

As Introduced

136th General Assembly

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H. B. No. 1029

Representatives Rader, Pizzulli

To amend sections 3301.0711, 3310.03, 3310.13, 1
3310.14, 3310.15, 3313.618, 3313.619, 3313.976, 2
3314.03, 3319.324, and 3326.11 and to enact 3
sections 117.113, 3301.165, 3301.166, 3301.167, 4
3302.0311, and 3313.6612 of the Revised Code to 5
enact the Take the Dough, We Gotta Know Act 6
regarding chartered nonpublic schools that 7
participate in the Educational Choice and Pilot 8
Project scholarship programs and disciplinary 9
record requirements for schools. 10

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

Section 1. That sections 3301.0711, 3310.03, 3310.13, 11
3310.14, 3310.15, 3313.618, 3313.619, 3313.976, 3314.03, 12
3319.324, and 3326.11 be amended and sections 117.113, 3301.165, 13
3301.166, 3301.167, 3302.0311, and 3313.6612 of the Revised Code 14
be enacted to read as follows: 15

Sec. 117.113. (A) As used in this section: 16

(1) "Public money" includes any funds a qualifying school 17
receives from the state for any of the following: 18

(a) Participation in the educational choice scholarship 19
program established under sections 3310.01 to 3310.17 of the 20

Revised Code or the pilot project scholarship program 21
established under sections 3313.974 to 3313.979 of the Revised 22
Code; 23

(b) Administrative and clerical cost reimbursements 24
prescribed under section 3317.063 of the Revised Code; 25

(c) Auxiliary services reimbursements prescribed under 26
section 3317.064 of the Revised Code. 27

(2) "Qualifying school" has the same meaning as in section 28
3301.166 of the Revised Code. 29

(B) Each fiscal year, the auditor of state shall audit the 30
specific funds or accounts of each qualifying school in the 31
state into which public money has been placed or deposited for 32
that fiscal year. 33

Sec. 3301.0711. (A) The department of education and 34
workforce shall: 35

(1) Annually furnish to, grade, and score all assessments 36
required by division (A)(1) of section 3301.0710 of the Revised 37
Code to be administered by city, local, exempted village, and 38
joint vocational school districts. Each assessment so furnished 39
shall include the data verification code of the student to whom 40
the assessment will be administered, as assigned pursuant to 41
division (D)(2) of section 3301.0714 of the Revised Code. In 42
awarding contracts for grading assessments, the department shall 43
give preference to Ohio-based entities employing Ohio residents. 44

(2) Adopt rules for the ethical use of assessments and 45
prescribing the manner in which the assessments prescribed by 46
sections 3301.0710 and 3301.0712 of the Revised Code shall be 47
administered to students. 48

(B) Except as provided in divisions (C) and (J) of this 49
section, the board of education of each city, local, and 50
exempted village school district shall, in accordance with rules 51
adopted under division (A) of this section: 52

(1) Administer the English language arts assessments 53
prescribed under division (A) (1) (a) of section 3301.0710 of the 54
Revised Code twice annually to all students in the third grade 55
who have not attained the score designated for that assessment 56
under division (A) (2) (c) of section 3301.0710 of the Revised 57
Code. 58

(2) Administer the mathematics assessment prescribed under 59
division (A) (1) (a) of section 3301.0710 of the Revised Code at 60
least once annually to all students in the third grade. 61

(3) Administer the assessments prescribed under division 62
(A) (1) (b) of section 3301.0710 of the Revised Code at least once 63
annually to all students in the fourth grade. 64

(4) Administer the assessments prescribed under division 65
(A) (1) (c) of section 3301.0710 of the Revised Code at least once 66
annually to all students in the fifth grade. 67

(5) Administer the assessments prescribed under division 68
(A) (1) (d) of section 3301.0710 of the Revised Code at least once 69
annually to all students in the sixth grade. 70

(6) Administer the assessments prescribed under division 71
(A) (1) (e) of section 3301.0710 of the Revised Code at least once 72
annually to all students in the seventh grade. 73

(7) Administer the assessments prescribed under division 74
(A) (1) (f) of section 3301.0710 of the Revised Code at least once 75
annually to all students in the eighth grade. 76

(8) (a) Except as provided in divisions (B) (8) (b) and (c) 77
of this section, administer the assessments prescribed by 78
section 3301.0712 of the Revised Code in accordance with the 79
timeline and plan for implementation of those assessments 80
prescribed by rule adopted under division (D) (1) of section 81
3301.0712 of the Revised Code; 82

(b) A student who has presented evidence to the district 83
or school of having satisfied the condition prescribed by 84
division (A) (1) of section 3313.618 of the Revised Code to 85
qualify for a high school diploma prior to the date of the 86
administration of the assessment prescribed under division (B) 87
(1) of section 3301.0712 of the Revised Code shall not be 88
required to take that assessment. However, no board shall 89
prohibit a student who is not required to take such assessment 90
from taking the assessment. 91

(c) A student shall not be required to retake the Algebra 92
I end-of-course examination or the English language arts II end- 93
of-course examination prescribed under division (B) (2) of 94
section 3301.0712 of the Revised Code in grades nine through 95
twelve if the student demonstrates at least a proficient level 96
of skill, as prescribed under division (B) (5) (a) of that 97
section, or achieves a competency score, as prescribed under 98
division (B) (10) of that section, in an administration of the 99
examination prior to grade nine. 100

(C) (1) (a) In the case of a student receiving special 101
education services under Chapter 3323. of the Revised Code, the 102
individualized education program developed for the student under 103
that chapter shall specify the manner in which the student will 104
participate in the assessments administered under this section, 105
except that a student with significant cognitive disabilities to 106

whom an alternate assessment is administered in accordance with 107
division (C) (1) of this section and a student determined to have 108
a disability that includes an intellectual disability as 109
outlined in guidance issued by the department shall not be 110
required to take the assessment prescribed under division (B) (1) 111
of section 3301.0712 of the Revised Code. The individualized 112
education program may excuse the student from taking any 113
particular assessment required to be administered under this 114
section if it instead specifies an alternate assessment method 115
approved by the department as conforming to requirements of 116
federal law for receipt of federal funds for disadvantaged 117
pupils. To the extent possible, the individualized education 118
program shall not excuse the student from taking an assessment 119
unless no reasonable accommodation can be made to enable the 120
student to take the assessment. No board shall prohibit a 121
student who is not required to take an assessment under division 122
(C) (1) of this section from taking the assessment. 123

(b) Any alternate assessment approved by the department 124
for a student under this division shall produce measurable 125
results comparable to those produced by the assessment it 126
replaces in order to allow for the student's results to be 127
included in the data compiled for a school district or building 128
under section 3302.03 of the Revised Code. 129

(c) (i) Any student enrolled in a chartered nonpublic 130
school who has been identified, based on an evaluation conducted 131
in accordance with section 3323.03 of the Revised Code or 132
section 504 of the "Rehabilitation Act of 1973," 87 Stat. 355, 133
29 U.S.C.A. 794, as amended, as a child with a disability shall 134
be excused from taking any particular assessment required to be 135
administered under this section if either of the following 136
apply: 137

(I) A plan developed for the student pursuant to rules 138
adopted by the department excuses the student from taking that 139
assessment. 140

(II) The chartered nonpublic school develops a written 141
plan in which the school, in consultation with the student's 142
parents, determines that an assessment or alternative assessment 143
with accommodations does not accurately assess the student's 144
academic performance. The plan shall include an academic profile 145
of the student's academic performance and shall be reviewed 146
annually to determine if the student's needs continue to require 147
excusal from taking the assessment. 148

(ii) A student with significant cognitive disabilities to 149
whom an alternate assessment is administered in accordance with 150
division (C)(1) of this section and a student determined to have 151
a disability that includes an intellectual disability as 152
outlined in guidance issued by the department shall not be 153
required to take the assessment prescribed under division (B)(1) 154
of section 3301.0712 of the Revised Code. 155

(iii) In the case of any student so excused from taking an 156
assessment under division (C)(1)(c) of this section, the 157
chartered nonpublic school shall not prohibit the student from 158
taking the assessment. 159

(2) A district board may, for medical reasons or other 160
good cause, excuse a student from taking an assessment 161
administered under this section on the date scheduled, but that 162
assessment shall be administered to the excused student not 163
later than nine days following the scheduled date. The district 164
board shall annually report the number of students who have not 165
taken one or more of the assessments required by this section to 166
the department not later than the thirtieth day of June. 167

(3) No school district board shall excuse any English learner from taking any particular assessment required to be administered under this section, except that any English learner who has been enrolled in United States schools for less than two years and for whom no appropriate accommodations are available based on guidance issued by the department shall not be required to take the assessment prescribed under division (B)(1) of section 3301.0712 of the Revised Code.

