall score under the value-added progress 355  
dimension of a school district or building, for which the 356  
department shall use up to three years of value-added data as 357  
available. The letter grade assigned for this growth measure 358  
shall be as follows: 359

(i) A score that is at least one standard error of measure 360  
above the mean score shall be designated as an "A." 361

(ii) A score that is less than one standard error of 362  
measure above but greater than one standard error of measure 363  
below the mean score shall be designated as a "B." 364

(iii) A score that is less than or equal to one standard 365  
error of measure below the mean score but greater than two 366  
standard errors of measure below the mean score shall be 367  
designated as a "C." 368

(iv) A score that is less than or equal to two standard 369

errors of measure below the mean score but is greater than three 370  
standard errors of measure below the mean score shall be 371  
designated as a "D." 372

(v) A score that is less than or equal to three standard 373  
errors of measure below the mean score shall be designated as an 374  
"F." 375

Whenever the value-added progress dimension is used as a 376  
graded performance measure in this division and divisions (B) 377  
and (C) of this section, whether as an overall measure or as a 378  
measure of separate subgroups, the grades for the measure shall 379  
be calculated in the same manner as prescribed in division (A) 380  
(1) (e) of this section. 381

(f) The value-added progress dimension score for a school 382  
district or building disaggregated for each of the following 383  
subgroups: students identified as gifted, students with 384  
disabilities, and students whose performance places them in the 385  
lowest quintile for achievement on a statewide basis. Each 386  
subgroup shall be a separate graded measure. 387

(2) The department shall adopt a resolution describing the 388  
performance measures, benchmarks, and grading system for the 389  
2012-2013 school year and shall adopt rules in accordance with 390  
Chapter 119. of the Revised Code that prescribe the methods by 391  
which the performance measures under division (A) (1) of this 392  
section shall be assessed and assigned a letter grade, including 393  
performance benchmarks for each letter grade. 394

At least forty-five days prior to the department's 395  
adoption of rules to prescribe the methods by which the 396  
performance measures under division (A) (1) of this section shall 397  
be assessed and assigned a letter grade, the department shall 398

conduct a public presentation before the standing committees of 399  
the house of representatives and the senate that consider 400  
education legislation describing such methods, including 401  
performance benchmarks. 402

(3) There shall not be an overall letter grade for a 403  
school district or building for the 2012-2013 school year. 404

(B) (1) For the 2013-2014 school year, the department shall 405  
issue grades as described in division (F) of this section for 406  
each of the following performance measures: 407

(a) Annual measurable objectives; 408

(b) Performance index score for a school district or 409  
building. Grades shall be awarded as a percentage of the total 410  
possible points on the performance index system as created by 411  
the department. In adopting benchmarks for assigning letter 412  
grades under division (B) (1) (b) of this section, the department 413  
shall designate ninety per cent or higher for an "A," at least 414  
seventy per cent but not more than eighty per cent for a "C," 415  
and less than fifty per cent for an "F." 416

(c) The extent to which the school district or building 417  
meets each of the applicable performance indicators established 418  
by the department under section 3302.03 of the Revised Code and 419  
the percentage of applicable performance indicators that have 420  
been achieved. In adopting benchmarks for assigning letter 421  
grades under division (B) (1) (c) of this section, the department 422  
shall designate ninety per cent or higher for an "A." 423

(d) The four- and five-year adjusted cohort graduation 424  
rates; 425

(e) The overall score under the value-added progress 426  
dimension of a school district or building, for which the 427

department shall use up to three years of value-added data as 428  
available. 429

(f) The value-added progress dimension score for a school 430  
district or building disaggregated for each of the following 431  
subgroups: students identified as gifted in superior cognitive 432  
ability and specific academic ability fields under Chapter 3324. 433  
of the Revised Code, students with disabilities, and students 434  
whose performance places them in the lowest quintile for 435  
achievement on a statewide basis. Each subgroup shall be a 436  
separate graded measure. 437

(g) Whether a school district or building is making 438  
progress in improving literacy in grades kindergarten through 439  
three, as determined using a method prescribed by the 440  
department. The department shall adopt rules to prescribe 441  
benchmarks and standards for assigning grades to districts and 442  
buildings for purposes of division (B) (1) (g) of this section. In 443  
adopting benchmarks for assigning letter grades under divisions 444  
(B) (1) (g) and (C) (1) (g) of this section, the department shall 445  
determine progress made based on the reduction in the total 446  
percentage of students scoring below grade level, or below 447  
proficient, compared from year to year on the reading and 448  
writing diagnostic assessments administered under section 449  
3301.0715 of the Revised Code and the third grade English 450  
language arts assessment under section 3301.0710 of the Revised 451  
Code, as applicable. The department shall designate for a "C" 452  
grade a value that is not lower than the statewide average value 453  
for this measure. No grade shall be issued under divisions (B) 454  
(1) (g) and (C) (1) (g) of this section for a district or building 455  
in which less than five per cent of students have scored below 456  
grade level on the diagnostic assessment administered to 457  
students in kindergarten under division (B) (1) of section 458



3313.608 of the Revised Code. 459

(h) For a high mobility school district or building, an 460  
additional value-added progress dimension score. For this 461  
measure, the department shall use value-added data from the most 462  
recent school year available and shall use assessment scores for 463  
only those students to whom the district or building has 464  
administered the assessments prescribed by section 3301.0710 of 465  
the Revised Code for each of the two most recent consecutive 466  
school years. 467

As used in this division, "high mobility school district 468  
or building" means a school district or building where at least 469  
twenty-five per cent of its total enrollment is made up of 470  
students who have attended that school district or building for 471  
less than one year. 472

(2) In addition to the graded measures in division (B) (1) 473  
of this section, the department shall include on a school 474  
district's or building's report card all of the following 475  
without an assigned letter grade: 476

(a) The percentage of students enrolled in a district or 477  
building participating in advanced placement classes and the 478  
percentage of those students who received a score of three or 479  
better on advanced placement examinations; 480

(b) The number of a district's or building's students who 481  
have earned at least three college credits through dual 482  
enrollment or advanced standing programs, such as the post- 483  
secondary enrollment options program under Chapter 3365. of the 484  
Revised Code and state-approved career-technical courses offered 485  
through dual enrollment or statewide articulation, that appear 486  
on a student's transcript or other official document, either of 487

which is issued by the institution of higher education from 488  
which the student earned the college credit. The credits earned 489  
that are reported under divisions (B) (2) (b) and (C) (2) (c) of 490  
this section shall not include any that are remedial or 491  
developmental and shall include those that count toward the 492  
curriculum requirements established for completion of a degree. 493

(c) The percentage of students enrolled in a district or 494  
building who have taken a national standardized test used for 495  
college admission determinations and the percentage of those 496  
students who are determined to be remediation-free in accordance 497  
with standards adopted under division (F) of section 3345.061 of 498  
the Revised Code; 499

(d) The percentage of the district's or the building's 500  
students who receive industry-recognized credentials as approved 501  
under section 3313.6113 of the Revised Code. 502

(e) The percentage of students enrolled in a district or 503  
building who are participating in an international baccalaureate 504  
program and the percentage of those students who receive a score 505  
of four or better on the international baccalaureate 506  
examinations. 507

(f) The percentage of the district's or building's 508  
students who receive an honors diploma under division (B) of 509  
section 3313.61 of the Revised Code. 510

(3) The department shall adopt rules in accordance with 511  
Chapter 119. of the Revised Code that prescribe the methods by 512  
which the performance measures under divisions (B) (1) (f) and (B) 513  
(1) (g) of this section will be assessed and assigned a letter 514  
grade, including performance benchmarks for each grade. 515

At least forty-five days prior to the department's 516

adoption of rules to prescribe the methods by which the 517  
performance measures under division (B)(1) of this section shall 518  
be assessed and assigned a letter grade, the department shall 519  
conduct a public presentation before the standing committees of 520  
the house of representatives and the senate that consider 521  
education legislation describing such methods, including 522  
performance benchmarks. 523

(4) There shall not be an overall letter grade for a 524  
school district or building for the 2013-2014, 2014-2015, 2015- 525  
2016, and 2016-2017 school years. 526

(C)(1) For the 2014-2015, 2015-2016, 2016-2017, 2017-2018, 527  
2018-2019, 2019-2020, and 2020-2021 school years, the department 528  
shall issue grades as described in division (F) of this section 529  
for each of the performance measures prescribed in division (C) 530  
(1) of this section. The graded measures are as follows: 531

(a) Annual measurable objectives. For the 2017-2018 school 532  
year, the department shall not include any subgroup data in the 533  
annual measurable objectives that includes data from fewer than 534  
twenty-five students. For the 2018-2019 school year, the 535  
department shall not include any subgroup data in the annual 536  
measurable objectives that includes data from fewer than twenty 537  
students. Beginning with the 2019-2020 school year, the 538  
department shall not include any subgroup data in the annual 539  
measurable objectives that includes data from fewer than fifteen 540  
students. 541

(b) Performance index score for a school district or 542  
building. Grades shall be awarded as a percentage of the total 543  
possible points on the performance index system as created by 544  
the department. In adopting benchmarks for assigning letter 545  
grades under division (C)(1)(b) of this section, the department 546

shall designate ninety per cent or higher for an "A," at least 547  
seventy per cent but not more than eighty per cent for a "C," 548  
and less than fifty per cent for an "F." 549

(c) The extent to which the school district or building 550  
meets each of the applicable performance indicators established 551  
by the department under section 3302.03 of the Revised Code and 552  
the percentage of applicable performance indicators that have 553  
been achieved. In adopting benchmarks for assigning letter 554  
grades under division (C) (1) (c) of this section, the department 555  
shall designate ninety per cent or higher for an "A." 556

(d) The four- and five-year adjusted cohort graduation 557  
rates; 558

(e) The overall score under the value-added progress 559  
dimension, or another measure of student academic progress if 560  
adopted by the department, of a school district or building, for 561  
which the department shall use up to three years of value-added 562  
data as available. 563

In adopting benchmarks for assigning letter grades for 564  
overall score on value-added progress dimension under division 565  
(C) (1) (e) of this section, the department shall prohibit the 566  
assigning of a grade of "A" for that measure unless the 567  
district's or building's grade assigned for value-added progress 568  
dimension for all subgroups under division (C) (1) (f) of this 569  
section is a "C" or higher. 570

For the metric prescribed by division (C) (1) (e) of this 571  
section, the department may adopt a student academic progress 572  
measure to be used instead of the value-added progress 573  
dimension. If the department adopts such a measure, it also 574  
shall prescribe a method for assigning letter grades for the new 575

measure that is comparable to the method prescribed in division 576  
(A) (1) (e) of this section. 577

(f) The value-added progress dimension score of a school 578  
district or building disaggregated for each of the following 579  
subgroups: students identified as gifted in superior cognitive 580  
ability and specific academic ability fields under Chapter 3324. 581  
of the Revised Code, students with disabilities, and students 582  
whose performance places them in the lowest quintile for 583  
achievement on a statewide basis, as determined by a method 584  
prescribed by the department. Each subgroup shall be a separate 585  
graded measure. 586

The department may adopt student academic progress 587  
measures to be used instead of the value-added progress 588  
dimension. If the department adopts such measures, it also shall 589  
prescribe a method for assigning letter grades for the new 590  
measures that is comparable to the method prescribed in division 591  
(A) (1) (e) of this section. 592

(g) Whether a school district or building is making 593  
progress in improving literacy in grades kindergarten through 594  
three, as determined using a method prescribed by the 595  
department. The department shall adopt rules to prescribe 596  
benchmarks and standards for assigning grades to a district or 597  
building for purposes of division (C) (1) (g) of this section. The 598  
department shall designate for a "C" grade a value that is not 599  
lower than the statewide average value for this measure. No 600  
grade shall be issued under division (C) (1) (g) of this section 601  
for a district or building in which less than five per cent of 602  
students have scored below grade level on the kindergarten 603  
diagnostic assessment under division (B) (1) of section 3313.608 604  
of the Revised Code. 605

(h) For a high mobility school district or building, an 606  
additional value-added progress dimension score. For this 607  
measure, the department shall use value-added data from the most 608  
recent school year available and shall use assessment scores for 609  
only those students to whom the district or building has 610  
administered the assessments prescribed by section 3301.0710 of 611  
the Revised Code for each of the two most recent consecutive 612  
school years. 613

As used in this division, "high mobility school district 614  
or building" means a school district or building where at least 615  
twenty-five per cent of its total enrollment is made up of 616  
students who have attended that school district or building for 617  
less than one year. 618

(2) In addition to the graded measures in division (C) (1) 619  
of this section, the department shall include on a school 620  
district's or building's report card all of the following 621  
without an assigned letter grade: 622

(a) The percentage of students enrolled in a district or 623  
building who have taken a national standardized test used for 624  
college admission determinations and the percentage of those 625  
students who are determined to be remediation-free in accordance 626  
with the standards adopted under division (F) of section 627  
3345.061 of the Revised Code; 628

(b) The percentage of students enrolled in a district or 629  
building participating in advanced placement classes and the 630  
percentage of those students who received a score of three or 631  
better on advanced placement examinations; 632

(c) The percentage of a district's or building's students 633  
who have earned at least three college credits through advanced 634

standing programs, such as the college credit plus program under 635  
Chapter 3365. of the Revised Code and state-approved career- 636  
technical courses offered through dual enrollment or statewide 637  
articulation, that appear on a student's college transcript 638  
issued by the institution of higher education from which the 639  
student earned the college credit. The credits earned that are 640  
reported under divisions (B) (2) (b) and (C) (2) (c) of this section 641  
shall not include any that are remedial or developmental and 642  
shall include those that count toward the curriculum 643  
requirements established for completion of a degree. 644

(d) The percentage of the district's or building's 645  
students who receive an honor's diploma under division (B) of 646  
section 3313.61 of the Revised Code; 647

(e) The percentage of the district's or building's 648  
students who receive industry-recognized credentials as approved 649  
under section 3313.6113 of the Revised Code; 650

(f) The percentage of students enrolled in a district or 651  
building who are participating in an international baccalaureate 652  
program and the percentage of those students who receive a score 653  
of four or better on the international baccalaureate 654  
examinations; 655

(g) The results of the college and career-ready 656  
assessments administered under division (B) (1) of section 657  
3301.0712 of the Revised Code; 658

(h) Whether the school district or building has 659  
implemented a positive behavior intervention and supports 660  
framework in compliance with the requirements of section 3319.46 661  
of the Revised Code, notated as a "yes" or "no" answer. 662

(3) The department shall adopt rules pursuant to Chapter 663

119. of the Revised Code that establish a method to assign an 664  
overall grade for a school district or school building for the 665  
2017-2018 school year and each school year thereafter. The rules 666  
shall group the performance measures in divisions (C)(1) and (2) 667  
of this section into the following components: 668

(a) Gap closing, which shall include the performance 669  
measure in division (C)(1)(a) of this section; 670

(b) Achievement, which shall include the performance 671  
measures in divisions (C)(1)(b) and (c) of this section; 672

(c) Progress, which shall include the performance measures 673  
in divisions (C)(1)(e) and (f) of this section; 674

(d) Graduation, which shall include the performance 675  
measure in division (C)(1)(d) of this section; 676

(e) Kindergarten through third-grade literacy, which shall 677  
include the performance measure in division (C)(1)(g) of this 678  
section; 679