However, no board shall prohibit an English learner who is not required to take that assessment from taking the assessment.

A board may permit any English learner to take an assessment required to be administered under this section with appropriate accommodations, as determined by the department.

For each English learner, each school district shall annually assess that student's progress in learning English, in accordance with procedures approved by the department.

The guidance and procedures issued by the department for the purposes of division (C)(3) of this section shall comply with the rules adopted under section 3301.0731 of the Revised Code.

(4) (a) The governing authority of a chartered nonpublic school may excuse an English learner from taking any assessment administered under this section.

(b) No governing authority shall require an English learner who has been enrolled in United States schools for less than two years and for whom no appropriate accommodations are available based on guidance issued by the department to take the assessment prescribed under division (B)(1) of section 3301.0712 of the Revised Code.

(c) No governing authority shall prohibit an English 197
learner from taking an assessment from which the student was 198
excused under division (C) (4) of this section. 199

(D) In the school year next succeeding the school year in 200
which the assessments prescribed by division (A) (1) of section 201
3301.0710 of the Revised Code are administered to any student, 202
the board of education of any school district in which the 203
student is enrolled in that year shall provide to the student 204
intervention services commensurate with the student's 205
performance, including any intensive intervention required under 206
section 3313.608 of the Revised Code, in any skill in which the 207
student failed to demonstrate at least a score at the proficient 208
level on the assessment. 209

(E) Except as provided in section 3313.608 of the Revised 210
Code and division (N) of this section, no school district board 211
of education shall utilize any student's failure to attain a 212
specified score on an assessment administered under this section 213
as a factor in any decision to deny the student promotion to a 214
higher grade level. However, a district board may choose not to 215
promote to the next grade level any student who does not take an 216
assessment administered under this section or make up an 217
assessment as provided by division (C) (2) of this section and 218
who is not exempt from the requirement to take the assessment 219
under division (C) (3) of this section. 220

(F) No person shall be charged a fee for taking any 221
assessment administered under this section. 222

(G) (1) Each school district board shall designate one 223
location for the collection of assessments administered in the 224
spring under division (B) (1) of this section and those 225
administered under divisions (B) (2) to (7) of this section. Each 226

district board shall submit the assessments to the entity with 227
which the department contracts for the scoring of the 228
assessments as follows: 229

(a) If the district's total enrollment in grades 230
kindergarten through twelve during the first full school week of 231
October was less than two thousand five hundred, not later than 232
the Friday after all of the assessments have been administered; 233

(b) If the district's total enrollment in grades 234
kindergarten through twelve during the first full school week of 235
October was two thousand five hundred or more, but less than 236
seven thousand, not later than the Monday after all of the 237
assessments have been administered; 238

(c) If the district's total enrollment in grades 239
kindergarten through twelve during the first full school week of 240
October was seven thousand or more, not later than the Tuesday 241
after all of the assessments have been administered. 242

However, any assessment that a student takes during the 243
make-up period described in division (C) (2) of this section 244
shall be submitted not later than the Friday following the day 245
the student takes the assessment. 246

(2) The department or an entity with which the department 247
contracts for the scoring of the assessment shall send to each 248
school district board a list of the individual scores of all 249
persons taking a state achievement assessment as follows: 250

(a) Except as provided in division (G) (2) (b) or (c) of 251
this section, within forty-five days after the administration of 252
the assessments prescribed by sections 3301.0710 and 3301.0712 253
of the Revised Code, but in no case shall the scores be returned 254
later than the thirtieth day of June following the 255

administration; 256

(b) In the case of the third-grade English language arts 257
assessment, within forty-five days after the administration of 258
that assessment, but in no case shall the scores be returned 259
later than the fifteenth day of June following the 260
administration; 261

(c) In the case of the writing component of an assessment 262
or end-of-course examination in the area of English language 263
arts, except for the third-grade English language arts 264
assessment, the results may be sent after forty-five days of the 265
administration of the writing component, but in no case shall 266
the scores be returned later than the thirtieth day of June 267
following the administration. 268

(3) For assessments administered under this section by a 269
joint vocational school district, the department or entity shall 270
also send to each city, local, or exempted village school 271
district a list of the individual scores of any students of such 272
city, local, or exempted village school district who are 273
attending school in the joint vocational school district. 274

(4) A school district, other public school, or chartered 275
nonpublic school may administer the third-grade English language 276
arts or mathematics assessment, or both, in a paper format in 277
any school year for which the district board of education or 278
school governing body adopts a resolution indicating that the 279
district or school chooses to administer the assessment in a 280
paper format. The board or governing body shall submit a copy of 281
the resolution to the department of education and workforce not 282
later than the first day of May prior to the school year for 283
which it will apply. If the resolution is submitted, the 284
district or school shall administer the assessment in a paper 285

format to all students in the third grade, except that any 286
student whose individualized education program or plan developed 287
under section 504 of the "Rehabilitation Act of 1973," 87 Stat. 288
355, 29 U.S.C. 794, as amended, specifies that taking the 289
assessment in an online format is an appropriate accommodation 290
for the student may take the assessment in an online format. 291

(5) A classical school may administer all assessments 292
administered under this section in a paper format, except that 293
any student whose individualized education program or plan 294
developed under section 504 of the "Rehabilitation Act of 1973," 295
29 U.S.C. 794 specifies that taking the assessment in an online 296
format is an appropriate accommodation for the student may take 297
the assessment in an online format. 298

(H) Individual scores on any assessments administered 299
under this section shall be released by a district board only in 300
accordance with section 3319.321 of the Revised Code and the 301
rules adopted under division (A) of this section. No district 302
board or its employees shall utilize individual or aggregate 303
results in any manner that conflicts with rules for the ethical 304
use of assessments adopted pursuant to division (A) of this 305
section. 306

(I) Except as provided in division (G) of this section, 307
the department or an entity with which the department contracts 308
for the scoring of the assessment shall not release any 309
individual scores on any assessment administered under this 310
section. The department shall adopt rules to ensure the 311
protection of student confidentiality at all times. The rules 312
may require the use of the data verification codes assigned to 313
students pursuant to division (D) (2) of section 3301.0714 of the 314
Revised Code to protect the confidentiality of student scores. 315

(J) Notwithstanding division (D) of section 3311.52 of the Revised Code, this section does not apply to the board of education of any cooperative education school district except as provided under rules adopted pursuant to this division.

(1) In accordance with rules that the department shall adopt, the board of education of any city, exempted village, or local school district with territory in a cooperative education school district established pursuant to divisions (A) to (C) of section 3311.52 of the Revised Code may enter into an agreement with the board of education of the cooperative education school district for administering any assessment prescribed under this section to students of the city, exempted village, or local school district who are attending school in the cooperative education school district.