(f) Prepared for success, which shall include the 680  
performance measures in divisions (C)(2)(a), (b), (c), (d), (e), 681  
and (f) of this section. The department shall develop a method 682  
to determine a grade for the component in division (C)(3)(f) of 683  
this section using the performance measures in divisions (C)(2) 684  
(a), (b), (c), (d), (e), and (f) of this section. When 685  
available, the department may incorporate the performance 686  
measure under division (C)(2)(g) of this section into the 687  
component under division (C)(3)(f) of this section. When 688  
determining the overall grade for the prepared for success 689  
component prescribed by division (C)(3)(f) of this section, no 690  
individual student shall be counted in more than one performance 691  
measure. However, if a student qualifies for more than one 692



performance measure in the component, the department may, in its 693  
method to determine a grade for the component, specify an 694  
additional weight for such a student that is not greater than or 695  
equal to 1.0. In determining the overall score under division 696  
(C) (3) (f) of this section, the department shall ensure that the 697  
pool of students included in the performance measures aggregated 698  
under that division are all of the students included in the 699  
four- and five-year adjusted graduation cohort. 700

In the rules adopted under division (C) (3) of this 701  
section, the department shall adopt a method for determining a 702  
grade for each component in divisions (C) (3) (a) to (f) of this 703  
section. The department also shall establish a method to assign 704  
an overall grade of "A," "B," "C," "D," or "F" using the grades 705  
assigned for each component. The method the department adopts 706  
for assigning an overall grade shall give equal weight to the 707  
components in divisions (C) (3) (b) and (c) of this section. 708

At least forty-five days prior to the department's 709  
adoption of rules to prescribe the methods for calculating the 710  
overall grade for the report card, as required by this division, 711  
the department shall conduct a public presentation before the 712  
standing committees of the house of representatives and the 713  
senate that consider education legislation describing the format 714  
for the report card, weights that will be assigned to the 715  
components of the overall grade, and the method for calculating 716  
the overall grade. 717

(D) For the 2021-2022 school year and each school year 718  
thereafter, all of the following apply: 719

(1) The department shall include on a school district's or 720  
building's report card all of the following performance measures 721  
without an assigned performance rating: 722

(a) Whether the district or building meets the gifted 723  
performance indicator under division (A) (2) of section 3302.02 724  
of the Revised Code and the extent to which the district or 725  
building meets gifted indicator performance benchmarks; 726

(b) The extent to which the district or building meets the 727  
chronic absenteeism indicator under division (A) (3) of section 728  
3302.02 of the Revised Code; 729

(c) Performance index score percentage for a district or 730  
building, which shall be calculated by dividing the district's 731  
or building's performance index score according to the 732  
performance index system created by the department by the 733  
maximum performance index score for a district or building. The 734  
maximum performance index score shall be as follows: 735

(i) For a building, the average of the highest two per 736  
cent of performance index scores achieved by a building for the 737  
school year for which a report card is issued; 738

(ii) For a district, the average of the highest two per 739  
cent of performance index scores achieved by a district for the 740  
school year for which a report card is issued. 741

(d) The overall score under the value-added progress 742  
dimension of a district or building, for which the department 743  
shall use three consecutive years of value-added data. In using 744  
three years of value-added data to calculate the measure 745  
prescribed under division (D) (1) (d) of this section, the 746  
department shall assign a weight of fifty per cent to the most 747  
recent year's data and a weight of twenty-five per cent to the 748  
data of each of the other years. However, if three consecutive 749  
years of value-added data is not available, the department shall 750  
use prior years of value-added data to calculate the measure, as 751

follows: 752

(i) If two consecutive years of value-added data is not 753  
available, the department shall use one year of value-added data 754  
to calculate the measure. 755

(ii) If two consecutive years of value-added data is 756  
available, the department shall use two consecutive years of 757  
value-added data to calculate the measure. In using two years of 758  
value-added data to calculate the measure, the department shall 759  
assign a weight of sixty-seven per cent to the most recent 760  
year's data and a weight of thirty-three per cent to the data of 761  
the other year. 762

(e) The four-year adjusted cohort graduation rate. 763

(f) The five-year adjusted cohort graduation rate. 764

(g) The percentage of students in the district or building 765  
who score proficient or higher on the reading segment of the 766  
third grade English language arts assessment under section 767  
3301.0710 of the Revised Code. 768

To the extent possible, the department shall include the 769  
results of the summer administration of the third grade reading 770  
assessment under section 3301.0710 of the Revised Code in the 771  
performance measures prescribed under divisions (D) (1) (g) and 772  
(h) of this section. 773

(h) Whether a district or building is making progress in 774  
improving literacy in grades kindergarten through three, as 775  
determined using a method prescribed by the department. The 776  
method shall determine progress made based on the reduction in 777  
the total percentage of students scoring below grade level, or 778  
below proficient, compared from year to year on the reading 779  
segments of the diagnostic assessments administered under 780

section 3301.0715 of the Revised Code, including the 781  
kindergarten readiness assessment, and the third grade English 782  
language arts assessment under section 3301.0710 of the Revised 783  
Code, as applicable. The method shall not include a deduction 784  
for students who did not pass the third grade English language 785  
arts assessment under section 3301.0710 of the Revised Code and 786  
were not on a reading improvement and monitoring plan. 787

The performance measure prescribed under division (D) (1) 788  
(h) of this section shall not be included on the report card of 789  
a district or building in which less than ten per cent of 790  
students have scored below grade level on the diagnostic 791  
assessment administered to students in kindergarten under 792  
division (B) (1) of section 3313.608 of the Revised Code. 793

(i) The percentage of students in a district or building 794  
who are promoted to the fourth grade and not subject to 795  
retention under division (A) (2) of section 3313.608 of the 796  
Revised Code; 797

(j) A post-secondary readiness measure. This measure shall 798  
be calculated by dividing the number of students included in the 799  
four-year adjusted graduation rate cohort who demonstrate post- 800  
secondary readiness by the total number of students included in 801  
the denominator of the four-year adjusted graduation rate 802  
cohort. Demonstration of post-secondary readiness shall include 803  
a student doing any of the following: 804

(i) Attaining a remediation-free score, in accordance with 805  
standards adopted under division (F) of section 3345.061 of the 806  
Revised Code, on a nationally standardized assessment prescribed 807  
under division (B) (1) of section 3301.0712 of the Revised Code; 808

(ii) Attaining required scores on three or more advanced 809

placement or international baccalaureate examinations. The 810  
required score for an advanced placement examination shall be a 811  
three or better. The required score for an international 812  
baccalaureate examination shall be a four or better. A student 813  
may satisfy this condition with any combination of advanced 814  
placement or international baccalaureate examinations. 815

(iii) Earning at least twelve college credits through 816  
advanced standing programs, such as the college credit plus 817  
program under Chapter 3365. of the Revised Code, an early 818  
college high school program under section 3313.6013 of the 819  
Revised Code, and state-approved career-technical courses 820  
offered through dual enrollment or statewide articulation, that 821  
appear on a student's college transcript issued by the 822  
institution of higher education from which the student earned 823  
the college credit. Earned credits reported under division (D) 824  
(1)(j)(iii) of this section shall include credits that count 825  
toward the curriculum requirements established for completion of 826  
a degree, but shall not include any remedial or developmental 827  
credits. 828

(iv) Meeting the additional criteria for an honors diploma 829  
under division (B) of section 3313.61 of the Revised Code; 830

(v) Earning an industry-recognized credential or license 831  
issued by a state agency or board for practice in a vocation 832  
that requires an examination for issuance of that license 833  
approved under section 3313.6113 of the Revised Code; 834

(vi) Satisfying any of the following conditions: 835

(I) Completing a pre-apprenticeship aligned with options 836  
established under section 3313.904 of the Revised Code in the 837  
student's chosen career field; 838

(II) Completing an apprenticeship registered with the 839  
apprenticeship council established under section 4139.02 of the 840  
Revised Code in the student's chosen career field; 841

(III) Providing evidence of acceptance into an 842  
apprenticeship program after high school that is restricted to 843  
participants eighteen years of age or older. 844

(vii) Earning a cumulative score of proficient or higher 845  
on three or more state technical assessments aligned with 846  
section 3313.903 of the Revised Code in a single career pathway; 847

(viii) Earning an OhioMeansJobs-readiness seal established 848  
under section 3313.6112 of the Revised Code and completing two 849  
hundred fifty hours of an internship or other work-based 850  
learning experience that is either: 851

(I) Approved by the business advisory council established 852  
under section 3313.82 of the Revised Code that represents the 853  
student's district; or 854

(II) Aligned to the career-technical education pathway 855  
approved by the department in which the student is enrolled. 856

(ix) Providing evidence that the student has enlisted in a 857  
branch of the armed services of the United States as defined in 858  
section 5910.01 of the Revised Code. 859

A student who satisfies more than one of the conditions 860  
prescribed under this division shall be counted as one student 861  
for the purposes of calculating the measure prescribed under 862  
division (D) (1) (j) of this section. 863

(2) In addition to the performance measures under division 864  
(D) (1) of this section, the department shall report on a 865  
district's or building's report card all of the following data 866

without an assigned performance rating: 867

(a) The applicable performance indicators established by 868  
the department under division (A) (1) of section 3302.02 of the 869  
Revised Code; 870

(b) The overall score under the value-added progress 871  
dimension of a district or building for the most recent school 872  
year; 873

(c) A composite of the overall scores under the value- 874  
added progress dimension of a district or building for the 875  
previous three school years or, if only two years of value-added 876  
data are available, for the previous two years; 877

(d) The percentage of students included in the four- and 878  
five-year adjusted cohort graduation rates of a district or 879  
building who did not receive a high school diploma under section 880  
3313.61 or 3325.08 of the Revised Code. To the extent possible, 881  
the department shall disaggregate that data according to the 882  
following categories: 883

(i) Students who are still enrolled in the district or 884  
building and receiving general education services; 885

(ii) Students with an individualized education program, as 886  
defined in section 3323.01 of the Revised Code, who satisfied 887  
the conditions for a high school diploma under section 3313.61 888  
or 3325.08 of the Revised Code, but opted not to receive a 889  
diploma and are still receiving education services; 890

(iii) Students with an individualized education program 891  
who have not yet satisfied conditions for a high school diploma 892  
under section 3313.61 or 3325.08 of the Revised Code and who are 893  
still receiving education services; 894

(iv) Students who are no longer enrolled in any district 895  
or building; 896

(v) Students who, upon enrollment in the district or 897  
building for the first time, had completed fewer units of high 898  
school instruction required under section 3313.603 of the 899  
Revised Code than other students in the four- or five-year 900  
adjusted cohort graduation rate. 901

The department may disaggregate the data prescribed under 902  
division (D) (2) (d) of this section according to other categories 903  
that the department determines are appropriate. 904

(e) The results of the kindergarten diagnostic assessment 905  
prescribed under division (D) of section 3301.079 of the Revised 906  
Code; 907

(f) Post-graduate outcomes for students who were enrolled 908  
in a district or building and received a high school diploma 909  
under section 3313.61 or 3325.08 of the Revised Code in the 910  
school year prior to the school year for which the report card 911  
is issued, including the percentage of students who: 912

(i) Enrolled in a post-secondary educational institution. 913  
To the extent possible, the department shall disaggregate that 914  
data according to whether the student enrolled in a four-year 915  
institution of higher education, a two-year institution of 916  
higher education, an Ohio technical center that provides adult 917  
technical education services and is recognized by the chancellor 918  
of higher education, or another type of post-secondary 919  
educational institution. 920

(ii) Entered an apprenticeship program registered with the 921  
apprenticeship council established under Chapter 4139. of the 922  
Revised Code. The department may include other job training 923



programs with similar rigor and outcomes. 924

(iii) Attained gainful employment, as determined by the 925  
department; 926

(iv) Enlisted in a branch of the armed forces of the 927  
United States, as defined in section 5910.01 of the Revised 928  
Code. 929

(g) Whether the school district or building has 930  
implemented a positive behavior intervention and supports 931  
framework in compliance with the requirements of section 3319.46 932  
of the Revised Code, notated with a "yes" or "no"; 933

(h) The number and percentage of high school seniors in 934  
each school year who completed the free application for federal 935  
student aid; 936

(i) Beginning with the report card issued under this 937  
section for the 2022-2023 school year, a student opportunity 938  
profile measure that reports data regarding the opportunities 939  
provided to students by a district or building. To the extent 940  
possible, and when appropriate, the data shall be disaggregated 941  
by grade level and subgroup. The measure also shall include data 942  
regarding the statewide average, the average for similar school 943  
districts, and, for a building, the average for the district in 944  
which the building is located. The measure shall include all of 945  
the following data for the district or building: 946

(i) The average ratio of teachers of record to students in 947  
each grade level in a district or building; 948

(ii) The average ratio of school counselors to students in 949  
a district or building; 950

(iii) The average ratio of nurses to students in a 951

district or building;	952
(iv) The average ratio of licensed librarians and library	953
media specialists to students in a district or building;	954
(v) The average ratio of social workers to students in a	955
district or building;	956
(vi) The average ratio of mental health professionals to	957
students in a district or building;	958
(vii) The average ratio of paraprofessionals to students	959
in a district or building;	960
(viii) The percentage of teachers with fewer than three	961
years of experience teaching in any school;	962
(ix) The percentage of principals with fewer than three	963
years of experience as a principal in any school;	964
(x) The percentage of teachers who are not teaching in the	965
subject or field for which they are certified or licensed;	966
(xi) The percentage of kindergarten students who are	967
enrolled in all-day kindergarten, as defined in section 3321.05	968
of the Revised Code;	969
(xii) The percentage of students enrolled in a performing	970
or visual arts course;	971
(xiii) The percentage of students enrolled in a physical	972
education or wellness course;	973
(xiv) The percentage of students enrolled in a world	974
language course;	975
(xv) The percentage of students in grades seven through	976
twelve who are enrolled in a career-technical education course;	977

(xvi) The percentage of students participating in one or more cocurricular activities;	978 979
(xvii) The percentage of students participating in advance placement courses, international baccalaureate courses, honors courses, or courses offered through the college credit plus program established under Chapter 3365. of the Revised Code;	980 981 982 983
(xviii) The percentage of students identified as gifted in superior cognitive ability and specific academic ability fields under Chapter 3324. of the Revised Code and receiving gifted services pursuant to that chapter;	984 985 986 987
(xix) The percentage of students participating in enrichment or support programs offered by the district or building outside of the normal school day;	988 989 990
(xx) The percentage of eligible students participating each school day in school breakfast programs offered by the district or building in accordance with section 3313.813 or 3313.818 of the Revised Code;	991 992 993 994
(xxi) The percentage of students who are transported by a school bus each school day;	995 996
(xxii) The ratio of portable technology devices that students may take home to the number of students.	997 998
The department shall include only opportunity measures at the building level for which data for buildings is available, as determined by a school district.	999 1000 1001
(j) (i) The percentage of students included in the four- and five-year adjusted cohort graduation rates of the district or building who completed all of grades nine through twelve while enrolled in the district or building;	1002 1003 1004 1005

(ii) The four-year adjusted cohort graduation rate for 1006  
only those students who were continuously enrolled in the same 1007  
district or building for grades nine through twelve. 1008

(k) The percentage of students in the district or building 1009  
to whom both of the following apply: 1010

(i) The students are promoted to fourth grade and not 1011  
subject to retention under division (A) (2) of section 3313.608 1012  
of the Revised Code. 1013

(ii) The students completed all of the grade levels 1014  
offered prior to the fourth grade in the district or building. 1015

(3) Except as provided in division (D) (3) (f) of this 1016  
section, the department shall use the method prescribed under 1017  
rules adopted under division (D) (4) of this section to assign 1018  
performance ratings of "one star," "two stars," "three stars," 1019  
"four stars," or "five stars," as described in division (F) of 1020  
this section, for a district or building for the individual 1021  
components prescribed under division (D) (3) of this section. The 1022  
department also shall assign an overall performance rating for a 1023  
district or building in accordance with division (D) (3) (g) of 1024  
this section. The method shall use the performance measures 1025  
prescribed under division (D) (1) of this section to calculate 1026  
performance ratings for components. The method may report data 1027  
under division (D) (2) of this section with corresponding 1028  
components, but shall not use the data to calculate performance 1029  
ratings for that component. The performance measures and 1030  
reported data shall be grouped together into components as 1031  
follows: 1032