(2) In accordance with rules that the department shall adopt, the board of education of any city, exempted village, or local school district with territory in a cooperative education school district established pursuant to section 3311.521 of the Revised Code shall enter into an agreement with the cooperative district that provides for the administration of any assessment prescribed under this section to students who are attending school in the cooperative district and who, if the cooperative district were not established, would be entitled to attend school in the city, local, or exempted village school district pursuant to section 3313.64 or 3313.65 of the Revised Code.

Any assessment of students pursuant to such an agreement shall be in lieu of any assessment of such students or persons pursuant to this section.

(K) (1) (a) Except as otherwise provided in division (K) (1) or (2) of this section, each chartered nonpublic school for

which at least sixty-five per cent of its total enrollment is 346
made up of students who are participating in state scholarship 347
programs shall administer the assessments prescribed by division 348
(A) of section 3301.0710 of the Revised Code ~~or an alternative~~ 349
~~standardized assessment determined by the department.~~ In 350
accordance with procedures and deadlines prescribed by the 351
department, the parent or guardian of a student enrolled in the 352
school who is not participating in a state scholarship program 353
may submit notice to the chief administrative officer of the 354
school that the parent or guardian does not wish to have the 355
student take the assessments prescribed for the student's grade 356
level under division (A) of section 3301.0710 of the Revised 357
Code. If a parent or guardian submits an opt-out notice, the 358
school shall not administer the assessments to that student. 359
This option does not apply to any assessment required for a high 360
school diploma under section 3313.612 of the Revised Code. 361

(b) Any chartered nonpublic school that enrolls students 362
who are participating in state scholarship programs may 363
administer an alternative standardized assessment determined by 364
the department instead of the assessments prescribed by division 365
(A) of section 3301.0710 of the Revised Code to any student who 366
satisfies one of the following conditions: 367

(i) The student is participating in the autism scholarship 368
program established under section 3310.41 of the Revised Code. 369

(ii) The student is participating in the Jon Peterson 370
special needs scholarship program established under sections 371
3310.51 to 3310.64 of the Revised Code. 372

(iii) The student is not participating in a state 373
scholarship program. 374

Each chartered nonpublic school subject to division (K) (1) 375
(a) or (b) of this section shall report the results of each 376
assessment administered under those divisions to the department. 377

(2) A chartered nonpublic school may submit to the 378
director of education and workforce a request for a waiver from 379
administering the elementary assessments prescribed by division 380
(A) of section 3301.0710 of the Revised Code. The director shall 381
approve or disapprove a request for a waiver submitted under 382
division (K) (2) of this section. 383

To be eligible to submit a request for a waiver, a 384
chartered nonpublic school shall meet the following conditions: 385

(a) At least ninety-five per cent of the students enrolled 386
in the school are children with disabilities, as defined under 387
section 3323.01 of the Revised Code, or have received a 388
diagnosis by a school district or from a physician, including a 389
neuropsychiatrist or psychiatrist, or a psychologist who is 390
authorized to practice in this or another state as having a 391
condition that impairs academic performance, such as dyslexia, 392
dyscalculia, attention deficit hyperactivity disorder, or 393
Asperger's syndrome. 394

(b) The school has solely served a student population 395
described in division (K) (1) (a) of this section for at least ten 396
years. 397

(c) The school provides to the department at least five 398
years of records of internal testing conducted by the school 399
that affords the department data required for accountability 400
purposes, including diagnostic assessments and nationally 401
standardized norm-referenced achievement assessments that 402
measure reading and math skills. 403

(3) Any chartered nonpublic school that is not subject to 404
division (K) (1) of this section may participate in the 405
assessment program by administering any of the assessments 406
prescribed by division (A) of section 3301.0710 of the Revised 407
Code. The chief administrator of the school shall specify which 408
assessments the school will administer. Such specification shall 409
be made in writing to the director prior to the first day of 410
August of any school year in which assessments are administered 411
and shall include a pledge that the nonpublic school will 412
administer the specified assessments in the same manner as 413
public schools are required to do under this section and rules 414
adopted by the department. 415

(4) The department shall furnish the assessments 416
prescribed by section 3301.0710 of the Revised Code to each 417
chartered nonpublic school that is subject to division (K) (1) of 418
this section or participates under division (K) (3) of this 419
section. 420

(L) If a chartered nonpublic school is educating students 421
in grades nine through twelve, the following shall apply: 422

(1) Except as provided in division (L) (4) of this section, 423
for a student who is enrolled in a chartered nonpublic school 424
that is accredited through the independent schools association 425
of the central states and who is attending the school under a 426
state scholarship program that is not a general education state 427
scholarship program, the student shall either take all of the 428
assessments prescribed by division (B) of section 3301.0712 of 429
the Revised Code or take an alternative assessment approved by 430
the department under section 3313.619 of the Revised Code. A 431
student attending the school under a general education state 432
scholarship program shall take all of the assessments prescribed 433

under division (B) of section 3301.0712 of the Revised Code. 434
However, a student who is excused from taking an assessment 435
under division (C) of this section or has presented evidence to 436
the chartered nonpublic school of having satisfied the condition 437
prescribed by division (A) (1) of section 3313.618 of the Revised 438
Code to qualify for a high school diploma prior to the date of 439
the administration of the assessment prescribed under division 440
(B) (1) of section 3301.0712 of the Revised Code shall not be 441
required to take that assessment. No governing authority of a 442
chartered nonpublic school shall prohibit a student who is not 443
required to take such assessment from taking the assessment. 444

(2) For a student who is enrolled in a chartered nonpublic 445
school that is accredited through the independent schools 446
association of the central states, and who is not attending the 447
school under a state scholarship program, the student shall not 448
be required to take any assessment prescribed under section 449
3301.0712 or 3313.619 of the Revised Code. 450

(3) (a) Except as provided in divisions (L) (3) (b) and (4) 451
of this section, for a student who is enrolled in a chartered 452
nonpublic school that is not accredited through the independent 453
schools association of the central states, ~~regardless of whether~~ 454
either of the following apply to that student: 455

(i) If the student is attending or is not attending the 456
school under a state participating in a general education state 457
scholarship program, the student shall take all of the 458
assessments prescribed in division (B) of section 3301.0712 of 459
the Revised Code. 460

(ii) If the student is not participating in a general 461
education state scholarship program, the student shall do one of 462
the following: 463

~~(i)~~ (I) Take all of the assessments prescribed by division 464
(B) of section 3301.0712 of the Revised Code; 465

~~(ii)~~ (II) Take only the assessment prescribed by division 466
(B) (1) of section 3301.0712 of the Revised Code, provided that 467
the student's school publishes the results of that assessment 468
for each graduating class. The published results of that 469
assessment shall include the overall composite scores, mean 470
scores, twenty-fifth percentile scores, and seventy-fifth 471
percentile scores for each subject area of the assessment. 472

~~(iii)~~ (III) Take an alternative assessment approved by the 473
department under section 3313.619 of the Revised Code. 474

(b) A student who is excused from taking an assessment 475
under division (C) of this section or has presented evidence to 476
the chartered nonpublic school of having satisfied the condition 477
prescribed by division (A) (1) of section 3313.618 of the Revised 478
Code to qualify for a high school diploma prior to the date of 479
the administration of the assessment prescribed under division 480
(B) (1) of section 3301.0712 of the Revised Code shall not be 481
required to take that assessment. No governing authority of a 482
chartered nonpublic school shall prohibit a student who is not 483
required to take such assessment from taking the assessment. 484

(4) The assessments prescribed by sections 3301.0712 and 485
3313.619 of the Revised Code shall not be administered to any 486
student attending the school, if the school meets all of the 487
following conditions: 488

(a) At least ninety-five per cent of the students enrolled 489
in the school are children with disabilities, as defined under 490
section 3323.01 of the Revised Code, or have received a 491
diagnosis by a school district or from a physician, including a 492

neuropsychologist or psychiatrist, or a psychologist who is 493
authorized to practice in this or another state as having a 494
condition that impairs academic performance, such as dyslexia, 495
dyscalculia, attention deficit hyperactivity disorder, or 496
Asperger's syndrome. 497

(b) The school has solely served a student population 498
described in division (L) (4) (a) of this section for at least ten 499
years. 500

(c) The school makes available to the department at least 501
five years of records of internal testing conducted by the 502
school that affords the department data required for 503
accountability purposes, including growth in student achievement 504
in reading or mathematics, or both, as measured by nationally 505
norm-referenced assessments that have developed appropriate 506
standards for students. 507

Division (L) (4) of this section applies to any student 508
attending such school regardless of whether the student receives 509
special education or related services and regardless of whether 510
the student is attending the school under a state scholarship 511
program. 512

(M) (1) The superintendent of Ohio deaf and blind education 513
services shall administer the assessments described by sections 514
3301.0710 and 3301.0712 of the Revised Code for the state school 515
for the blind and the state school for the deaf. The 516
superintendent of Ohio deaf and blind education services shall 517
administer the assessments in the same manner as district boards 518
are required to do under this section and rules adopted by the 519
department and in conformity with division (C) (1) (a) of this 520
section. 521

(2) The department shall furnish the assessments described 522
by sections 3301.0710 and 3301.0712 of the Revised Code to the 523
superintendent of Ohio deaf and blind education services. 524

(N) Notwithstanding division (E) of this section, a school 525
district may use a student's failure to attain a score in at 526
least the proficient range on the mathematics assessment 527
described by division (A) (1) (a) of section 3301.0710 of the 528
Revised Code or on an assessment described by division (A) (1) 529
(b), (c), (d), (e), or (f) of section 3301.0710 of the Revised 530
Code as a factor in retaining that student in the current grade 531
level. 532

(O) (1) In the manner specified in divisions (O) (3) and (4) 533
of this section, the assessments required by division (A) (1) of 534
section 3301.0710 of the Revised Code shall become public 535
records pursuant to section 149.43 of the Revised Code on the 536
thirty-first day of July following the school year that the 537
assessments were administered. 538

(2) The department may field test proposed questions with 539
samples of students to determine the validity, reliability, or 540
appropriateness of questions for possible inclusion in a future 541
year's assessment. The department also may use anchor questions 542
on assessments to ensure that different versions of the same 543
assessment are of comparable difficulty. 544

Field test questions and anchor questions shall not be 545
considered in computing scores for individual students. Field 546
test questions and anchor questions may be included as part of 547
the administration of any assessment required by division (A) (1) 548
of section 3301.0710 and division (B) of section 3301.0712 of 549
the Revised Code. 550

(3) Any field test question or anchor question 551
administered under division (O) (2) of this section shall not be 552
a public record. Such field test questions and anchor questions 553
shall be redacted from any assessments which are released as a 554
public record pursuant to division (O) (1) of this section. 555

(4) Division (O) (4) of this section applies to the 556
assessments prescribed by division (A) of section 3301.0710 and 557
division (B) (2) of section 3301.0712 of the Revised Code. 558

Beginning with the assessments administered in the spring 559
of the 2025-2026 school year, the department shall determine 560
which questions on each assessment that are used to compute a 561
student's score are a public record, if any. The department 562
shall determine which questions will be needed for reuse on a 563
future assessment and those questions shall not be public 564
records and shall be redacted from the assessment prior to its 565
release as a public record. However, for each redacted question, 566
the department shall inform each city, local, and exempted 567
village school district of the corresponding statewide academic 568
standard adopted under section 3301.079 of the Revised Code and 569
the corresponding benchmark to which the question relates. The 570
department is not required to provide corresponding standards 571
and benchmarks to field test questions that are redacted under 572
division (O) (3) of this section. 573

(P) As used in this section: 574

(1) "Three-year average" means the average of the most 575
recent consecutive three school years of data. 576

(2) "Dropout" means a student who withdraws from school 577
before completing course requirements for graduation and who is 578
not enrolled in an education program approved by the department 579

or an education program outside the state. "Dropout" does not 580
include a student who has departed the country. 581

(3) "Graduation rate" means the ratio of students 582
receiving a diploma to the number of students who entered ninth 583
grade four years earlier. Students who transfer into the 584
district are added to the calculation. Students who transfer out 585
of the district for reasons other than dropout are subtracted 586
from the calculation. If a student who was a dropout in any 587
previous year returns to the same school district, that student 588
shall be entered into the calculation as if the student had 589
entered ninth grade four years before the graduation year of the 590
graduating class that the student joins. 591

(4) "State scholarship programs" means the educational 592
choice scholarship pilot program established under sections 593
3310.01 to 3310.17 of the Revised Code, the autism scholarship 594
program established under section 3310.41 of the Revised Code, 595
the Jon Peterson special needs scholarship program established 596
under sections 3310.51 to 3310.64 of the Revised Code, and the 597
pilot project scholarship program established under sections 598
3313.974 to 3313.979 of the Revised Code. 599

(5) "Other public school" means a community school 600
established under Chapter 3314. or a STEM school established 601
under Chapter 3326. of the Revised Code. 602

(6) "English learner" has the same meaning as in section 603
3301.0731 of the Revised Code. 604

(7) "Classical school" means a community school 605
established under Chapter 3314. of the Revised Code that is a 606
member of the Ohio classical school association, or its 607
successor organization, and uses a curriculum substantially 608

similar to that of a nationally recognized classical school 609
network. 610

(8) "General education state scholarship program" has the 611
same meaning as in section 3301.165 of the Revised Code. 612

Sec. 3301.165. (A) As used in this section: 613

(1) "General education state scholarship program" means 614
the educational choice scholarship pilot program established 615
under sections 3310.01 to 3310.17 of the Revised Code or the 616
pilot project scholarship program established under sections 617
3313.974 to 3313.979 of the Revised Code. 618

(2) "Information technology center" means an information 619
technology center established under section 3301.075 of the 620
Revised Code. 621

(3) "Scholarship student" means a student who is 622
participating in a general education state scholarship program. 623

(B) Annually, each chartered nonpublic school that enrolls 624
scholarship students shall submit to the department of education 625
and workforce, in a form and manner prescribed by the 626
department, a report regarding expenditures the school made 627
using the state funds it received under a general education 628
state scholarship program in that school year. The department 629
shall post each report it receives on its publicly accessible 630
web site. 631

A chartered nonpublic school may contract with an 632
information technology center for assistance with complying with 633
the reporting requirement prescribed under this division. 634

Sec. 3301.166. (A) As used in this section: 635

(1) "Community school" means a community school 636

established under Chapter 3314. of the Revised Code. 637

(2) "Qualifying school" means a chartered nonpublic school 638
of which at least ten per cent of its total enrollment is made 639
up of scholarship students. 640

(3) "Scholarship student" has the same meaning as in 641
section 3301.165 of the Revised Code. 642

(4) "STEM school" means a STEM school established under 643
Chapter 3326. of the Revised Code. 644

(B) Each chartered nonpublic school that enrolls 645
scholarship students shall include in its admission procedure a 646
method to determine which students to admit if the number of 647
applicants for a grade level, school building, or education 648
program exceeds the school's capacity. Each school shall report 649
to the department of education and workforce, in a form and 650
manner established by the department, its method for such 651
determinations. 652

(C) Annually, each qualifying school shall do all of the 653
following: 654

(1) Report to the department, in a form and manner 655
established by the department, all of the following for the 656
school year: 657

(a) The school's total enrollment and its capacity limits 658
by grade level, school building, and education program; 659

(b) The number of scholarship students enrolled in the 660
school. The department also shall disaggregate that number of 661
students by whether, in the prior school year, the students were 662
enrolled in one of the following: 663