(a) Gap closing. In addition to other criteria determined 1033  
appropriate by the department, performance ratings for the gap 1034

closing component shall reflect whether each of the following 1035  
performance measures are met or not met: 1036

(i) The gifted performance indicator as described in 1037  
division (D)(1)(a) of this section; 1038

(ii) The chronic absenteeism indicator as described in 1039  
division (D)(1)(b) of this section; 1040

(iii) For English learners, an English language 1041  
proficiency improvement indicator established by the department; 1042

(iv) The subgroup graduation targets; 1043

(v) The subgroup achievement targets in both mathematics 1044  
and English language arts; 1045

(vi) The subgroup progress targets in both mathematics and 1046  
English language arts. 1047

Achievement and progress targets under division (D)(3)(a) 1048  
of this section shall be calculated individually, and districts 1049  
and buildings shall receive a status of met or not met on each 1050  
measure. The department shall not require a subgroup of a 1051  
district or building to meet both the achievement and progress 1052  
targets at the same time to receive a status of met. 1053

The department shall not include any subgroup data in this 1054  
measure that includes data from fewer than fifteen students. Any 1055  
penalty for failing to meet the required assessment 1056  
participation rate must be partially in proportion to how close 1057  
the district or building was to meeting the rate requirement. 1058

(b) Achievement, which shall include the performance 1059  
measure in division (D)(1)(c) of this section and the reported 1060  
data in division (D)(2)(a) of this section. Performance ratings 1061  
for the achievement component shall be awarded as a percentage 1062

of the maximum performance index score described in division (D) 1063  
(1) (c) of this section. 1064

(c) Progress, which shall include the performance measure 1065  
in division (D) (1) (d) of this section and the reported data in 1066  
divisions (D) (2) (b) and (c) of this section; 1067

(d) Graduation, which shall include the performance 1068  
measures in divisions (D) (1) (e) and (f) of this section and the 1069  
reported data in divisions (D) (2) (d) and (j) of this section. 1070  
The four-year adjusted cohort graduation rate shall be assigned 1071  
a weight of sixty per cent and the five-year adjusted cohort 1072  
graduation rate shall be assigned a weight of forty per cent ~~+~~. 1073

(e) Early literacy, which shall include the performance 1074  
measures in divisions (D) (1) (g), (h), and (i) of this section 1075  
and the reported data in divisions (D) (2) (e) and (k) of this 1076  
section. 1077

If the measure prescribed under division (D) (1) (h) of this 1078  
section is included in a report card, performance ratings for 1079  
the early literacy component shall give a weight of forty per 1080  
cent to the measure prescribed under division (D) (1) (g) of this 1081  
section, a weight of thirty-five per cent to the measure 1082  
prescribed under division (D) (1) (i) of this section, and a 1083  
weight of twenty-five per cent to the measure prescribed under 1084  
division (D) (1) (h) of this section. 1085

If the measure prescribed under division (D) (1) (h) of this 1086  
section is not included in a report card of a district or 1087  
building, performance ratings for the early literacy component 1088  
shall give a weight of sixty per cent to the measure prescribed 1089  
under division (D) (1) (g) of this section and a weight of forty 1090  
per cent to the measure prescribed under division (D) (1) (i) of 1091

this section. 1092

(f) College, career, workforce, and military readiness, 1093  
which shall include the performance measure in division (D) (1) 1094  
(j) of this section and the reported data in division (D) (2) (f) 1095  
of this section. 1096

For the 2021-2022, 2022-2023, and 2023-2024 school years, 1097  
the department only shall report the data for, and not assign a 1098  
performance rating to, the college, career, workforce, and 1099  
military readiness component. The reported data shall include 1100  
the percentage of students who demonstrate post-secondary 1101  
readiness using any of the options described in division (D) (1) 1102  
(j) of this section. 1103

The department shall analyze the data included in the 1104  
performance measure prescribed in division (D) (1) (j) of this 1105  
section for the 2021-2022, 2022-2023, and 2023-2024 school 1106  
years. Using that data, the department shall develop and propose 1107  
rules for a method to assign a performance rating to the 1108  
college, career, workforce, and military readiness component 1109  
based on that measure. The method to assign a performance rating 1110  
shall not include a tiered structure or per student bonuses. The 1111  
rules shall specify that a district or building shall not 1112  
receive lower than a performance rating of three stars for the 1113  
component if the district's or building's performance on the 1114  
component meets or exceeds a level of improvement set by the 1115  
department. Notwithstanding division (D) (4) (b) of this section, 1116  
more than half of the total districts and buildings may earn a 1117  
performance rating of three stars on this component to account 1118  
for the districts and buildings that earned a performance rating 1119  
of three stars because they met or exceeded the level of 1120  
improvement set by the department. 1121

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

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

(ii) If the joint committee on agency rule review approves



the department's rules regarding the college, career, workforce, 1153  
and military readiness component as described in division (D) (3) 1154  
(f) of this section, for the 2024-2025 school year, and each 1155  
school year thereafter, the department's method shall use the 1156  
components in divisions (D) (3) (a), (b), (c), (d), (e), and (f) 1157  
of this section to calculate the overall performance rating. The 1158  
method shall give equal weight to the components in divisions 1159  
(D) (3) (b) and (c) of this section. The method shall give equal 1160  
weight to the components prescribed in divisions (D) (3) (a), (d), 1161  
(e), and (f) of this section. The individual weights of each of 1162  
the components prescribed in divisions (D) (3) (a), (d), (e), and 1163  
(f) of this section shall be equal to one-half the weight given 1164  
to the component prescribed in division (D) (3) (b) of this 1165  
section. 1166

If the joint committee on agency rule review disapproves 1167  
the department's rules regarding the college, career, workforce, 1168  
and military readiness component as described in division (D) (3) 1169  
(f) of this section, division (D) (3) (g) (ii) of this section does 1170  
not apply. 1171

(4) (a) The department shall adopt rules in accordance with 1172  
Chapter 119. of the Revised Code to establish the performance 1173  
criteria, benchmarks, and rating system necessary to implement 1174  
divisions (D) and (F) of this section, including the method for 1175  
the department to assign performance ratings under division (D) 1176  
(3) of this section. 1177

(b) In establishing the performance criteria, benchmarks, 1178  
and rating system, the department shall consult with stakeholder 1179  
groups and advocates that represent parents, community members, 1180  
students, business leaders, and educators from different school 1181  
typology regions. The department shall use data from prior 1182

school years and simulations to ensure that there is meaningful 1183  
differentiation among districts and buildings across all 1184  
performance ratings and that, except as permitted in division 1185  
(D) (3) (f) of this section, more than half of all districts or 1186  
buildings do not earn the same performance rating in any 1187  
component or overall performance rating. 1188

(c) The department shall adopt the rules prescribed by 1189  
division (D) (4) of this section not later than March 31, 2022. 1190  
However, the department shall notify districts and buildings of 1191  
the changes to the report card prescribed in law not later than 1192  
one week after September 30, 2021. 1193

(d) Prior to adopting or updating rules under division (D) 1194  
(4) of this section, the director of education and workforce and 1195  
the department shall conduct a public presentation before the 1196  
standing committees of the house of representatives and the 1197  
senate that consider primary and secondary education legislation 1198  
describing the format for the report card and the performance 1199  
criteria, benchmarks, and rating system, including the method to 1200  
assign performance ratings under division (D) (3) of this 1201  
section. 1202

(E) The department may develop a measure of student 1203  
academic progress for high school students using only data from 1204  
assessments in English language arts and mathematics. If the 1205  
department develops this measure, each school district and 1206  
applicable school building shall be assigned a separate letter 1207  
grade for it not sooner than the 2017-2018 school year. The 1208  
district's or building's grade for that measure shall not be 1209  
included in determining the district's or building's overall 1210  
letter grade. 1211

(F) (1) The letter grades assigned to a school district or 1212

building under this section shall be as follows: 1213

(a) "A" for a district or school making excellent 1214  
progress; 1215

(b) "B" for a district or school making above average 1216  
progress; 1217

(c) "C" for a district or school making average progress; 1218

(d) "D" for a district or school making below average 1219  
progress; 1220

(e) "F" for a district or school failing to meet minimum 1221  
progress. 1222

(2) For the overall performance rating under division (D) 1223  
(3) of this section, the department shall include a descriptor 1224  
for each performance rating as follows: 1225

(a) "Significantly exceeds state standards" for a 1226  
performance rating of five stars; 1227

(b) "Exceeds state standards" for a performance rating of 1228  
four stars or four and one-half stars; 1229

(c) "Meets state standards" for a performance rating of 1230  
three stars or three and one-half stars; 1231

(d) "Needs support to meet state standards" for a 1232  
performance rating of two stars or two and one-half stars; 1233

(e) "Needs significant support to meet state standards" 1234  
for a performance rating of one star or one and one-half stars. 1235

(3) For performance ratings for each component under 1236  
divisions (D) (3) (a) to (f) of this section, the department shall 1237  
include a description of each component and performance rating. 1238  
The description shall include component-specific context to each 1239

performance rating earned, estimated comparisons to other school 1240  
districts and buildings if appropriate, and any other 1241  
information determined by the department. The descriptions shall 1242  
be not longer than twenty-five words in length when possible. In 1243  
addition to such descriptions, the department shall include the 1244  
descriptors in division (F) (2) of this section for component 1245  
performance ratings. 1246

(4) Each report card issued under this section shall 1247  
include all of the following: 1248

(a) A graphic that depicts the performance ratings of a 1249  
district or school on a color scale. The color associated with a 1250  
performance rating of three stars shall be green and the color 1251  
associated with a performance rating of one star shall be red. 1252

(b) An arrow graphic that shows data trends for 1253  
performance ratings for school districts or buildings. The 1254  
department shall determine the data to be used for this graphic, 1255  
which shall include at least the three most recent years of 1256  
data. 1257

(c) A description regarding the weights that are assigned 1258  
to each component and used to determine an overall performance 1259  
rating, as prescribed under division (D) (3) (g) of this section, 1260  
which shall be included in the presentation of the overall 1261  
performance rating on each report card. 1262

(G) When reporting data on student achievement and 1263  
progress, the department shall disaggregate that data according 1264  
to the following categories: 1265

(1) Performance of students by grade-level; 1266

(2) Performance of students by race and ethnic group; 1267

(3) Performance of students by gender;	1268
(4) Performance of students grouped by those who have been enrolled in a district or school for three or more years;	1269 1270
(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;	1271 1272 1273
(6) Performance of students grouped by those who have been enrolled in a district or school for one year or less;	1274 1275
(7) Performance of students grouped by those who are economically disadvantaged;	1276 1277
(8) Performance of students grouped by those who are enrolled in a conversion community school established under Chapter 3314. of the Revised Code;	1278 1279 1280
(9) Performance of students grouped by those who are classified as English learners;	1281 1282
(10) Performance of students grouped by those who have disabilities;	1283 1284
(11) Performance of students grouped by those who are classified as migrants;	1285 1286
(12) Performance of students grouped by those who are identified as gifted in superior cognitive ability and the specific academic ability fields of reading and math pursuant to Chapter 3324. of the Revised Code. In disaggregating specific academic ability fields for gifted students, the department shall use data for those students with specific academic ability in math and reading. If any other academic field is assessed, the department shall also include data for students with specific academic ability in that field as well.	1287 1288 1289 1290 1291 1292 1293 1294 1295

(13) Performance of students grouped by those who perform 1296  
in the lowest quintile for achievement on a statewide basis, as 1297  
determined by a method prescribed by the department. 1298

The department may disaggregate data on student 1299  
performance according to other categories that the department 1300  
determines are appropriate. To the extent possible, the 1301  
department shall disaggregate data on student performance 1302  
according to any combinations of two or more of the categories 1303  
listed in divisions (G) (1) to (13) of this section that it deems 1304  
relevant. 1305

In reporting data pursuant to division (G) of this 1306  
section, the department shall not include in the report cards 1307  
any data statistical in nature that is statistically unreliable 1308  
or that could result in the identification of individual 1309  
students. For this purpose, the department shall not report 1310  
student performance data for any group identified in division 1311  
(G) of this section that contains less than ten students. If the 1312  
department does not report student performance data for a group 1313  
because it contains less than ten students, the department shall 1314  
indicate on the report card that is why data was not reported. 1315

(H) The department may include with the report cards any 1316  
additional education and fiscal performance data it deems 1317  
valuable. 1318

(I) The department shall include on each report card a 1319  
list of additional information collected by the department that 1320  
is available regarding the district or building for which the 1321  
report card is issued. When available, such additional 1322  
information shall include student mobility data disaggregated by 1323  
race and socioeconomic status, college enrollment data, and the 1324  
reports prepared under section 3302.031 of the Revised Code. 1325

The department shall maintain a site on the world wide 1326  
web. The report card shall include the address of the site and 1327  
shall specify that such additional information is available to 1328  
the public at that site. The department shall also provide a 1329  
copy of each item on the list to the superintendent of each 1330  
school district. The district superintendent shall provide a 1331  
copy of any item on the list to anyone who requests it. 1332

(J) (1) (a) Except as provided in division (J) (1) (b) of this 1333  
section, for any district that sponsors a conversion community 1334  
school under Chapter 3314. of the Revised Code, the department 1335  
shall combine data regarding the academic performance of 1336  
students enrolled in the community school with comparable data 1337  
from the schools of the district for the purpose of determining 1338  
the performance of the district as a whole on the report card 1339  
issued for the district under this section or section 3302.033 1340  
of the Revised Code. 1341

(b) The department shall not combine data from any 1342  
conversion community school that a district sponsors if a 1343  
majority of the students enrolled in the conversion community 1344  
school are enrolled in a dropout prevention and recovery program 1345  
that is operated by the school, ~~as described in division (B) (1) of~~ 1346  
~~section 3314.35 of the Revised Code.~~ The department shall 1347  
include as an addendum to the district's report card the ratings 1348  
and performance measures that are required under section 1349  
3314.017 of the Revised Code for any community school to which 1350  
division (J) (1) (b) of this section applies. This addendum shall 1351  
include, at a minimum, the data specified in divisions (C) (1) 1352  
(a), (C) (2), and (C) (3) of section 3314.017 of the Revised Code. 1353

(2) Any district that leases a building to a community 1354  
school located in the district or that enters into an agreement 1355

with a community school located in the district whereby the 1356  
district and the school endorse each other's programs may elect 1357  
to have data regarding the academic performance of students 1358  
enrolled in the community school combined with comparable data 1359  
from the schools of the district for the purpose of determining 1360  
the performance of the district as a whole on the district 1361  
report card. Any district that so elects shall annually file a 1362  
copy of the lease or agreement with the department. 1363

(3) Any municipal school district, as defined in section 1364  
3311.71 of the Revised Code, that sponsors a community school 1365  
located within the district's territory, or that enters into an 1366  
agreement with a community school located within the district's 1367  
territory whereby the district and the community school endorse 1368  
each other's programs, may exercise either or both of the 1369  
following elections: 1370

(a) To have data regarding the academic performance of 1371  
students enrolled in that community school combined with 1372  
comparable data from the schools of the district for the purpose 1373  
of determining the performance of the district as a whole on the 1374  
district's report card; 1375

(b) To have the number of students attending that 1376  
community school noted separately on the district's report card. 1377

The election authorized under division (J) (3) (a) of this 1378  
section is subject to approval by the governing authority of the 1379  
community school. 1380

Any municipal school district that exercises an election 1381  
to combine or include data under division (J) (3) of this 1382  
section, by the first day of October of each year, shall file 1383  
with the department documentation indicating eligibility for 1384



that election, as required by the department. 1385

(K) The department shall include on each report card the 1386  
percentage of teachers in the district or building who are 1387  
properly certified or licensed teachers, as defined in section 1388  
3319.074 of the Revised Code, and a comparison of that 1389  
percentage with the percentages of such teachers in similar 1390  
districts and buildings. 1391

(L) (1) In calculating English language arts, mathematics, 1392  
science, American history, or American government assessment 1393  
passage rates used to determine school district or building 1394  
performance under this section, the department shall include all 1395  
students taking an assessment with accommodation or to whom an 1396  
alternate assessment is administered pursuant to division (C) (1) 1397  
or (3) of section 3301.0711 of the Revised Code and all students 1398  
who take substitute examinations approved under division (B) (4) 1399  
of section 3301.0712 of the Revised Code in the subject areas of 1400  
science, American history and American government. 1401

(2) In calculating performance index scores, rates of 1402  
achievement on the performance indicators established by the 1403  
department under section 3302.02 of the Revised Code, and annual 1404  
measurable objectives for determining adequate yearly progress 1405  
for school districts and buildings under this section, the 1406  
department shall do all of the following: 1407

(a) Include for each district or building only those 1408  
students who are included in the ADM certified for the first 1409  
full school week of October and are continuously enrolled in the 1410  
district or building through the time of the spring 1411  
administration of any assessment prescribed by division (A) (1) 1412  
or (B) (1) of section 3301.0710 or division (B) of section 1413  
3301.0712 of the Revised Code that is administered to the 1414

student's grade level; 1415

(b) Include cumulative totals from both the fall and 1416  
spring administrations of the third grade English language arts 1417  
achievement assessment and, to the extent possible, the summer 1418  
administration of that assessment; 1419

(c) Include for each district or building any English 1420  
learner in accordance with the department's plan, as approved by 1421  
the United States secretary of education, to comply with the 1422  
"Elementary and Secondary Education Act of 1965," 20 U.S.C. 6311 1423  
to 6339. 1424

As used in this section, "English learner" has the same 1425  
meaning as in section 3301.0731 of the Revised Code. 1426

(M) Beginning with the 2015-2016 school year and at least 1427  
once every three years thereafter, the department shall review 1428  
and may adjust the benchmarks for assigning letter grades or 1429  
performance ratings to the performance measures and components 1430  
prescribed under divisions (C) (3), (D), and (E) of this section. 1431

**Sec. 3302.034.** (A) The department of education and 1432  
workforce shall adopt and specify measures in addition to those 1433  
included on the report card issued under section 3302.03 of the 1434  
Revised Code. The measures adopted under this section shall be 1435  
reported separately, as specified under division (B) of this 1436  
section, for each school district, each building in a district, 1437  
each community school established under Chapter 3314., each STEM 1438  
school established under Chapter 3326., and each college- 1439  
preparatory boarding school established under Chapter 3328. of 1440  
the Revised Code. The measures shall include at least the 1441  
following: 1442

(1) Data for students who have passed over a grade or 1443

subject area under an acceleration policy prescribed under 1444  
section 3324.10 of the Revised Code; 1445

(2) The number of students who are economically 1446  
disadvantaged as determined by the department; 1447

(3) The number of lead teachers employed by each district 1448  
and each building once the data is available through the 1449  
education management information system established under 1450  
section 3301.0714 of the Revised Code; 1451

(4) The amount of students screened and identified as 1452  
gifted under Chapter 3324. of the Revised Code; 1453

(5) Postgraduate student outcome data ~~as described under~~ 1454  
~~division (E) (2) (d) (ii) of section 3314.017 of the Revised Code,~~ 1455  
including postsecondary credit earned, nationally recognized 1456  
career or technical certification, military enlistment, job 1457  
placement, and attendance rate; 1458

(6) Availability of courses in fine arts; 1459

(7) Participation with other school districts to provide 1460  
career-technical education services to students. 1461

(B) The department shall report this information annually 1462  
beginning with the 2013-2014 school year and make this 1463  
information available on its web site for comparison purposes. 1464

**Sec. 3302.036.** (A) Notwithstanding anything in the Revised 1465  
Code to the contrary, the department of education and workforce 1466  
shall not assign an overall letter grade under division (C) (3) 1467  
of section 3302.03 of the Revised Code for any school district 1468  
or building for the 2014-2015, 2015-2016, or 2016-2017 school 1469  
years, may, at the discretion of the department, not assign an 1470  
individual grade to any component prescribed under division (C) 1471

(3) of section 3302.03 of the Revised Code, and shall not rank 1472  
school districts, community schools established under Chapter 1473  
3314. of the Revised Code, or STEM schools established under 1474  
Chapter 3326. of the Revised Code under section 3302.21 of the 1475  
Revised Code for those school years. The report card ratings 1476  
issued for the 2014-2015, 2015-2016, or 2016-2017 school years 1477  
shall not be considered in determining whether a school district 1478  
or a school is subject to sanctions or penalties. However, the 1479  
report card ratings of any previous or subsequent years shall be 1480  
considered in determining whether a school district or building 1481  
is subject to sanctions or penalties. Accordingly, the report 1482  
card ratings for the 2014-2015, 2015-2016, or 2016-2017 school 1483  
years shall have no effect in determining sanctions or 1484  
penalties, but shall not create a new starting point for 1485  
determinations that are based on ratings over multiple years. 1486

(B) The provisions from which a district or school is 1487  
exempt under division (A) of this section shall be the 1488  
following: 1489

(1) Any restructuring provisions established under this 1490  
chapter, except as required under the "No Child Left Behind Act 1491  
of 2001"; 1492

(2) Provisions for the Columbus city school pilot project 1493  
under section 3302.042 of the Revised Code; 1494

(3) Provisions for academic distress commissions under 1495  
former section 3302.10 of the Revised Code as it existed prior 1496  
to October 15, 2015. The provisions of this section do not apply 1497  
to academic distress commissions under the version of that 1498  
section as it exists on or after October 15, 2015. 1499

(4) Provisions prescribing new buildings where students 1500

are eligible for the educational choice scholarships under 1501  
section 3310.03 of the Revised Code; 1502

(5) Provisions defining "challenged school districts" in 1503  
which new start-up community schools were required to be 1504  
located, as prescribed in section 3314.02 of the Revised Code as 1505  
it existed prior to September 30, 2021; 1506

(6) Provisions prescribing ~~community school closure~~ 1507  
requirements for poorly performing community schools under 1508  
section 3314.35 or former section 3314.351 of the Revised Code\_ 1509  
as it existed prior to the effective date of this amendment. 1510

(C) Notwithstanding anything in the Revised Code to the 1511  
contrary and except as provided in Section 3 of H.B. 7 of the 1512  
131st general assembly, no school district, community school, or 1513  
STEM school shall utilize at any time during a student's 1514  
academic career a student's score on any assessment administered 1515  
under division (A) of section 3301.0710 or division (B) (2) of 1516  
section 3301.0712 of the Revised Code in the 2014-2015, 2015- 1517  
2016, or 2016-2017 school years as a factor in any decision to 1518  
promote or to deny the student promotion to a higher grade level 1519  
or in any decision to grant course credit. No individual student 1520  
score reports on such assessments administered in the 2014-2015, 1521  
2015-2016, or 2016-2017 school years shall be released, except 1522  
to a student's school district or school or to the student or 1523  
the student's parent or guardian. 1524

**Sec. 3302.12.** (A) (1) Except as provided in divisions (C) 1525  
and (D) of this section, this section applies to a school 1526  
building that ~~is ranked according to performance index score~~ 1527  
~~under section 3302.21 of the Revised Code in the lowest five per~~ 1528  
~~cent of public school buildings statewide for three consecutive~~ 1529  
~~years and that meets any combination of the following for three~~ 1530

~~consecutive years:—~~ 1531

~~(a) The school building has received a grade of "F" for~~ 1532  
~~the value-added progress dimension under division (A) (1) (c), (B)~~ 1533  
~~(1) (c), or (C) (1) (c) of section 3302.03 of the Revised Code;~~ 1534

~~(b) The school building has received an overall grade of~~ 1535  
~~"F" under section 3302.03 of the Revised Code;~~ 1536

~~(c) The school building has received a performance rating~~ 1537  
~~of one star for progress under division (D) (3) (c) of section~~ 1538  
~~3302.03 of the Revised Code;~~ 1539

~~(d) The school building has received an overall~~ 1540  
~~performance rating of less than two stars under section 3302.03~~ 1541  
~~of the Revised Code~~is under the control of a school district 1542  
and, for the three most recent school years, meets all of the 1543  
following criteria: 1544

(a) The school building offers a grade level higher than 1545  
three. 1546

(b) The school building has been ranked by the department 1547  
of education and workforce according to performance index score 1548  
in the bottom five per cent of all rated school buildings in the 1549  
state. 1550

(c) The school building has been ranked by the department 1551  
according to effect size under the value-added progress 1552  
dimension in the bottom ten per cent of all ranked school 1553  
buildings in the state. 1554

(2) The department shall provide notice to any school 1555  
district in control of a school building to which this section 1556  
applies of that fact. In the case of a building to which this 1557  
section applies, the district board of education in control of 1558

that building shall do one of the following at the conclusion of 1559  
the school year in which the building first becomes subject to 1560  
this section: 1561

(a) Close the school and direct the district 1562  
superintendent to reassign the students enrolled in the school 1563  
to other school buildings that demonstrate higher academic 1564  
achievement; 1565

(b) Contract with ~~another school district or a nonprofit~~ 1566  
~~or for profit entity with a demonstrated record of effectiveness~~ 1567  
one of the following entities to operate the school; 1568

(i) An education management organization or charter 1569  
management organization that is approved by the department and 1570  
meets at least one of the following conditions: 1571

(I) The organization has experience in improving school 1572  
performance; 1573

(II) The schools managed by the organization have received 1574  
an average of at least three stars in the achievement and 1575  
progress components under division (D) (3) of section 3302.03 of 1576  
the Revised Code on the most recent report card issued by the 1577  
department. 1578

(ii) A school district that meets both of the following: 1579

(I) The district has received an overall performance 1580  
rating of at least four stars on its most recent report card 1581  
issued under section 3302.03 of the Revised Code and has 1582  
experience improving school performance, as determined by the 1583  
department; 1584

(II) The district does not operate any school building 1585  
that is subject to this section. 1586

(iii) An educational service center that has experience in 1587  
school improvement and meets criteria established by the 1588  
department; 1589

(iv) A private college as defined in section 3365.01 of 1590  
the Revised Code that has experience in school improvement and 1591  
meets criteria established by the department; 1592

(v) A state institution of higher education as defined in 1593  
section 3345.011 of the Revised Code that has experience in 1594  
school improvement and meets criteria established by the 1595  
department. 1596

(c) Replace the principal and ~~all teaching at least a~~ 1597  
majority of licensed staff of the school and, upon request from 1598  
the new principal, exempt the school from all requested policies 1599  
and regulations of the board regarding curriculum and 1600  
instruction. The board also shall distribute funding to the 1601  
school in an amount that is at least equal to the product of the 1602  
per pupil amount of state and local revenues received by the 1603  
district multiplied by the student population of the school.\_ 1604  
Notwithstanding any provision to the contrary in Chapter 4117. 1605  
of the Revised Code, this provision prevails over any 1606  
conflicting provisions of a collective bargaining agreement or 1607  
contract for employment entered into after the effective date of 1608  
this amendment. 1609

(d) ~~Reopen the school as a conversion community school~~ 1610  
~~under Chapter 3314. of the Revised Code~~Consolidate the school 1611  
district that controls the school building into another school 1612  
district. 1613

(e) Work with a department-approved external service 1614  
provider with expertise in school improvement. 1615



(B) If an action taken by the board under division (A) (2) 1616  
of this section causes the district to no longer maintain all 1617  
grades kindergarten through twelve, as required by section 1618  
3311.29 of the Revised Code, the board shall enter into a 1619  
contract with another school district pursuant to section 1620  
3327.04 of the Revised Code for enrollment of students in the 1621  
schools of that other district to the extent necessary to comply 1622  
with the requirement of section 3311.29 of the Revised Code. 1623  
Notwithstanding any provision of the Revised Code to the 1624  
contrary, if the board enters into and maintains a contract 1625  
under section 3327.04 of the Revised Code, the district shall 1626  
not be considered to have failed to comply with the requirement 1627  
of section 3311.29 of the Revised Code. If, however, the 1628  
district board fails to or is unable to enter into or maintain 1629  
such a contract, the state board of education shall take all 1630  
necessary actions to dissolve the district as provided in 1631  
division (A) of section 3311.29 of the Revised Code. 1632

(C) If a particular school is required to restructure 1633  
under this section and a petition with respect to that same 1634  
school has been filed and verified under divisions (B) and (C) 1635  
of section 3302.042 of the Revised Code, the provisions of that 1636  
section and the petition filed and verified under it shall 1637  
prevail over the provisions of this section and the school shall 1638  
be restructured under that section. However, if division (D) (1), 1639  
(2), or (3) of section 3302.042 of the Revised Code also applies 1640  
to the school, the school shall be subject to restructuring 1641  
under this section and not section 3302.042 of the Revised Code. 1642

If the provisions of this section conflict in any way with 1643  
the requirements of federal law, federal law shall prevail over 1644  
the provisions of this section. 1645

(D) If a school is restructured under this section, 1646  
section 3302.042 or 3302.10 of the Revised Code, or federal law, 1647  
the school shall not be required to restructure again under 1648  
state law for three consecutive years after the implementation 1649  
of that prior restructuring. 1650

(E) The department may adopt rules as necessary to 1651  
implement this section. 1652

(F) The department shall not consider report cards issued 1653  
prior to the 2024-2025 school year in determining whether a 1654  
school building is subject to this section. 1655

**Sec. 3313.413.** (A) As used in this section, "high- 1656  
performing community school" means either of the following: 1657

(1) A community school established under Chapter 3314. of 1658  
the Revised Code that meets the following conditions: 1659

(a) Except as provided in division (A) (1) (b) or (c) of 1660  
this section, the school both: 1661

(i) Has received either a grade of "A," "B," or "C" for 1662  
the performance index score under division (C) (1) (b) of section 1663  
3302.03 of the Revised Code or a performance rating of three 1664  
stars or higher for achievement under division (D) (3) (b) of that 1665  
section; or has increased its performance index score under 1666  
division (C) (1) (b) or (D) (1) (d) of section 3302.03 of the 1667  
Revised Code in each of the previous three years of operation; 1668  
and 1669

(ii) Has received either a grade of "A" or "B" for the 1670  
value-added progress dimension under division (C) (1) (e) of 1671  
section 3302.03 of the Revised Code or a performance rating of 1672  
four stars or higher for progress under division (D) (3) (c) of 1673  
that section on its most recent report card rating issued under 1674

that section. 1675

(b) If the school serves only grades kindergarten through 1676  
three, the school received either a grade of "A" or "B" for 1677  
making progress in improving literacy in grades kindergarten 1678  
through three under division (C) (1) (g) of section 3302.03 of the 1679  
Revised Code or a performance rating of four stars or higher for 1680  
early literacy under division (D) (3) (e) of that section on its 1681  
most recent report card issued under that section. 1682

(c) If the school primarily serves students enrolled in a 1683  
dropout prevention and recovery program ~~as described in division~~ 1684  
~~(B) (1) of section 3314.35 of the Revised Code~~, the school 1685  
received a rating of "exceeds standards" on its most recent 1686  
report card issued under section 3314.017 of the Revised Code. 1687

(2) A newly established community school that is 1688  
implementing a community school model that has a track record of 1689  
high-quality academic performance, as determined by the 1690  
department of education and workforce. 1691

(B) When a school district board of education decides to 1692  
dispose of real property it owns in its corporate capacity under 1693  
section 3313.41 of the Revised Code, the board shall first offer 1694  
that property to the governing authorities of all start-up 1695  
community schools, the boards of trustees of any college- 1696  
preparatory boarding schools, and the governing bodies of any 1697  
STEM schools that are located within the territory of the 1698  
district. Not later than sixty days after the district board 1699  
makes the offer, interested governing authorities, boards of 1700  
trustees, and governing bodies shall notify the district 1701  
treasurer in writing of the intention to purchase the property. 1702