(i) That school; 664

<u>(ii) A different chartered nonpublic school;</u>	665
<u>(iii) A nonchartered nonpublic school;</u>	666
<u>(iv) A municipal, city, local, or exempted village school</u> <u>district;</u>	667 668
<u>(v) A community school;</u>	669
<u>(vi) A STEM school;</u>	670
<u>(vii) If the student was not enrolled in a district or</u> <u>school in the prior school year, whether either of the following</u> <u>apply to the student:</u>	671 672 673
<u>(I) The student, in the prior school year, was exempted</u> <u>from attendance at school for the purpose of home education</u> <u>under section 3321.042 of the Revised Code.</u>	674 675 676
<u>(II) The student, in the current school year, is enrolling</u> <u>in school in this state for the first time.</u>	677 678
<u>(c) The number of scholarship students enrolled in the</u> <u>school for each of the five most recent school years;</u>	679 680
<u>(d) The number of enrolled students with disabilities,</u> <u>disaggregated by disability category as described in section</u> <u>3317.013 of the Revised Code;</u>	681 682 683
<u>(e) The number of enrolled students who are English</u> <u>learners, as defined in section 3301.0731 of the Revised Code;</u>	684 685
<u>(f) The number of enrolled students who are homeless;</u>	686
<u>(g) The number of students who left the school in the</u> <u>prior school year without completing the school year or the</u> <u>student's planned course of study and that number presented as a</u> <u>percentage of the school's total enrolled students;</u>	687 688 689 690

(h) The tuition and fees charged by the school and a five- 691
year cost trend of those charges; 692

(i) Services the school offers for students with 693
individualized education programs developed under Chapter 3323. 694
of the Revised Code or plans developed under Section 504 of the 695
"Rehabilitation Act of 1973," 29 U.S.C. 794; 696

(j) Any religious or faith-based instruction provided by 697
the school; 698

(k) The name of the school's accrediting body, if any, and 699
the school's most recent accreditation or evaluation report. 700

(2) Publish the information it reports to the department 701
under divisions (C) (1) (b), (c), and (h) of this section on the 702
school's publicly accessible web site; 703

(3) Certify to the department its compliance with the 704
criminal records check requirements for school employees 705
established under Chapter 3319. of the Revised Code. 706

(D) Each qualifying school shall submit a weekly report to 707
the department on the attendance of enrolled scholarship 708
students. 709

Sec. 3301.167. (A) As used in this section: 710

(1) "Adjusted gross income" has the same meaning as in 711
section 5747.01 of the Revised Code. 712

(2) "Federal poverty guidelines" has the same meaning as 713
in section 5101.46 of the Revised Code. 714

(3) "Community school" means a community school 715
established under Chapter 3314. of the Revised Code. 716

(4) "Scholarship student" has the same meaning as in 717

section 3301.165 of the Revised Code. 718

(5) "STEM school" means a STEM school established under 719
Chapter 3326. of the Revised Code. 720

(B) The department of education and workforce shall 721
establish a system by which an individual may compare the 722
performance data of scholarship students enrolled in a chartered 723
nonpublic school with the performance data of similar students 724
enrolled in the school district in which the school is located. 725
The department shall make the system available on its publicly 726
accessible web site. 727

In calculating the performance of similar students under 728
this section, the department shall consider age, grade, race and 729
ethnicity, gender, and socioeconomic status. 730

(C) (1) Annually, the department shall post on its publicly 731
accessible web site the number of scholarship students 732
disaggregated according to the following categories: 733

(a) Students with a family adjusted gross income at or 734
below two hundred per cent of the federal poverty guidelines; 735

(b) Students with a family adjusted gross income above two 736
hundred per cent of the federal poverty guidelines, but at or 737
below four hundred fifty per cent of the federal poverty 738
guidelines; 739

(c) Students with a family adjusted gross income above 740
four hundred fifty per cent of the federal poverty guidelines, 741
but at or below five hundred per cent of the federal poverty 742
guidelines; 743

(d) Students with a family adjusted gross income above 744
five hundred per cent of the federal poverty guidelines, but at 745

or below five hundred fifty per cent of the federal poverty 746
guidelines; 747

(e) Students with a family adjusted gross income above 748
five hundred fifty per cent of the federal poverty guidelines, 749
but at or below six hundred per cent of the federal poverty 750
guidelines; 751

(f) Students with a family adjusted gross income above six 752
hundred per cent of the federal poverty guidelines, but at or 753
below six hundred fifty per cent of the federal poverty 754
guidelines; 755

(g) Students with a family adjusted gross income above six 756
hundred fifty per cent of the federal poverty guidelines, but at 757
or below seven hundred per cent of the federal poverty 758
guidelines; 759

(h) Students with a family adjusted gross income above 760
seven hundred per cent of the federal poverty guidelines, but at 761
or below seven hundred fifty per cent of the federal poverty 762
guidelines; 763

(i) Students with a family adjusted gross income above 764
seven hundred fifty per cent of the federal poverty guidelines. 765

The department may disaggregate data under division (C) (1) 766
of this section according to other categories that the 767
department determines are appropriate. 768

(2) The department of education and workforce shall 769
request from the department of taxation any data necessary for 770
the department of education and workforce to compute and post 771
data as required under division (C) (1) of this section. 772

Sec. 3302.0311. As used in this section, "qualifying" 773

school" has the same meaning as in section 3301.166 of the 774
Revised Code, 775

The department of education and workforce shall establish 776
a report card for qualifying schools. To the extent practicable, 777
the department shall make that report card similar to the report 778
card issued under section 3302.03 of the Revised Code. The 779
department annually shall issue a report card for each 780
qualifying school not later than the fifteenth day of September 781
or the preceding Friday when that day falls on Saturday or 782
Sunday. The department shall include in the report card issued 783
for a qualifying school the reports the school is required to 784
make to the department under sections 3301.165 and 3301.166 of 785
the Revised Code. 786

Sec. 3310.03. Subject to division (G) of this section, a 787
student is an "eligible student" for purposes of the educational 788
choice scholarship pilot program if the student's resident 789
district is not a school district in which the pilot project 790
scholarship program is operating under sections 3313.974 to 791
3313.979 of the Revised Code, the student satisfies one of the 792
conditions in division (A), (B), or (C) of this section, and the 793
student maintains eligibility to receive a scholarship under 794
division (D) of this section. 795

However, any student who received a scholarship for the 796
2020-2021 school year under this section, as it existed prior to 797
March 2, 2021, shall continue to receive that scholarship until 798
the student completes grade twelve, as long as the student 799
maintains eligibility to receive a scholarship under division 800
(D) of this section. 801

(A) (1) A student is eligible for a scholarship if the 802
student is enrolled in a school building operated by the 803

student's resident district and to which both of the following 804
apply: 805

(a) The building was ranked in the lowest twenty per cent 806
of all buildings operated by city, local, and exempted village 807
school districts according to performance index score, as 808
determined by the department of education and workforce, for at 809
least two of the three most recent consecutive rankings issued 810
prior to the first day of July of the school year for which a 811
scholarship is sought. 812

(b) The building is operated by a school district in 813
which, for the three consecutive school years prior to the 814
school year for which a scholarship is sought, an average of 815
twenty per cent or more of the students entitled to attend 816
school in the district, under section 3313.64 or 3313.65 of the 817
Revised Code, were qualified to be included in the formula to 818
distribute funds under Title I of the "Elementary and Secondary 819
Education Act of 1965," 20 U.S.C. 6301 et seq. 820

When ranking school buildings under division (A) (1) of 821
this section, the department shall not include buildings 822
operated by a school district in which the pilot project 823
scholarship program is operating in accordance with sections 824
3313.974 to 3313.979 of the Revised Code. 825

(2) A student is eligible for a scholarship if the student 826
will be enrolling in any of grades kindergarten through twelve 827
in this state for the first time in the school year for which a 828
scholarship is sought, will be at least five years of age, as 829
defined in section 3321.01 of the Revised Code, by the first day 830
of January of the school year for which a scholarship is sought, 831
and otherwise would be assigned under section 3319.01 of the 832
Revised Code in the school year for which a scholarship is 833

sought, to a school building described in division (A) (1) of 834
this section. 835