The district board shall give priority to the governing 1703

authorities of high-performing community schools that are 1704  
located within the territory of the district. 1705

(1) If more than one governing authority of a high- 1706  
performing community school notifies the district treasurer of 1707  
its intention to purchase the property pursuant to division (B) 1708  
of this section, the board shall conduct a public auction in the 1709  
manner required for auctions of district property under division 1710  
(A) of section 3313.41 of the Revised Code. Only the governing 1711  
authorities of high-performing community schools that notified 1712  
the district treasurer pursuant to division (B) of this section 1713  
are eligible to bid at the auction. 1714

(2) If no governing authority of a high-performing 1715  
community school notifies the district treasurer of its 1716  
intention to purchase the property pursuant to division (B) of 1717  
this section, the board shall then proceed with the offers from 1718  
all other start-up community schools, college-preparatory 1719  
boarding schools, and STEM schools made pursuant to that 1720  
division. If more than one such entity notifies the district 1721  
treasurer of its intention to purchase the property pursuant to 1722  
division (B) of this section, the board shall conduct a public 1723  
auction in the manner required for auctions of district property 1724  
under division (A) of section 3313.41 of the Revised Code. Only 1725  
the entities that notified the district treasurer pursuant to 1726  
division (B) of this section are eligible to bid at the auction. 1727

(3) If no governing authority, board of trustees, or 1728  
governing body notifies the district treasurer of its intention 1729  
to purchase the property pursuant to division (B) of this 1730  
section, the district may then offer the property for sale in 1731  
the manner prescribed under divisions (A) to (F) of section 1732  
3313.41 of the Revised Code. 1733

(C) Notwithstanding anything to the contrary in sections 1734  
3313.41 and 3313.411 of the Revised Code, the purchase price of 1735  
any real property sold to any of the entities in accordance with 1736  
division (B) of this section shall not be more than the 1737  
appraised fair market value of that property as determined in an 1738  
appraisal of the property that is not more than one year old. 1739

(D) Not later than the first day of October of each year, 1740  
the department of education and workforce shall post in a 1741  
prominent location on its web site a list of schools that 1742  
qualify as high-performing community schools for purposes of 1743  
this section and section 3313.411 of the Revised Code. 1744

**Sec. 3314.012.** (A) Except as provided in section 3314.017 1745  
of the Revised Code, the department of education and workforce 1746  
shall issue an annual report card for each community school, 1747  
regardless of how long the school has been in operation. The 1748  
report card shall report the academic and financial performance 1749  
of the school . The report card shall include all information 1750  
applicable to school buildings under section 3302.03 of the 1751  
Revised Code. The ratings a community school receives under 1752  
section 3302.03 of the Revised Code for its first two full 1753  
school years shall not be considered toward ~~automatic closure of~~ 1754  
~~the school under actions required for poorly performing~~ 1755  
community schools under section 3314.35 of the Revised Code or 1756  
any other matter that is based on report card ratings. 1757

(B) Upon receipt of a copy of a contract between a sponsor 1758  
and a community school entered into under this chapter, the 1759  
department shall notify the community school of the specific 1760  
model report card that will be used for that school. 1761

(C) Report cards shall be distributed to the parents of 1762  
all students in the community school, to the members of the 1763

board of education of the school district in which the community 1764  
school is located, and to any person who requests one from the 1765  
department. 1766

**Sec. 3314.016.** This section applies to any entity that 1767  
sponsors a community school, regardless of whether section 1768  
3314.021 or 3314.027 of the Revised Code exempts the entity from 1769  
the requirement to be approved for sponsorship under divisions 1770  
(A) (2) and (B) (1) of section 3314.015 of the Revised Code. The 1771  
office of Ohio school sponsorship established under section 1772  
3314.029 of the Revised Code shall be rated under division (B) 1773  
of this section, but divisions (A) and (C) of this section do 1774  
not apply to the office. 1775

(A) An entity that sponsors a community school shall be 1776  
permitted to enter into contracts under section 3314.03 of the 1777  
Revised Code to sponsor additional community schools only if the 1778  
entity meets all of the following criteria: 1779

(1) The entity is in compliance with all provisions of 1780  
this chapter requiring sponsors of community schools to report 1781  
data or information to the department of education and 1782  
workforce. 1783

(2) The entity is not rated as "ineffective" under 1784  
division (B) (6) of this section. 1785

(3) Except as set forth in sections 3314.021 and 3314.027 1786  
of the Revised Code, the entity has received approval from and 1787  
entered into an agreement with the department pursuant to 1788  
section 3314.015 of the Revised Code. 1789

(B) (1) The department shall develop and implement an 1790  
evaluation system that annually rates and assigns an overall 1791  
rating to each entity that sponsors a community school. The 1792

department, not later than the first day of February of each 1793  
year, shall post on the department's web site the framework for 1794  
the evaluation system, including technical documentation that 1795  
the department intends to use to rate sponsors for the next 1796  
school year. The department shall solicit public comment on the 1797  
evaluation system for thirty consecutive days. Not later than 1798  
the first day of April of each year, the department shall 1799  
compile and post on the department's web site all public 1800  
comments that were received during the public comment period. 1801  
The evaluation system shall be posted on the department's web 1802  
site by the fifteenth day of July of each school year. Any 1803  
changes to the evaluation system after that date shall take 1804  
effect the following year. The evaluation system shall be based 1805  
on the following components: 1806

(a) Academic performance of students enrolled in community 1807  
schools sponsored by the same entity. The academic performance 1808  
component shall be derived from the performance measures 1809  
prescribed for the state report cards under section 3302.03 or 1810  
3314.017 of the Revised Code, and shall be based on the 1811  
performance of the schools for the school year for which the 1812  
evaluation is conducted. In addition to the academic performance 1813  
for a specific school year, the academic performance component 1814  
shall also include year-to-year changes in the overall sponsor 1815  
portfolio. For a community school for which no graded 1816  
performance measures are applicable or available, the department 1817  
shall use nonreport card performance measures specified in the 1818  
contract between the community school and the sponsor under 1819  
division (A) (4) of section 3314.03 of the Revised Code. 1820

(b) Adherence by a sponsor to the quality practices 1821  
prescribed by the department under division (B) (3) of this 1822  
section. For a sponsor that was rated "effective" or "exemplary" 1823

on its most recent rating, the department may evaluate that 1824  
sponsor's adherence to quality practices once over a period of 1825  
three years. If the department elects to evaluate a sponsor once 1826  
over a period of three years, the most recent rating for a 1827  
sponsor's adherence to quality practices shall be used when 1828  
determining an annual overall rating conducted under this 1829  
section. 1830

(c) Compliance with all applicable laws and administrative 1831  
rules by an entity that sponsors a community school. 1832

Under the evaluation system prescribed under division (B) 1833  
(1) of this section, the department shall not assign an overall 1834  
rating of "ineffective" or lower to an entity that sponsors a 1835  
community school solely because that entity received no points 1836  
on one of the components prescribed under that division. 1837

(2) In calculating an academic performance component, the 1838  
department shall exclude all community schools that have been in 1839  
operation for not more than two full school years and all 1840  
community schools ~~described in division (B) (2) of section~~ 1841  
~~3314.35 of the Revised Code~~ in which a majority of the enrolled 1842  
students are children with disabilities receiving special 1843  
education and related services in accordance with Chapter 3323. 1844  
of the Revised Code. However, the academic performance of the 1845  
community schools ~~described in division (B) (2) of section~~ 1846  
~~3314.35 of the Revised Code~~ in which a majority of the enrolled 1847  
students are children with disabilities receiving special 1848  
education and related services in accordance with Chapter 3323. 1849  
of the Revised Code shall be reported, but shall not be used as 1850  
a factor when determining a sponsoring entity's rating under 1851  
this section. 1852

(3) The department, in consultation with entities that 1853



sponsor community schools, shall prescribe quality practices for 1854  
community school sponsors and develop an instrument to measure 1855  
adherence to those quality practices. The quality practices 1856  
shall be based on standards developed by the national 1857  
association of charter school authorizers or any other 1858  
nationally organized community school organization. 1859

(4) (a) The department may permit peer review of a 1860  
sponsor's adherence to the quality practices prescribed under 1861  
division (B) (3) of this section. Peer reviewers shall be limited 1862  
to individuals employed by sponsors rated "effective" or 1863  
"exemplary" on the most recent ratings conducted under this 1864  
section. 1865

(b) The department shall require individuals participating 1866  
in peer review under division (B) (4) (a) of this section to 1867  
complete training approved or established by the department. 1868

(c) The department may enter into an agreement with 1869  
another entity to provide training to individuals conducting 1870  
peer review of sponsors. Prior to entering into an agreement 1871  
with an entity, the department shall review and approve of the 1872  
entity's training program. 1873

(5) The director of education and workforce shall adopt 1874  
rules in accordance with Chapter 119. of the Revised Code 1875  
prescribing standards for measuring compliance with applicable 1876  
laws and rules under division (B) (1) (c) of this section. 1877

(6) The department annually shall rate all entities that 1878  
sponsor community schools as either "exemplary," "effective," 1879  
"ineffective," or "poor," based on the components prescribed by 1880  
division (B) of this section, where each component is weighted 1881  
equally. A separate rating shall be given by the department for 1882

each component of the evaluation system. 1883

The department shall publish the ratings between the first 1884  
day of October and the fifteenth day of November. 1885

Prior to the publication of the final ratings, the 1886  
department shall designate and provide notice of a period of at 1887  
least ten business days during which each sponsor may review the 1888  
information used by the department to determine the sponsor's 1889  
rating on the components prescribed by division (B)(1) of this 1890  
section. If the sponsor believes there is an error in the 1891  
department's evaluation, the sponsor may request adjustments to 1892  
the rating of any of those components based on documentation 1893  
previously submitted as part of an evaluation. The sponsor shall 1894  
provide to the department any necessary evidence or information 1895  
to support the requested adjustments. The department shall 1896  
review the evidence and information, determine whether an 1897  
adjustment is valid, and promptly notify the sponsor of its 1898  
determination and reasons. If any adjustments to the data could 1899  
result in a change to the rating on the applicable component or 1900  
to the overall rating, the department shall recalculate the 1901  
ratings prior to publication. 1902

The department shall provide training on an annual basis 1903  
regarding the evaluation system prescribed under this section. 1904  
The training shall, at a minimum, describe methodology, 1905  
timelines, and data required for the evaluation system. The 1906  
first training session shall occur not later than March 2, 2016. 1907  
Beginning in 2018, the training shall be made available to each 1908  
entity that sponsors a community school by the fifteenth day of 1909  
July of each year and shall include guidance on any changes made 1910  
to the evaluation system. 1911

(7)(a) Entities with an overall rating of "exemplary" for 1912

the two most recent years in which the entity was evaluated may 1913  
take advantage of the following incentives: 1914

(i) Renewal of the written agreement with the department, 1915  
not to exceed ten years, provided that the entity consents to 1916  
continued evaluation of adherence to quality practices as 1917  
described in division (B) (1) (b) of this section; 1918

(ii) The ability to extend the term of the contract 1919  
between the sponsoring entity and the community school beyond 1920  
the term described in the written agreement with the department; 1921

(iii) An exemption from the preliminary agreement and 1922  
contract adoption and execution deadline requirements prescribed 1923  
in division (D) of section 3314.02 of the Revised Code; 1924

(iv) An exemption from the automatic contract expiration 1925  
requirement, should a new community school fail to open by the 1926  
thirtieth day of September of the calendar year in which the 1927  
community school contract is executed; 1928

(v) No limit on the number of community schools the entity 1929  
may sponsor; 1930

(vi) No territorial restrictions on sponsorship. 1931

An entity may continue to sponsor any community schools 1932  
with which it entered into agreements under division (B) (7) (a) 1933  
(v) or (vi) of this section while rated "exemplary," 1934  
notwithstanding the fact that the entity later receives a lower 1935  
overall rating. 1936

(b) Entities with an overall rating of "exemplary" or 1937  
"effective" for the three most recent years in which the entity 1938  
was evaluated shall be evaluated by the department once every 1939  
three years. 1940

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

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

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

revocation shall be confirmed. 1972

(8) For the 2014-2015 school year and each school year 1973  
thereafter, student academic performance prescribed under 1974  
division (B)(1)(a) of this section shall include student 1975  
academic performance data from community schools that primarily 1976  
serve students enrolled in a dropout prevention and recovery 1977  
program. 1978

(C) If the governing authority of a community school 1979  
enters into a contract with a sponsor prior to the date on which 1980  
the sponsor is prohibited from sponsoring additional schools 1981  
under division (A) of this section and the school has not opened 1982  
for operation as of that date, that contract shall be void and 1983  
the school shall not open until the governing authority secures 1984  
a new sponsor by entering into a contract with the new sponsor 1985  
under section 3314.03 of the Revised Code. However, the 1986  
department's office of Ohio school sponsorship, established 1987  
under section 3314.029 of the Revised Code, may assume the 1988  
sponsorship of the school until the earlier of the expiration of 1989  
two school years or until a new sponsor is secured by the 1990  
school's governing authority. A community school sponsored by 1991  
the department under this division shall not be included when 1992  
calculating the maximum number of directly authorized community 1993  
schools permitted under division (A)(3) of section 3314.029 of 1994  
the Revised Code. 1995

(D) When an entity's authority to sponsor schools is 1996  
revoked pursuant to division (B)(7)(c) or (d) of this section, 1997  
the office of Ohio school sponsorship shall assume sponsorship 1998  
of any schools with which the original sponsor has contracted 1999  
for the remainder of that school year. The office may continue 2000  
sponsoring those schools until the earlier of: 2001

(1) The expiration of two school years from the time that sponsorship is revoked; 2002  
2003

(2) When a new sponsor is secured by the governing authority pursuant to division (C) (1) of section 3314.02 of the Revised Code. 2004  
2005  
2006

Any community school sponsored under this division shall not be counted for purposes of directly authorized community schools under division (A) (3) of section 3314.029 of the Revised Code. 2007  
2008  
2009  
2010

~~(E) The department shall recalculate the rating for the 2017-2018 school year for each sponsor of a community school that receives recalculated ratings pursuant to division (I) of section 3314.017 of the Revised Code.~~ 2011  
2012  
2013  
2014

**Sec. 3314.017.** (A) The department of education and workforce shall prescribe by rules, adopted in accordance with Chapter 119. of the Revised Code, an academic performance rating and report card system that satisfies the requirements of this section for community schools that primarily serve students enrolled in dropout prevention and recovery programs ~~as described in division (B) (1) of section 3314.35 of the Revised Code,~~ to be used in lieu of the system prescribed under sections 3302.03 and 3314.012 of the Revised Code beginning with the 2012-2013 school year. Each such school shall comply with the testing and reporting requirements of the system as prescribed by the department. 2015  
2016  
2017  
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(B) Nothing in this section shall at any time relieve a school from its obligations under the "No Child Left Behind Act of 2001" to make "adequate yearly progress," as both that act and that term are defined in section 3302.01 of the Revised 2027  
2028  
2029  
2030

Code, or a school's amenability to the provisions of section 2031  
3302.04 or 3302.041 of the Revised Code. The department shall 2032  
continue to report each school's performance as required by the 2033  
act and to enforce applicable sanctions under section 3302.04 or 2034  
3302.041 of the Revised Code. 2035

(C) The rules adopted by the department shall prescribe 2036  
the following performance indicators for the rating and report 2037  
card system required by this section: 2038

(1) Graduation rate for each of the following student 2039  
cohorts: 2040

(a) The number of students who graduate in four years or 2041  
less with a regular high school diploma divided by the number of 2042  
students who form the adjusted cohort for the graduating class; 2043

(b) The number of students who graduate in five years with 2044  
a regular high school diploma divided by the number of students 2045  
who form the adjusted cohort for the four-year graduation rate; 2046

(c) The number of students who graduate in six years with 2047  
a regular high school diploma divided by the number of students 2048  
who form the adjusted cohort for the four-year graduation rate; 2049

(d) The number of students who graduate in seven years 2050  
with a regular high school diploma divided by the number of 2051  
students who form the adjusted cohort for the four-year 2052  
graduation rate; 2053

(e) The number of students who graduate in eight years 2054  
with a regular high school diploma divided by the number of 2055  
students who form the adjusted cohort for the four-year 2056  
graduation rate. 2057

(2) The percentage of twelfth-grade students currently 2058

enrolled in the school who have attained the designated passing 2059  
score on all of the state high school achievement assessments 2060  
required under division (B) (1) of section 3301.0710 of the 2061  
Revised Code or the cumulative performance score on the end-of- 2062  
course examinations prescribed under division (B) (2) of section 2063  
3301.0712 of the Revised Code, whichever applies, and other 2064  
students enrolled in the school, regardless of grade level, who 2065  
are within three months of their twenty-second birthday and have 2066  
attained the designated passing score on all of the state high 2067  
school achievement assessments or the cumulative performance 2068  
score on the end-of-course examinations, whichever applies, by 2069  
their twenty-second birthday; 2070

(3) Annual measurable objectives as defined in section 2071  
3302.01 of the Revised Code; 2072

(4) Growth in student achievement in reading, or 2073  
mathematics, or both as measured by separate nationally norm- 2074  
referenced assessments that have developed appropriate standards 2075  
for students enrolled in dropout prevention and recovery 2076  
programs, adopted or approved by the department. 2077

(D) (1) The department's rules shall prescribe the expected 2078  
performance levels and benchmarks for each of the indicators 2079  
prescribed by division (C) of this section based on the data 2080  
gathered by the department under division (G) of this section 2081  
and simulations created by the department. Based on a school's 2082  
level of attainment or nonattainment of the expected performance 2083  
levels and benchmarks for each of the indicators, the department 2084  
shall rate each school in one of the following categories: 2085

(a) Exceeds standards; 2086

(b) Meets standards; 2087



(c) Does not meet standards. 2088

(2) The department's rules shall establish all of the 2089  
following: 2090

(a) Performance levels and benchmarks for the indicators 2091  
described in divisions (C)(1) to (3) of this section; 2092

(b) Both of the following: 2093

(i) Performance levels and benchmarks for the indicator 2094  
described in division (C)(4) of this section; 2095

(ii) Standards for awarding a community school ~~described~~ 2096  
~~in division (B)(1) of section 3314.35 of the Revised Code that~~ 2097  
primarily serves students enrolled in a dropout prevention and 2098  
recovery program an overall designation, which shall be 2099  
calculated as follows: 2100

(I) Thirty per cent of the score shall be based on the 2101  
indicators described in division (C)(1) of this section that are 2102  
applicable to the school year for which the overall designation 2103  
is granted. 2104

(II) Thirty per cent of the score shall be based on the 2105  
indicators described in division (C)(4) of this section. 2106

(III) Twenty per cent of the score shall be based on the 2107  
indicators described in division (C)(2) of this section. 2108

(IV) Twenty per cent of the score shall be based on the 2109  
indicators described in division (C)(3) of this section. 2110

(3) If both of the indicators described in divisions (C) 2111  
(1) and (2) of this section improve by ten per cent for two 2112  
consecutive years, a school shall be rated not less than "meets 2113  
standards." 2114

The rating and the relevant performance data for each 2115  
school shall be posted on the department's web site, and a copy 2116  
of the rating and data shall be provided to the governing 2117  
authority of the community school. 2118

~~(E) (1) For the 2012-2013 school year, the department shall 2119  
issue a report card including the following performance 2120  
measures, but without a performance rating as described in 2121  
divisions (D) (1) (a) to (c) of this section, for each community 2122  
school described in division (B) (1) of section 3314.35 of the 2123  
Revised Code:— 2124~~

~~(a) The graduation rates as described in divisions (C) (1) 2125  
(a) to (c) of this section;— 2126~~

~~(b) The percentage of twelfth-grade students and other 2127  
students who have attained a designated passing score on high 2128  
school achievement assessments as described in division (C) (2) 2129  
of this section;— 2130~~

~~(c) The statewide average for the graduation rates and 2131  
assessment passage rates described in divisions (C) (1) (a) to (c) 2132  
and (C) (2) of this section;— 2133~~

~~(d) Annual measurable objectives described in division (C) 2134  
(3) of this section. 2135~~

~~(2) For the 2013-2014 school year, the department shall 2136  
issue a report card including the following performance measures 2137  
for each community school described in division (B) (1) of 2138  
section 3314.35 of the Revised Code:— 2139~~

~~(a) The graduation rates described in divisions (C) (1) (a) 2140  
to (d) of this section, including a performance rating as 2141  
described in divisions (D) (1) (a) to (c) of this section;— 2142~~

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

~~(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;~~

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

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

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

~~(3) (E) Beginning with the 2014-2015 school year, and  
annually thereafter, the department shall issue a report card  
for each community school described in division (B) (1) of  
section 3314.35 of the Revised Code that primarily serves  
students enrolled in a dropout prevention and recovery program  
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:~~

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

~~(b) (2) 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;~~

~~(e)~~ (3) Annual measurable objectives described in division 2172  
(C) (3) of this section, including a performance rating as 2173  
described in divisions (D) (1) (a) to (c) of this section; 2174

~~(d)~~ (4) Growth in annual student achievement in reading and 2175  
mathematics as described in division (C) (4) of this section; 2176

~~(e)~~ (5) An overall performance designation for the school 2177  
calculated under rules adopted under division (D) (2) of this 2178  
section. 2179

The department shall also include student outcome data, 2180  
including postsecondary credit earned, nationally recognized 2181  
career or technical certification, military enlistment, job 2182  
placement, attendance rate, and progress on closing achievement 2183  
gaps for each school. This information shall not be included in 2184  
the calculation of a school's performance rating. 2185

(F) Not later than the thirty-first day of July of each 2186  
year, the department shall submit preliminary report card data 2187  
for overall academic performance for each performance measure 2188  
prescribed in division ~~(E) (3)~~ (E) of this section for each 2189  
community school to which this section applies. 2190

(G) For the purposes of prescribing performance levels and 2191  
benchmarks under division (D) of this section, the department 2192  
shall gather and analyze data from prior school years for each 2193  
community school ~~described in division (B) (1) of section 3314.35~~ 2194  
~~of the Revised Code that primarily serves students enrolled in a~~ 2195  
dropout prevention and recovery program. Each such school shall 2196  
cooperate with the department. The department shall consult with 2197  
stakeholder groups in performing its duties under this division. 2198

(H) The department shall review the performance levels and 2199  
benchmarks for performance indicators in the report card issued 2200

under this section and may revise them based on the data 2201  
collected under division (G) of this section. 2202

~~(I) For the purposes of division (F) of section 3314.351~~ 2203  
~~of the Revised Code, the department shall recalculate the~~ 2204  
~~ratings for each school under division (E)(3) of this section~~ 2205  
~~for the 2017-2018 school year and calculate the ratings under~~ 2206  
~~that division for the 2018-2019 school year using the indicators~~ 2207  
~~prescribed by division (C) of this section, as it exists on and~~ 2208  
~~after July 18, 2019.~~ 2209

**Sec. 3314.0211.** (A) No community school to which either of 2210  
the following applies shall be eligible to merge with one or 2211  
more other community schools under this section: 2212

(1) The school has met the performance criteria ~~for~~ 2213  
~~required closure~~ specified in division (A) of section 3314.35 ~~or~~ 2214  
~~division (A) of section 3314.351 of the Revised Code~~ for at 2215  
least one of the two most recent school years. 2216

(2) The school has been notified of the sponsor's intent 2217  
to terminate or not renew the school's contract pursuant to 2218  
section 3314.07 of the Revised Code. 2219

(B) Two or more community schools may merge upon the 2220  
adoption of a resolution by the governing authority of each 2221  
school involved in the merger. Any merger shall take effect on 2222  
the first day of July of the year specified in the resolution. 2223

(C) Not less than sixty days prior to the effective date 2224  
of a merger under division (B) of this section, each community 2225  
school involved in the merger shall do both of the following: 2226

(1) Provide a copy of the resolution to the school's 2227  
sponsor; 2228

(2) Notify the department of education and workforce of 2229  
all of the following: 2230

(a) The impending merger; 2231

(b) The effective date of the merger; 2232

(c) The school that will be designated as the surviving 2233  
school in accordance with section 1702.41 of the Revised Code; 2234

(d) The entity that will sponsor the surviving school. 2235

(D) Notwithstanding anything to the contrary in the 2236  
Revised Code, the governing authority of the surviving community 2237  
school shall enter into a new contract with the school's sponsor 2238  
under section 3314.03 of the Revised Code. 2239

(E) No sponsor shall do either of the following: 2240

(1) Assign the sponsor's existing contract with a merging 2241  
community school to the sponsor of the surviving community 2242  
school; 2243

(2) Assume an existing contract from the sponsor of a 2244  
community school involved in a merger under division (B) of this 2245  
section. 2246

Division (E) of this section shall not apply to the office 2247  
of Ohio school sponsorship established under section 3314.029 of 2248  
the Revised Code. 2249

(F) (1) The department shall issue a report card under 2250  
section 3302.03 or 3314.017 of the Revised Code for the 2251  
surviving community school. 2252

(2) Notwithstanding anything to the contrary in division 2253  
(A) of section 3314.012 of the Revised Code, all report card 2254  
ratings associated with the surviving school, whether issued 2255

before or after the merger, shall be used for purposes of 2256  
section 3314.35 ~~or 3314.351~~ of the Revised Code and any other 2257  
matter that is based on report card ratings or measures. 2258

(G) Nothing in this section shall exempt a community 2259  
school from closure under section 3314.35 ~~or 3314.351~~ of the 2260  
Revised Code. 2261

**Sec. 3314.03.** A copy of every contract entered into under 2262  
this section shall be filed with the director of education and 2263  
workforce. The department of education and workforce shall make 2264  
available on its web site a copy of every approved, executed 2265  
contract filed with the director under this section. 2266

(A) Each contract entered into between a sponsor and the 2267  
governing authority of a community school shall specify the 2268  
following: 2269

(1) That the school shall be established as either of the 2270  
following: 2271

(a) A nonprofit corporation established under Chapter 2272  
1702. of the Revised Code, if established prior to April 8, 2273  
2003; 2274

(b) A public benefit corporation established under Chapter 2275  
1702. of the Revised Code, if established after April 8, 2003. 2276

(2) The education program of the school, including the 2277  
school's mission, the characteristics of the students the school 2278  
is expected to attract, the ages and grades of students, and the 2279  
focus of the curriculum; 2280

(3) The academic goals to be achieved and the method of 2281  
measurement that will be used to determine progress toward those 2282  
goals, which shall include the statewide achievement 2283

assessments; 2284

(4) Performance standards, including but not limited to 2285  
all applicable report card measures set forth in section 3302.03 2286  
or 3314.017 of the Revised Code, by which the success of the 2287  
school will be evaluated by the sponsor; 2288

(5) The admission standards of section 3314.06 of the 2289  
Revised Code and, if applicable, section 3314.061 of the Revised 2290  
Code; 2291

(6) (a) Dismissal procedures; 2292

(b) A requirement that the governing authority adopt an 2293  
attendance policy that includes a procedure for automatically 2294  
withdrawing a student from the school if the student without a 2295  
legitimate excuse fails to participate in seventy-two 2296  
consecutive hours of the learning opportunities offered to the 2297  
student. 2298

(7) The ways by which the school will achieve racial and 2299  
ethnic balance reflective of the community it serves; 2300

(8) Requirements for financial audits by the auditor of 2301  
state. The contract shall require financial records of the 2302  
school to be maintained in the same manner as are financial 2303  
records of school districts, pursuant to rules of the auditor of 2304  
state. Audits shall be conducted in accordance with section 2305  
117.10 of the Revised Code. 2306

(9) An addendum to the contract outlining the facilities 2307  
to be used that contains at least the following information: 2308

(a) A detailed description of each facility used for 2309  
instructional purposes; 2310

(b) The annual costs associated with leasing each facility 2311



that are paid by or on behalf of the school; 2312

(c) The annual mortgage principal and interest payments 2313  
that are paid by the school; 2314

(d) The name of the lender or landlord, identified as 2315  
such, and the lender's or landlord's relationship to the 2316  
operator, if any. 2317

(10) Qualifications of employees, including both of the 2318  
following: 2319

(a) A requirement that the school's classroom teachers be 2320  
licensed in accordance with sections 3319.22 to 3319.31 of the 2321  
Revised Code, except that a community school may engage 2322  
noncertificated persons to teach up to twelve hours or forty 2323  
hours per week pursuant to section 3319.301 of the Revised Code; 2324

(b) A prohibition against the school employing an 2325  
individual described in section 3314.104 of the Revised Code in 2326  
any position. 2327

(11) That the school will comply with the following 2328  
requirements: 2329

(a) The school will provide learning opportunities to a 2330  
minimum of twenty-five students for a minimum of nine hundred 2331  
twenty hours per school year. 2332

(b) The governing authority will purchase liability 2333  
insurance, or otherwise provide for the potential liability of 2334  
the school. 2335

(c) The school will be nonsectarian in its programs, 2336  
admission policies, employment practices, and all other 2337  
operations, and will not be operated by a sectarian school or 2338  
religious institution. 2339

(d) The school will comply with sections 9.90, 9.91, 2340  
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 2341  
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 2342  
3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 2343  
3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6020, 2344  
3313.6024, 3313.6025, 3313.6026, 3313.6028, 3313.6029, 3313.643, 2345  
3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 2346  
3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 2347  
3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 2348  
3313.718, 3313.719, 3313.7112, 3313.7117, 3313.721, 3313.753, 2349  
3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 2350  
3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 2351  
3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 3319.39, 2352  
3319.391, 3319.393, 3319.41, 3319.46, 3319.614, 3320.01, 2353  
3320.02, 3320.03, 3320.04, 3321.01, 3321.041, 3321.13, 3321.14, 2354  
3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 2355  
3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and 2356  
Chapters 117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., 2357  
and 4167. of the Revised Code as if it were a school district 2358  
and will comply with section 3301.0714 of the Revised Code in 2359  
the manner specified in section 3314.17 of the Revised Code. 2360

(e) The school shall comply with Chapter 102. and section 2361  
2921.42 of the Revised Code. 2362

(f) The school will comply with sections 3313.61, 2363  
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 2364  
Revised Code, except that for students who enter ninth grade for 2365  
the first time before July 1, 2010, the requirement in sections 2366  
3313.61 and 3313.611 of the Revised Code that a person must 2367  
successfully complete the curriculum in any high school prior to 2368  
receiving a high school diploma may be met by completing the 2369  
curriculum adopted by the governing authority of the community 2370

school rather than the curriculum specified in Title XXXIII of 2371  
the Revised Code or any rules of the department. Beginning with 2372  
students who enter ninth grade for the first time on or after 2373  
July 1, 2010, the requirement in sections 3313.61 and 3313.611 2374  
of the Revised Code that a person must successfully complete the 2375  
curriculum of a high school prior to receiving a high school 2376  
diploma shall be met by completing the requirements prescribed 2377  
in section 3313.6027 and division (C) of section 3313.603 of the 2378  
Revised Code, unless the person qualifies under division (D) or 2379  
(F) of that section. Each school shall comply with the plan for 2380  
awarding high school credit based on demonstration of subject 2381  
area competency, and beginning with the 2017-2018 school year, 2382  
with the updated plan that permits students enrolled in seventh 2383  
and eighth grade to meet curriculum requirements based on 2384  
subject area competency adopted by the department under 2385  
divisions (J) (1) and (2) of section 3313.603 of the Revised 2386  
Code. Beginning with the 2018-2019 school year, the school shall 2387  
comply with the framework for granting units of high school 2388  
credit to students who demonstrate subject area competency 2389  
through work-based learning experiences, internships, or 2390  
cooperative education developed by the department under division 2391  
(J) (3) of section 3313.603 of the Revised Code. 2392