(3) A student is eligible for a scholarship if the student 836
is enrolled in a community school established under Chapter 837
3314. of the Revised Code but otherwise would be assigned under 838
section 3319.01 of the Revised Code to a building described in 839
division (A) (1) of this section. 840

(4) A student is eligible for a scholarship if the student 841
is enrolled in a school building operated by the student's 842
resident district or in a community school established under 843
Chapter 3314. of the Revised Code and otherwise would be 844
assigned under section 3319.01 of the Revised Code to a school 845
building described in division (A) (1) of this section in the 846
school year for which the scholarship is sought. 847

(5) A student is eligible for a scholarship if the student 848
was enrolled in a public or nonpublic school or was homeschooled 849
in the prior school year and completed any of grades eight 850
through eleven in that school year and otherwise would be 851
assigned under section 3319.01 of the Revised Code to a school 852
building described in division (A) (1) of this section in the 853
school year for which the scholarship is sought. 854

(B) A student is eligible for a scholarship if the student 855
is enrolled in a nonpublic school at the time the school is 856
granted a charter by the director of education and workforce 857
under section 3301.16 of the Revised Code and the student meets 858
the standards of division (B) of section 3310.031 of the Revised 859
Code. 860

(C) A student is eligible for a scholarship if the 861
student's resident district is subject to section 3302.10 of the 862

Revised Code and the student either: 863

(1) Is enrolled in a school building operated by the 864
resident district or in a community school established under 865
Chapter 3314. of the Revised Code; 866

(2) Will be both enrolling in any of grades kindergarten 867
through twelve in this state for the first time and at least 868
five years of age by the first day of January of the school year 869
for which a scholarship is sought. 870

(D) A student who receives a scholarship under the 871
educational choice scholarship pilot program remains an eligible 872
student and may continue to receive scholarships in subsequent 873
school years until the student completes grade twelve, so long 874
as all of the following apply: 875

(1) The student's resident district remains the same, or 876
the student transfers to a new resident district and otherwise 877
would be assigned in the new resident district to a school 878
building described in division (A) (1) or (C) of this section. 879

(2) The student takes each assessment prescribed for the 880
student's grade level under section 3301.0710, or 3301.0712, ~~or~~ 881
~~3313.619~~ of the Revised Code while enrolled in a chartered 882
nonpublic school, unless one of the following applies to the 883
student: 884

(a) The student is excused from taking that assessment 885
under federal law, the student's individualized education 886
program, or division (C) (1) (c) (i) of section 3301.0711 of the 887
Revised Code. 888

(b) The student is enrolled in a chartered nonpublic 889
school that meets the conditions specified in division (K) (2) or 890
(L) (4) of section 3301.0711 of the Revised Code. 891

~~(c) The student is enrolled in any of grades three to eight and takes an alternative standardized assessment under division (K) (1) of section 3301.0711 of the Revised Code.~~

~~(d)~~ The student is excused from taking the assessment prescribed under division (B) (1) of section 3301.0712 of the Revised Code pursuant to division (C) (1) (c) (ii) of section 3301.0711 of the Revised Code.

(3) In each school year that the student is enrolled in a chartered nonpublic school, the student is absent from school for not more than twenty days that the school is open for instruction, not including excused absences.

(E) (1) The department shall cease awarding first-time scholarships pursuant to divisions (A) (1) to (5) of this section with respect to a school building that, in the most recent ratings of school buildings under section 3302.03 of the Revised Code prior to the first day of July of the school year, ceases to meet the criteria in division (A) (1) of this section.

(2) The department shall cease awarding first-time scholarships pursuant to division (C) of this section with respect to a school district subject to section 3302.10 of the Revised Code when the academic distress commission established for the district ceases to exist.

(3) However, students who have received scholarships in the prior school year remain eligible students pursuant to division (D) of this section.

(F) The department shall adopt rules defining excused absences for purposes of division (D) (3) of this section.

(G) Notwithstanding anything to the contrary in this section or section 3310.031 of the Revised Code, a student

entering any of grades kindergarten through twelve shall not be 921
required to be enrolled or enrolling in a school building 922
operated by the student's resident district or a community 923
school in order to be eligible for a scholarship. 924

(H) Except as provided for in section 3310.13 of the 925
Revised Code and in division (C) (2) of section 3365.07 of the 926
Revised Code, the department shall not require the parent of a 927
student who applies for or receives a scholarship under this 928
section or section 3310.033, 3310.034, or 3310.035 of the 929
Revised Code to complete any kind of income verification 930
regarding the student's family income. 931

Sec. 3310.13. (A) No chartered nonpublic school shall 932
charge any student whose family income is at or below two 933
hundred per cent of the federal poverty guidelines, as defined 934
in section 5101.46 of the Revised Code, a tuition fee that is 935
greater than the total amount paid for that student under 936
section 3317.022 of the Revised Code. 937

(B) A chartered nonpublic school may charge any other 938
student who is paid a scholarship under that section up to the 939
difference between the amount of the scholarship and the regular 940
tuition charge of the school. Each chartered nonpublic school 941
may permit such an eligible student's family to provide 942
volunteer services in lieu of cash payment to pay all or part of 943
the amount of the school's tuition not covered by the 944
scholarship paid under section 3317.022 of the Revised Code. 945

(C) Each chartered nonpublic school that charges a 946
scholarship student an additional amount as authorized under 947
division (B) of this section shall annually report to the 948
department of education and workforce in the manner prescribed 949
by the department the following: 950

(1) The number of students charged; 951

(2) The average of the amounts charged to such students. 952

(D) On and after July 1, 2024, the department shall not 953
require the parent of a student to submit a complete copy of the 954
parent's federal income tax return, or a return filed under 955
section 5747.08 of the Revised Code, to determine a student's 956
family income for the purposes of the educational choice 957
scholarship pilot program. Rather, the department may require a 958
parent to submit a partial federal income tax return, or a 959
return filed under section 5747.08 of the Revised Code, that 960
only contains the minimum amount of information necessary to 961
determine a student's family income. 962

(E) No chartered nonpublic school participating in the 963
educational choice scholarship pilot program shall require the 964
parent of a student to disclose, as part of the school's 965
admission procedure, whether the student's family income is at 966
or below two hundred per cent of the federal poverty guidelines. 967

(F) A chartered nonpublic school may accept scholarships 968
issued by a scholarship granting organization authorized under 969
section 5747.73 of the Revised Code as payment for the 970
difference between the amount of the scholarship paid under 971
section 3317.022 of the Revised Code and the regular tuition 972
charge of the school, as well as for any fees regularly charged 973
by the school. Each such school shall report annually to the 974
department the family income of each student who receives a 975
scholarship from a scholarship granting organization described 976
in this division. 977

(G) Not later than the thirtieth day of June of each year, 978
each chartered nonpublic school that enrolls students who 979

receive educational choice scholarships shall submit to the 980
department of education and workforce, in a form and manner 981
prescribed by the department, the tuition rates charged by the 982
school for the following school year. 983

Sec. 3310.14. (A) Except as provided in division (B) of 984
this section, each chartered nonpublic school that is not 985
subject to division (K)(1) of section 3301.0711 of the Revised 986
Code and enrolls students awarded scholarships under sections 987
3310.01 to 3310.17 of the Revised Code annually shall administer 988
the assessments prescribed by section 3301.0710~~7~~ or 3301.0712~~7~~ 989
~~or 3313.619~~ of the Revised Code, as applicable, to each 990
scholarship student enrolled in the school in accordance with 991
section 3301.0711 of the Revised Code. Each chartered nonpublic 992
school that is subject to this section shall report to the 993
department of education and workforce the results of each 994
assessment administered to each scholarship student under this 995
section. 996