(g) The school governing authority will submit within four 2393  
months after the end of each school year a report of its 2394  
activities and progress in meeting the goals and standards of 2395  
divisions (A) (3) and (4) of this section and its financial 2396  
status to the sponsor and the parents of all students enrolled 2397  
in the school. 2398

(h) The school, unless it is an internet- or computer- 2399  
based community school, will comply with section 3313.801 of the 2400  
Revised Code as if it were a school district. 2401

(i) If the school is the recipient of moneys from a grant 2402  
awarded under the federal race to the top program, Division (A), 2403  
Title XIV, Sections 14005 and 14006 of the "American Recovery 2404  
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 2405  
the school will pay teachers based upon performance in 2406  
accordance with section 3317.141 and will comply with section 2407  
3319.111 of the Revised Code as if it were a school district. 2408

(j) If the school operates a preschool program that is 2409  
licensed by the department under sections 3301.52 to 3301.59 of 2410  
the Revised Code, the school shall comply with sections 3301.50 2411  
to 3301.59 of the Revised Code and the minimum standards for 2412  
preschool programs prescribed in rules adopted by the department 2413  
of children and youth under section 3301.53 of the Revised Code. 2414

(k) The school will comply with sections 3313.6021 and 2415  
3313.6023 of the Revised Code as if it were a school district 2416  
unless it is either of the following: 2417

(i) An internet- or computer-based community school; 2418

(ii) A community school in which a majority of the 2419  
enrolled students are children with disabilities ~~as described in~~ 2420  
~~division (B) (2) of section 3314.35 of the Revised Code~~ receiving 2421  
special education and related services in accordance with 2422  
Chapter 3323. of the Revised Code. 2423

(l) The school will comply with section 3321.191 of the 2424  
Revised Code, unless it is an internet- or computer-based 2425  
community school that is subject to section 3314.261 of the 2426  
Revised Code. 2427

(12) Arrangements for providing health and other benefits 2428  
to employees; 2429

(13) The length of the contract, which shall begin at the 2430

beginning of an academic year. No contract shall exceed five 2431  
years unless such contract has been renewed pursuant to division 2432  
(E) of this section. 2433

(14) The governing authority of the school, which shall be 2434  
responsible for carrying out the provisions of the contract; 2435

(15) A financial plan detailing an estimated school budget 2436  
for each year of the period of the contract and specifying the 2437  
total estimated per pupil expenditure amount for each such year. 2438

(16) Requirements and procedures regarding the disposition 2439  
of employees of the school in the event the contract is 2440  
terminated or not renewed pursuant to section 3314.07 of the 2441  
Revised Code; 2442

(17) Whether the school is to be created by converting all 2443  
or part of an existing public school or educational service 2444  
center building or is to be a new start-up school, and if it is 2445  
a converted public school or service center building, 2446  
specification of any duties or responsibilities of an employer 2447  
that the board of education or service center governing board 2448  
that operated the school or building before conversion is 2449  
delegating to the governing authority of the community school 2450  
with respect to all or any specified group of employees provided 2451  
the delegation is not prohibited by a collective bargaining 2452  
agreement applicable to such employees; 2453

(18) Provisions establishing procedures for resolving 2454  
disputes or differences of opinion between the sponsor and the 2455  
governing authority of the community school; 2456

(19) A provision requiring the governing authority to 2457  
adopt a policy regarding the admission of students who reside 2458  
outside the district in which the school is located. That policy 2459

shall comply with the admissions procedures specified in 2460  
sections 3314.06 and 3314.061 of the Revised Code and, at the 2461  
sole discretion of the authority, shall do one of the following: 2462

(a) Prohibit the enrollment of students who reside outside 2463  
the district in which the school is located; 2464

(b) Permit the enrollment of students who reside in 2465  
districts adjacent to the district in which the school is 2466  
located; 2467

(c) Permit the enrollment of students who reside in any 2468  
other district in the state. 2469

(20) A provision recognizing the authority of the 2470  
department to take over the sponsorship of the school in 2471  
accordance with the provisions of division (C) of section 2472  
3314.015 of the Revised Code; 2473

(21) A provision recognizing the sponsor's authority to 2474  
assume the operation of a school under the conditions specified 2475  
in division (B) of section 3314.073 of the Revised Code; 2476

(22) A provision recognizing both of the following: 2477

(a) The authority of public health and safety officials to 2478  
inspect the facilities of the school and to order the facilities 2479  
closed if those officials find that the facilities are not in 2480  
compliance with health and safety laws and regulations; 2481

(b) The authority of the department as the community 2482  
school oversight body to suspend the operation of the school 2483  
under section 3314.072 of the Revised Code if the department has 2484  
evidence of conditions or violations of law at the school that 2485  
pose an imminent danger to the health and safety of the school's 2486  
students and employees and the sponsor refuses to take such 2487

action. 2488

(23) A description of the learning opportunities that will 2489  
be offered to students including both classroom-based and non- 2490  
classroom-based learning opportunities that is in compliance 2491  
with criteria for student participation established by the 2492  
department under division (H) (2) of section 3314.08 of the 2493  
Revised Code; 2494

(24) The school will comply with sections 3302.04 and 2495  
3302.041 of the Revised Code, except that any action required to 2496  
be taken by a school district pursuant to those sections shall 2497  
be taken by the sponsor of the school. 2498

(25) Beginning in the 2006-2007 school year, the school 2499  
will open for operation not later than the thirtieth day of 2500  
September each school year, unless the mission of the school as 2501  
specified under division (A) (2) of this section is solely to 2502  
serve dropouts. In its initial year of operation, if the school 2503  
fails to open by the thirtieth day of September, or within one 2504  
year after the adoption of the contract pursuant to division (D) 2505  
of section 3314.02 of the Revised Code if the mission of the 2506  
school is solely to serve dropouts, the contract shall be void. 2507

(26) Whether the school's governing authority is planning 2508  
to seek designation for the school as a STEM school equivalent 2509  
under section 3326.032 of the Revised Code; 2510

(27) That the school's attendance and participation 2511  
policies will be available for public inspection; 2512

(28) That the school's attendance and participation 2513  
records shall be made available to the department, auditor of 2514  
state, and school's sponsor to the extent permitted under and in 2515  
accordance with the "Family Educational Rights and Privacy Act 2516

of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 2517  
regulations promulgated under that act, and section 3319.321 of 2518  
the Revised Code; 2519

(29) If a school operates using the blended learning 2520  
model, as defined in section 3301.079 of the Revised Code, all 2521  
of the following information: 2522

(a) An indication of what blended learning model or models 2523  
will be used; 2524

(b) A description of how student instructional needs will 2525  
be determined and documented; 2526

(c) The method to be used for determining competency, 2527  
granting credit, and promoting students to a higher grade level; 2528

(d) The school's attendance requirements, including how 2529  
the school will document participation in learning 2530  
opportunities; 2531

(e) A statement describing how student progress will be 2532  
monitored; 2533

(f) A statement describing how private student data will 2534  
be protected; 2535

(g) A description of the professional development 2536  
activities that will be offered to teachers. 2537

(30) A provision requiring that all moneys the school's 2538  
operator loans to the school, including facilities loans or cash 2539  
flow assistance, must be accounted for, documented, and bear 2540  
interest at a fair market rate; 2541

(31) A provision requiring that, if the governing 2542  
authority contracts with an attorney, accountant, or entity 2543



specializing in audits, the attorney, accountant, or entity 2544  
shall be independent from the operator with which the school has 2545  
contracted. 2546

(32) A provision requiring the governing authority to 2547  
adopt an enrollment and attendance policy that requires a 2548  
student's parent to notify the community school in which the 2549  
student is enrolled when there is a change in the location of 2550  
the parent's or student's primary residence. 2551

(33) A provision requiring the governing authority to 2552  
adopt a student residence and address verification policy for 2553  
students enrolling in or attending the school. 2554

(B) The community school shall also submit to the sponsor 2555  
a comprehensive plan for the school. The plan shall specify the 2556  
following: 2557

(1) The process by which the governing authority of the 2558  
school will be selected in the future; 2559

(2) The management and administration of the school; 2560

(3) If the community school is a currently existing public 2561  
school or educational service center building, alternative 2562  
arrangements for current public school students who choose not 2563  
to attend the converted school and for teachers who choose not 2564  
to teach in the school or building after conversion; 2565

(4) The instructional program and educational philosophy 2566  
of the school; 2567

(5) Internal financial controls. 2568

When submitting the plan under this division, the school 2569  
shall also submit copies of all policies and procedures 2570  
regarding internal financial controls adopted by the governing 2571

authority of the school. 2572

(C) A contract entered into under section 3314.02 of the 2573  
Revised Code between a sponsor and the governing authority of a 2574  
community school may provide for the community school governing 2575  
authority to make payments to the sponsor, which is hereby 2576  
authorized to receive such payments as set forth in the contract 2577  
between the governing authority and the sponsor. The total 2578  
amount of such payments for monitoring, oversight, and technical 2579  
assistance of the school shall not exceed three per cent of the 2580  
total amount of payments for operating expenses that the school 2581  
receives from the state. 2582

(D) The contract shall specify the duties of the sponsor 2583  
which shall be in accordance with the written agreement entered 2584  
into with the department under division (B) of section 3314.015 2585  
of the Revised Code and shall include the following: 2586

(1) Monitor the community school's compliance with all 2587  
laws applicable to the school and with the terms of the 2588  
contract; 2589

(2) Monitor and evaluate the academic and fiscal 2590  
performance and the organization and operation of the community 2591  
school on at least an annual basis; 2592

(3) Provide technical assistance to the community school 2593  
in complying with laws applicable to the school and terms of the 2594  
contract; 2595

(4) Take steps to intervene in the school's operation to 2596  
correct problems in the school's overall performance, declare 2597  
the school to be on probationary status pursuant to section 2598  
3314.073 of the Revised Code, suspend the operation of the 2599  
school pursuant to section 3314.072 of the Revised Code, or 2600

terminate the contract of the school pursuant to section 3314.07 2601  
of the Revised Code as determined necessary by the sponsor; 2602

(5) Have in place a plan of action to be undertaken in the 2603  
event the community school experiences financial difficulties or 2604  
closes prior to the end of a school year. 2605

(E) Upon the expiration of a contract entered into under 2606  
this section, the sponsor of a community school may, with the 2607  
approval of the governing authority of the school, renew that 2608  
contract for a period of time determined by the sponsor, but not 2609  
ending earlier than the end of any school year, if the sponsor 2610  
finds that the school's compliance with applicable laws and 2611  
terms of the contract and the school's progress in meeting the 2612  
academic goals prescribed in the contract have been 2613  
satisfactory. Any contract that is renewed under this division 2614  
remains subject to the provisions of sections 3314.07, 3314.072, 2615  
and 3314.073 of the Revised Code. 2616

(F) If a community school fails to open for operation 2617  
within one year after the contract entered into under this 2618  
section is adopted pursuant to division (D) of section 3314.02 2619  
of the Revised Code or permanently closes prior to the 2620  
expiration of the contract, the contract shall be void and the 2621  
school shall not enter into a contract with any other sponsor. A 2622  
school shall not be considered permanently closed because the 2623  
operations of the school have been suspended pursuant to section 2624  
3314.072 of the Revised Code. 2625

**Sec. 3314.05.** (A) The contract between the community 2626  
school and the sponsor shall specify the facilities to be used 2627  
for the community school and the method of acquisition. Except 2628  
as provided in divisions (B) (3) and (4) of this section, no 2629  
community school shall be established in more than one school 2630

district under the same contract. 2631

(B) Division (B) of this section shall not apply to 2632  
internet- or computer-based community schools. 2633

(1) A community school may be located in multiple 2634  
facilities under the same contract only if the limitations on 2635  
availability of space prohibit serving all the grade levels 2636  
specified in the contract in a single facility or division (B) 2637  
(2), (3), or (4) of this section applies to the school. The 2638  
school shall not offer the same grade level classrooms in more 2639  
than one facility. 2640

(2) A community school may be located in multiple 2641  
facilities under the same contract and, notwithstanding division 2642  
(B) (1) of this section, may assign students in the same grade 2643  
level to multiple facilities, as long as all of the following 2644  
apply: 2645

(a) The governing authority has entered into and maintains 2646  
a contract with an operator of the type described in division 2647  
(A) (8) (b) of section 3314.02 of the Revised Code. 2648

(b) The contract with that operator qualified the school 2649  
to be established pursuant to division (A) of former section 2650  
3314.016 of the Revised Code. 2651

(c) The school's rating under section 3302.03 of the 2652  
Revised Code does not fall below ~~a combination of any of the~~ 2653  
~~following for two or more consecutive years:—~~ 2654

~~(i) A rating of "in need of continuous improvement" under~~ 2655  
~~section 3302.03 of the Revised Code, as that section existed~~ 2656  
~~prior to March 22, 2013;—~~ 2657

~~(ii) For the 2012-2013, 2013-2014, 2014-2015, and 2015-~~ 2658

~~2016 school years, a rating of "C" for both the performance index score under division (A) (1) (b) or (B) (1) (b) and the value-added dimension under division (A) (1) (c) or (B) (1) (c) of section 3302.03 of the Revised Code; or if the building serves only grades ten through twelve, the building received a grade of "C" for the performance index score under division (A) (1) (b) or (B) (1) (b) of section 3302.03 of the Revised Code;~~

~~(iii) For the 2016-2017, 2017-2018, 2018-2019, 2019-2020, 2020-2021 school years, an overall grade of "C" under division (C) (3) of section 3302.03 of the Revised Code or an overall performance designation of "meets standards" under division (E) (3) (e) of section 3314.017 of the Revised Code;~~

~~(iv) For the 2021-2022 school year and any school year thereafter,~~ an overall performance rating of three stars under division (D) (3) of section 3302.03 of the Revised Code or an overall performance designation of "meets standards" under division ~~(E) (3) (e)~~ (E) (5) of section 3314.017 of the Revised Code.

(3) On and after September 30, 2021, a new start-up community school may be established in two school districts under the same contract regardless of the proposed location of either district if both of the following apply:

(a) The school operates not more than one facility in each school district and, in accordance with division (B) (1) of this section, the school does not offer the same grade level classrooms in both facilities; and

(b) Transportation between the two facilities does not require more than thirty minutes of direct travel time as measured by school bus.