Nothing in this section requires a chartered nonpublic 997
school to administer any achievement assessment, except for the 998
college and work ready assessment system prescribed by division 999
(B) of section 3301.0712 of the Revised Code to any student 1000
enrolled in the school who is not a scholarship student. 1001

(B) A chartered nonpublic school that meets the conditions 1002
specified in division (K)(2) of section 3301.0711 of the Revised 1003
Code shall not be required to administer the elementary 1004
assessments prescribed by division (A) of section 3301.0710 of 1005
the Revised Code. 1006

Sec. 3310.15. (A) The department of education and 1007
workforce annually shall compile the scores attained by 1008
scholarship students to whom an assessment is administered under 1009

section 3310.14 of the Revised Code. The scores shall be 1010
aggregated as follows: 1011

(1) By state, which shall include all students awarded a 1012
scholarship under the educational choice scholarship pilot 1013
program and who were required to take an assessment under 1014
section 3310.14 of the Revised Code; 1015

(2) By school district, which shall include all 1016
scholarship students who were required to take an assessment 1017
under section 3310.14 of the Revised Code and for whom the 1018
district is the student's resident district; 1019

(3) By chartered nonpublic school, which shall include all 1020
scholarship students enrolled in that school who were required 1021
to take an assessment under section 3310.14 of the Revised Code. 1022

(B) The department shall disaggregate the student 1023
performance data described in division (A) of this section 1024
according to the following categories: 1025

(1) Grade level; 1026

(2) Race and ethnicity; 1027

(3) Gender; 1028

(4) Students who have participated in the scholarship 1029
program for three or more years; 1030

(5) Students who have participated in the scholarship 1031
program for more than one year and less than three years; 1032

(6) Students who have participated in the scholarship 1033
program for one year or less; 1034

(7) Economically disadvantaged students. 1035

(C) The department shall post the student performance data 1036

required under divisions (A) and (B) of this section on its web 1037
site and, by the ~~first-fifteenth~~ day of ~~February-September~~ or 1038
the preceding Friday when that day falls on a Saturday or Sunday 1039
each year, shall distribute that data to the parent of each 1040
eligible student. In reporting student performance data under 1041
this division, the department shall not include any data that is 1042
statistically unreliable or that could result in the 1043
identification of individual students. For this purpose, the 1044
department shall not report performance data for any group that 1045
contains less than ten students. 1046

Not later than July 1, 2025, the department shall develop 1047
a measure of student growth for scholarship students enrolled in 1048
chartered nonpublic schools. The measure of student growth shall 1049
be used to report data annually on student growth for students 1050
in grades four through eight during the school year in which 1051
data is reported. No data shall be reported for schools with 1052
fewer than ten scholarship students. The department shall make 1053
the growth reports available on its publicly accessible web 1054
site. 1055

(D) The department shall provide the parent of each 1056
scholarship student with information comparing the student's 1057
performance on the assessments administered under section 1058
3310.14 of the Revised Code with the average performance of 1059
similar students enrolled in the building operated by the 1060
student's resident district that the scholarship student would 1061
otherwise attend. In calculating the performance of similar 1062
students, the department shall consider age, grade, race and 1063
ethnicity, gender, and socioeconomic status. 1064

Sec. 3313.618. (A) In addition to the curriculum 1065
requirements specified by the board of education of a school 1066

district or governing authority of a chartered nonpublic school, 1067
each student entering ninth grade for the first time on or after 1068
July 1, 2014, but prior to July 1, 2019, shall satisfy at least 1069
one of the following conditions or the conditions prescribed 1070
under division (B) of this section in order to qualify for a 1071
high school diploma: 1072

(1) Be remediation-free, in accordance with standards 1073
adopted under division (F) of section 3345.061 of the Revised 1074
Code, on each of the nationally standardized assessments in 1075
English, mathematics, and reading; 1076

(2) Attain a score specified under division (B) (5) (c) of 1077
section 3301.0712 of the Revised Code on the end-of-course 1078
examinations prescribed under division (B) of section 3301.0712 1079
of the Revised Code. 1080

(3) Attain a score that demonstrates workforce readiness 1081
and employability on a nationally recognized job skills 1082
assessment selected by the department of education and workforce 1083
under division (F) of section 3301.0712 of the Revised Code and 1084
obtain either an industry-recognized credential or a license 1085
issued by a state agency or board for practice in a vocation 1086
that requires an examination for issuance of that license. 1087

For the purposes of this division, the industry-recognized 1088
credentials and licenses shall be as approved under section 1089
3313.6113 of the Revised Code. 1090

A student may choose to qualify for a high school diploma 1091
by satisfying any of the separate requirements prescribed by 1092
divisions (A) (1) to (3) of this section. If the student's school 1093
district or school does not administer the examination 1094
prescribed by one of those divisions that the student chooses to 1095

take to satisfy the requirements of this section, the school 1096
district or school may require that student to arrange for the 1097
applicable scores to be sent directly to the district or school 1098
by the company or organization that administers the examination. 1099

(B) In addition to the curriculum requirements specified 1100
by the district board or school governing authority, each 1101
student entering ninth grade for the first time on or after July 1102
1, 2019, shall satisfy the following conditions in order to 1103
qualify for a high school diploma: 1104

(1) Attain a competency score as determined under division 1105
(B) (9) of section 3301.0712 of the Revised Code on each of the 1106
Algebra I and English language arts II end-of-course 1107
examinations prescribed under division (B) (2) of section 1108
3301.0712 of the Revised Code. 1109

School districts and chartered nonpublic schools shall 1110
offer remedial support to any student who fails to attain a 1111
competency score on one or both of the Algebra I and English 1112
language arts II end-of-course examinations. 1113

Following the first administration of the exam, if a 1114
student fails to attain a competency score on one or both of the 1115
Algebra I and English language arts II end-of-course 1116
examinations that student must retake the respective examination 1117
at least once. 1118

If a student fails to attain a competency score on a 1119
retake examination, the student may demonstrate competency in 1120
the failed subject area through one of the following options: 1121

(a) Earn course credit taken through the college credit 1122
plus program established under Chapter 3365. of the Revised Code 1123
in the failed subject area; 1124

(b) Complete two of the following options, one of which 1125
must be foundational: 1126

(i) Foundational options to demonstrate competency, which 1127
include earning a cumulative score of proficient or higher on 1128
three or more state technical assessments aligned with section 1129
3313.903 of the Revised Code in a single career pathway, 1130
obtaining an industry-recognized credential, or group of 1131
credentials, approved under section 3313.6113 of the Revised 1132
Code that meet the criteria established under that section to 1133
qualify for a high school diploma, obtaining a license approved 1134
under section 3313.6113 of the Revised Code that is issued by a 1135
state agency or board for practice in a vocation that requires 1136
an examination for issuance of that license, completing a pre- 1137
apprenticeship aligned with options established under section 1138
3313.904 of the Revised Code in the student's chosen career 1139
field, completing an apprenticeship registered with the 1140
apprenticeship council established under section 4139.02 of the 1141
Revised Code in the student's chosen career field, or providing 1142
evidence of acceptance into an apprenticeship program after high 1143
school that is restricted to participants eighteen years of age 1144
or older; 1145

(ii) Supporting options to demonstrate competency, which 1146
include completing two hundred fifty hours of a work-based 1147
learning experience with evidence of positive evaluations, 1148
obtaining an OhioMeansJobs-readiness seal under section 1149
3313.6112 of the Revised Code, or attaining a workforce 1150
readiness score, as determined by the department, on the 1151
nationally recognized job skills assessment selected by the 1152
department under division (F) of section 3301.0712 of the 1153
Revised Code. 1154

(c) Provide evidence that the student has enlisted in a 1155
branch of the armed services of the United States as defined in 1156
section 5910.01 of the Revised Code. 1157