(4) A community school may be located in multiple 2688  
facilities under the same contract and, notwithstanding division 2689  
(B) (1) of this section, may assign students in the same grade 2690  
level to multiple facilities, as long as both of the following 2691  
apply: 2692

(a) The facilities are all located in the same county or 2693  
in any county adjacent to the county in which the community 2694  
school's primary facility is located. 2695

(b) Either of the following conditions are satisfied: 2696

(i) The community school is sponsored by a board of 2697  
education of a city, local, or exempted village school district 2698  
having territory in the same county where the facilities of the 2699  
community school are located or in any county adjacent to the 2700  
county in which the community school's primary facility is 2701  
located; 2702

(ii) The community school is managed by an operator. 2703

In the case of a community school to which division (B) (4) 2704  
of this section applies and that maintains facilities in more 2705  
than one school district, the school's governing authority shall 2706  
designate one of those districts to be considered the school's 2707  
primary location and the district in which the school is located 2708  
for the purposes of division (A) (19) of section 3314.03 and 2709  
divisions (C) and (H) of section 3314.06 of the Revised Code and 2710  
for all other purposes of this chapter and shall notify the 2711  
department of that designation. 2712

(5) Any facility used for a community school shall meet 2713  
all health and safety standards established by law for school 2714  
buildings. 2715

(C) In the case where a community school is proposed to be 2716

located in a facility owned by a school district or educational 2717  
service center, the facility may not be used for such community 2718  
school unless the district or service center board owning the 2719  
facility enters into an agreement for the community school to 2720  
utilize the facility. Use of the facility may be under any terms 2721  
and conditions agreed to by the district or service center board 2722  
and the school. 2723

(D) Two or more separate community schools may be located 2724  
in the same facility. 2725

(E) In the case of a community school that is located in 2726  
multiple facilities, beginning July 1, 2012, the department 2727  
shall assign a unique identification number to the school and to 2728  
each facility maintained by the school. Each number shall be 2729  
used for identification purposes only. Nothing in this division 2730  
shall be construed to require the department to calculate the 2731  
amount of funds paid under this chapter, or to compute any data 2732  
required for the report cards issued under section 3314.012 of 2733  
the Revised Code, for each facility separately. The department 2734  
shall make all such calculations or computations for the school 2735  
as a whole. 2736

(F) (1) In the case of a community school that exists prior 2737  
to September 30, 2021, to which division (B) (3) of this section 2738  
applies, if only one of the school districts in which the school 2739  
is established was located in a challenged school district prior 2740  
to September 30, 2021, that district continues to be considered 2741  
the school's primary location and the district in which the 2742  
school is located for the purposes of division (A) (19) of 2743  
section 3314.03 and divisions (C) and (H) of section 3314.06 of 2744  
the Revised Code and for all other purposes of this chapter 2745  
unless and until the school's governing authority designates a 2746

different school district as the school's primary location in 2747  
accordance with division (F) (2) of this section. If both of the 2748  
school districts in which the school is established were 2749  
challenged school districts on that date, and the primary 2750  
location was already designated by the school's governing 2751  
authority pursuant to the requirements of this section as it 2752  
existed prior to September 30, 2021, that designation remains 2753  
unless and until the school's governing authority designates a 2754  
different primary location. 2755

(2) (a) On and after September 30, 2021, when a new start- 2756  
up community school is established in two school districts under 2757  
the same contract, the school's governing authority shall 2758  
designate one of those districts to be considered the school's 2759  
primary location and the district in which the school is located 2760  
for the purposes of division (A) (19) of section 3314.03 and 2761  
divisions (C) and (H) of section 3314.06 of the Revised Code and 2762  
for all other purposes of this chapter and shall notify the 2763  
department of education and workforce of that designation. 2764

(b) A community school governing authority that elects to 2765  
modify a community school's primary location, whether in 2766  
accordance with division (F) (1) of this section or otherwise, 2767  
shall notify the department of that modification. 2768

**Sec. 3314.29.** (A) This section applies to any internet- or 2769  
computer-based community school that meets all of the following 2770  
conditions: 2771

(1) Serves all of grades kindergarten through twelve; 2772

(2) Has an enrollment of at least two thousand students; 2773

(3) Has a sponsor that was not rated ineffective or poor 2774  
on its most recent evaluation under section 3314.016 of the 2775



Revised Code. 2776

(B) Beginning with the 2018-2019 school year, the 2777  
governing authority of a community school to which this section 2778  
applies may adopt a resolution to divide the school into two or 2779  
three separate schools as follows: 2780

(1) If the school is divided into two schools, one school 2781  
shall serve grades kindergarten through eight and one school 2782  
shall serve grades nine through twelve. 2783

(2) If the school is divided into three schools, one 2784  
school shall serve grades kindergarten through five, one school 2785  
shall serve grades six through eight, and one school shall serve 2786  
grades nine through twelve. 2787

(C) The resolution adopted by the governing authority 2788  
shall not be effective unless approved by the school's sponsor. 2789  
Following approval of the resolution by the sponsor, and by the 2790  
fifteenth day of March prior to the school year in which it will 2791  
take effect, the governing authority shall file the resolution 2792  
with the department of education and workforce. The division of 2793  
the schools shall be effective on the first day of July 2794  
succeeding the date the resolution is filed with the department. 2795

(D) All of the following shall apply to each new school 2796  
created as a result of the resolution authorized by this section 2797  
and to the school that is divided as a result of the resolution: 2798

(1) Each school shall have the same governing authority. 2799

(2) The sponsor and governing authority shall enter into a 2800  
separate contract under section 3314.03 of the Revised Code for 2801  
each school. 2802

(3) No school shall primarily serve students enrolled in a 2803

dropout prevention and recovery program operated by the school. 2804

(4) No school shall be permitted to divide again under 2805  
this section. 2806

(5) Notwithstanding anything to the contrary in division 2807  
(B) (2) of section 3314.016 of the Revised Code, each school 2808  
shall be included in the calculation of the academic performance 2809  
component for purposes of rating the schools' sponsor under the 2810  
evaluation system prescribed by that section. 2811

(6) Each school shall be subject to the laws contained in 2812  
Chapter 3314. of the Revised Code, except as otherwise specified 2813  
in this section. 2814

(E) The department shall issue a report card under section 2815  
3314.012 of the Revised Code for each new school created as a 2816  
result of the resolution authorized by this section and for the 2817  
school that is divided as a result of the resolution. For 2818  
purposes of the report cards and other reporting requirements 2819  
under this chapter, the department shall assign the school that 2820  
serves the highest grades the same internal retrieval number 2821  
previously used by the school that is divided under this 2822  
section. The department shall assign a new internal retrieval 2823  
number to each other school resulting from the division. 2824

Notwithstanding division (A) of section 3314.012 of the 2825  
Revised Code, the ratings a school receives on its report card 2826  
for the first two full school years after the division under 2827  
this section shall count toward ~~closure of the school under~~ 2828  
required action for poorly performing community schools under 2829  
section 3314.35 of the Revised Code and any other matter that is 2830  
based on report card ratings or measures. 2831

Sec. 3314.35. (A) This section applies to a community 2832

school that, for the three most recent school years, meets any 2833  
combination of the following criteria: 2834

(1) The school meets all of the following criteria: 2835

(a) The school offers a grade level higher than three. 2836

(b) The school has been ranked by the department of 2837  
education and workforce according to performance index score in 2838  
the bottom five per cent of all ranked school buildings in the 2839  
state. 2840

(c) The school has been ranked by the department according 2841  
to effect size under the value-added progress dimension in the 2842  
bottom ten per cent of all ranked school buildings in the state. 2843

(2) The school meets both of the following: 2844

(a) A majority of the students enrolled in the school are 2845  
enrolled in a dropout prevention and recovery program. 2846

(b) The school has received a designation of "does not 2847  
meet standards," as described in division (D) (1) of section 2848  
3314.017 of the Revised Code, on the report card issued under 2849  
that section. 2850

(B) The department shall provide notice to any community 2851  
school to which this section applies of that fact. The governing 2852  
authority of a community school to which this section applies 2853  
shall do one of the following at the conclusion of the school 2854  
year in which the school first becomes subject to this section: 2855

(1) Permanently close. The sponsor and governing authority 2856  
of the school shall comply with all procedures for closing a 2857  
community school adopted by the department under division (E) of 2858  
section 3314.015 of the Revised Code. The governing authority of 2859  
the school shall not enter into a contract with any other 2860

sponsor under section 3314.03 of the Revised Code after the 2861  
school closes. 2862

(2) Contract with one of the following entities to operate 2863  
the school: 2864

(a) An education management organization or charter 2865  
management organization that is approved by the department and 2866  
meets at least one of the following conditions: 2867

(i) The organization has experience in improving school 2868  
performance; 2869

(ii) The schools managed by the organization have received 2870  
an average of at least three stars in the achievement and 2871  
progress components under division (D) (3) of section 3302.03 of 2872  
the Revised Code on the most recent report card issued by the 2873  
department. 2874

(b) A school district that meets both of the following: 2875

(i) The district has received an overall rating of at 2876  
least four stars on its most recent report card issued under 2877  
section 3302.03 of the Revised Code and has experience improving 2878  
school performance, as determined by the department; 2879

(ii) The district does not operate any school building 2880  
that is subject to section 3302.12 of the Revised Code. 2881

(c) An educational service center that has experience in 2882  
school improvement and meets criteria established by the 2883  
department; 2884

(d) A private college as defined in section 3365.01 of the 2885  
Revised Code that has experience in school improvement and meets 2886  
criteria established by the department; 2887

(e) A state institution of higher education as defined in 2888  
section 3345.011 of the Revised Code that has experience in 2889  
school improvement and meets criteria established by the 2890  
department. 2891

(3) Replace the principal and at least a majority of 2892  
licensed staff of the school. Notwithstanding any provision to 2893  
the contrary in Chapter 4117. of the Revised Code, this 2894  
provision prevails over any conflicting provisions of a 2895  
collective bargaining agreement or contract for employment 2896  
entered into after the effective date of this section. 2897

(4) Work with a department-approved external service 2898  
provider with expertise in school improvement. 2899

(C) Nothing in this section or in any other provision of 2900  
the Revised Code prohibits the sponsor of a community school 2901  
from exercising its option not to renew a contract for any 2902  
reason or from terminating a contract prior to its expiration 2903  
for any of the reasons set forth in section 3314.07 of the 2904  
Revised Code. 2905

(D) The department may adopt rules as necessary to 2906  
implement this section. 2907

(E) The department shall not consider report cards issued 2908  
prior to the 2024-2025 school year in determining whether a 2909  
community school is subject to this section. 2910

**Sec. 3314.352.** No community school that is permanently 2911  
closed under section 3314.35 or former section 3314.351 of the 2912  
Revised Code as it existed prior to the effective date of this 2913  
amendment may be reopened under another name if any of the 2914  
following conditions are true: 2915

(A) The new school has the same sponsor as the closed 2916

school. 2917

(B) The new school has the same chief administrator as the 2918  
closed school. 2919

(C) The governing authority of the new school consists of 2920  
any of the same members that served on the governing authority 2921  
of the closed school during that school's last year of 2922  
operation. 2923

(D) Fifty per cent or more of the teaching staff of the 2924  
new school consists of the same individuals who were employed as 2925  
teachers at the closed school during that school's last year of 2926  
operation. 2927

(E) Fifty per cent or more of the administrative staff of 2928  
the new school consists of the same individuals who were 2929  
employed as administrators at the closed school during that 2930  
school's last year of operation. 2931

(F) The performance standards and accountability plan 2932  
prescribed by the sponsor contract for the new school, entered 2933  
into under section 3314.03 of the Revised Code, are the same as 2934  
those for the closed school. 2935

**Sec. 3314.353.** Each year, the department of education and 2936  
workforce shall publish separate lists of the following: 2937

(A) Community schools that have become subject to 2938  
~~permanent closure~~ required action for poorly performing 2939  
community schools under section 3314.35 ~~or 3314.351~~ of the 2940  
Revised Code; 2941

(B) Community schools that are at risk of becoming subject 2942  
to ~~permanent closure~~ required action for poorly performing 2943  
community schools under section 3314.35 ~~or 3314.351~~ of the 2944

Revised Code if their academic performance, as prescribed in 2945  
those sections, does not improve on the next state report cards 2946  
issued under section 3302.03 or 3314.017 of the Revised Code. 2947

The department of education and workforce shall not adopt 2948  
any rules, enforce any procedures or policies, or otherwise 2949  
restrict the establishment or sponsorship of a new start-up 2950  
community school based upon whether the school's proposed 2951  
location is in a challenged school district. 2952

**Sec. 3314.354.** Not later than the thirty-first day of July 2953  
of each year, the department of education and workforce shall 2954  
submit preliminary data on community schools at risk of becoming 2955  
subject to ~~permanent closure~~ an action required for poorly 2956  
performing community schools under section 3314.35 ~~or 3314.351~~ 2957  
of the Revised Code. 2958

**Sec. 3326.53.** (A) This section applies to a STEM school 2959  
that, for the three most recent school years, meets all of the 2960  
following criteria: 2961

(1) The STEM school offers a grade level higher than 2962  
three; 2963

(2) The STEM school has been ranked by the department of 2964  
education and workforce according to performance index score in 2965  
the bottom five per cent of all ranked school buildings in the 2966  
state; 2967

(3) The STEM school has been ranked by the department 2968  
according to effect size under the value-added progress 2969  
dimension in the bottom ten per cent of all ranked school 2970  
buildings in the state. 2971

(B) The department shall provide notice to any STEM school 2972  
to which this section applies of that fact. In the case of a 2973

STEM school to which this section applies, the governing body of 2974  
the STEM school shall do one of the following at the conclusion 2975  
of the school year in which the STEM school first becomes 2976  
subject to this section: 2977

(1) Close the school; 2978

(2) Contract with one of the following entities to operate 2979  
the school: 2980

(a) An education management organization or charter 2981  
management organization that is approved by the department and 2982  
meets at least one of the following conditions: 2983

(i) The organization has experience in improving school 2984  
performance; 2985

(ii) The schools managed by the organization have received 2986  
an average of at least three stars in the achievement and 2987  
progress components under division (D) (3) of section 3302.03 of 2988  
the Revised Code on the most recent report card issued by the 2989  
department. 2990

(b) A school district that meets both of the following: 2991

(i) The district has received an overall rating of at 2992  
least four stars on its most recent report card issued under 2993  
section 3302.03 of the Revised Code and has experience improving 2994  
school performance, as determined by the department; 2995

(ii) The district does not operate any school building 2996  
that is subject to section 3302.12 of the Revised Code. 2997

(c) An educational service center that has experience in 2998  
school improvement and meets criteria established by the 2999  
department; 3000



(d) A private college as defined in section 3365.01 of the 3001  
Revised Code that has experience in school improvement and meets 3002  
criteria established by the department; 3003

(e) A state institution of higher education as defined in 3004  
section 3345.011 of the Revised Code that has experience in 3005  
school improvement and meets criteria established by the 3006  
department. 3007

(3) Replace the principal and at least a majority of 3008  
licensed staff of the school. Notwithstanding any provision to 3009  
the contrary in Chapter 4117. of the Revised Code, this 3010  
provision prevails over any conflicting provisions of a 3011  
collective bargaining agreement or contract for employment 3012  
entered into after the effective date of this section. 3013

(4) Work with a department-approved external service 3014  
provider that has expertise in school improvement. 3015

(C) The department may adopt rules as necessary to 3016  
implement this section. 3017

(D) The department shall not consider report cards issued 3018  
prior to the 2024-2025 school year in determining whether a STEM 3019  
school is subject to this section. 3020

**Section 2.** That existing sections 3301.0712, 3302.03, 3021  
3302.034, 3302.036, 3302.12, 3313.413, 3314.012, 3314.016, 3022  
3314.017, 3314.0211, 3314.03, 3314.05, 3314.29, 3314.352, 3023  
3314.353, and 3314.354 of the Revised Code are hereby repealed. 3024

**Section 3.** That sections 3314.35, 3314.351, 3314.355, and 3025  
3314.36 of the Revised Code are hereby repealed. 3026

**Section 4.** Sections 1 to 3 of this act take effect July 1, 3027  
2025. 3028

**Section 5.** Section 3314.03 of the Revised Code is 3029  
presented in this act as a composite of the section as amended 3030  
by H.B. 214, H.B. 250, and S.B. 168, all of the 135th General 3031  
Assembly. The General Assembly, applying the principle stated in 3032  
division (B) of section 1.52 of the Revised Code that amendments 3033  
are to be harmonized if reasonably capable of simultaneous 3034  
operation, finds that the composite is the resulting version of 3035  
the section in effect prior to the effective date of the section 3036  
as presented in this act. 3037