(d) Be remediation-free, in accordance with standards 1158
adopted under division (F) of section 3345.061 of the Revised 1159
Code, in the failed subject area on a nationally standardized 1160
assessment prescribed under division (B)(1) of section 3301.0712 1161
of the Revised Code. For English language arts II, a student 1162
must be remediation-free in the subjects of English and reading 1163
on the nationally standardized assessment. 1164

Subject to division (K)(2) of section 3313.61 of the 1165
Revised Code, for any students receiving special education and 1166
related services under Chapter 3323. of the Revised Code, the 1167
individualized education program developed for the student under 1168
that chapter shall specify the manner in which the student will 1169
participate in the assessments administered under this division 1170
or an alternate assessment in accordance with division (C)(1) of 1171
section 3301.0711 of the Revised Code. 1172

(2) Earn at least two of the state diploma seals 1173
prescribed under division (A) of section 3313.6114 of the 1174
Revised Code, at least one of which shall be any of the 1175
following: 1176

(a) The state seal of biliteracy established under section 1177
3313.6111 of the Revised Code; 1178

(b) The OhioMeansJobs-readiness seal established under 1179
section 3313.6112 of the Revised Code; 1180

(c) One of the state diploma seals established under 1181
divisions (C)(1) to (7) of section 3313.6114 of the Revised 1182
Code. 1183

(C) (1) A student who transfers into an Ohio public or 1184
chartered nonpublic high school from another state or enrolls in 1185
such a high school after receiving home education or attending a 1186
nonchartered, nontax-supported school in the previous school 1187
year shall meet the requirements of division (B) ~~or (D)~~ of this 1188
section, as applicable, in order to qualify for a high school 1189
diploma. However, any student subject to division (B) of this 1190
section who transfers or enrolls after the start of the 1191
student's twelfth grade year and fails to attain a competency 1192
score on the Algebra I or English language arts II end-of-course 1193
examination shall not be required to retake the applicable 1194
examination prior to demonstrating competency in the failed 1195
subject area under the options prescribed in divisions (B) (1) (a) 1196
to (d) of this section. 1197

(2) The department shall prescribe standards that allow a 1198
transfer student who, prior to the student's transfer, took an 1199
assessment described in division (B) (1) or (2) of section 1200
3301.0712 or section 3313.619 of the Revised Code to apply the 1201
score from that assessment towards graduation requirements at 1202
the student's new public or chartered nonpublic school. 1203

(D) Notwithstanding division (B) of this section, in 1204
addition to the curriculum requirements specified by the school 1205
governing authority, a chartered nonpublic school student 1206
subject to division ~~(L) (3) (a) (ii)~~ (L) (3) (a) (ii) (II) of section 1207
3301.0711 of the Revised Code entering ninth grade for the first 1208
time on or after July 1, 2019, shall qualify for a high school 1209
diploma if the student earns a remediation-free score in the 1210
areas of English, mathematics, and reading, in accordance with 1211
standards adopted under division (F) of section 3345.061 of the 1212
Revised Code, on a nationally standardized assessment prescribed 1213
under division (B) (1) of section 3301.0712 of the Revised Code. 1214

No such student shall be required to take the Algebra I or 1215
English language arts II end-of-course examination or earn 1216
diploma seals under this section. 1217

(E) The department shall not create or require any 1218
additional assessment for the granting of any type of high 1219
school diploma other than as prescribed by this section. Except 1220
as provided in sections 3313.6111, 3313.6112, and 3313.6114 of 1221
the Revised Code, the department or the director of education 1222
and workforce shall not create any endorsement or designation 1223
that may be affiliated with a high school diploma. 1224

Sec. 3313.619. This section does not apply to a student 1225
participating in a general education state scholarship program, 1226
as defined in section 3301.165 of the Revised Code. Such student 1227
shall comply with section 3313.618 of the Revised Code in the 1228
same manner as a public school student. 1229

(A) In lieu of the assessment requirements prescribed by 1230
division (A) of section 3313.618 of the Revised Code or the 1231
requirements to demonstrate competency and earn diploma seals 1232
prescribed by division (B) of that section, a chartered 1233
nonpublic school may grant a high school diploma to a student 1234
who attains at least the designated score on an assessment 1235
approved by the department of education and workforce under 1236
division (B) of this section and selected by the school's 1237
governing authority. 1238

(B) For purposes of division (A) of this section, the 1239
department shall approve assessments that meet the conditions 1240
specified under division (C) of this section and shall designate 1241
passing scores for each of those assessments. 1242

(C) Each assessment approved under division (B) of this 1243

section shall be nationally norm-referenced, have internal 1244
consistency reliability coefficients of at least "0.8," be 1245
standardized, have specific evidence of content, concurrent, or 1246
criterion validity, have evidence of norming studies in the 1247
previous ten years, have a measure of student achievement in 1248
core academic areas, and have high validity evidenced by the 1249
alignment of the assessment with nationally recognized content. 1250

(D) Nothing in this section shall prohibit a chartered 1251
nonpublic school from granting a high school diploma to a 1252
student if the student satisfies the applicable requirements 1253
prescribed by section 3313.618 of the Revised Code. 1254

Sec. 3313.6612. Each school district and chartered 1255
nonpublic school shall maintain a disciplinary record for each 1256
student who is subject to a disciplinary action. The record 1257
shall include a description of each incident that resulted in 1258
disciplinary action by the district or school. 1259

The disciplinary record of a student who is enrolled in a 1260
public school is subject to section 3319.321 of the Revised Code 1261
and the "Family Educational Rights and Privacy Act of 1974," 20 1262
U.S.C. 1232g. 1263

Sec. 3313.976. (A) No private school may receive 1264
scholarship payments from parents pursuant to section 3317.022 1265
of the Revised Code until the chief administrator of the private 1266
school registers the school with the director of education and 1267
workforce. The director shall register any school that meets the 1268
following requirements: 1269

(1) The school indicates in writing its commitment to 1270
follow all requirements for a state-sponsored scholarship 1271
program specified under sections 3313.974 to 3313.979 of the 1272

Revised Code, including, but not limited to, the requirements 1273
for admitting students pursuant to section 3313.977 of the 1274
Revised Code; 1275

(2) The school meets all state minimum standards for 1276
chartered nonpublic schools in effect on July 1, 1992, except 1277
that the director at the director's discretion may register 1278
nonchartered nonpublic schools meeting the other requirements of 1279
this division; 1280

(3) The school does not discriminate on the basis of race, 1281
religion, or ethnic background; 1282

(4) The school enrolls a minimum of ten students per class 1283
or a sum of at least twenty-five students in all the classes 1284
offered; 1285

(5) The school does not advocate or foster unlawful 1286
behavior or teach hatred of any person or group on the basis of 1287
race, ethnicity, national origin, or religion; 1288

(6) The school does not provide false or misleading 1289
information about the school to parents, students, or the 1290
general public; 1291

(7) For students in grades kindergarten through eight with 1292
family incomes at or below two hundred per cent of the federal 1293
poverty guidelines, as defined in section 5101.46 of the Revised 1294
Code, the school agrees not to charge any tuition in excess of 1295
the scholarship amount established pursuant to division (A)(11) 1296
(a) of section 3317.022 of the Revised Code, excluding any 1297
increase described in that division. 1298

(8) For students in grades kindergarten through eight with 1299
family incomes above two hundred per cent of the federal poverty 1300
guidelines, whose scholarship amounts are less than the actual 1301

tuition charge of the school, the school agrees not to charge 1302
any tuition in excess of the difference between the actual 1303
tuition charge of the school and the scholarship amount 1304
established pursuant to division (A) (11) (a) of section 3317.022 1305
of the Revised Code, excluding any increase described in that 1306
division. The school shall permit such tuition, at the 1307
discretion of the parent, to be satisfied by the family's 1308
provision of in-kind contributions or services. 1309

(9) The school agrees not to charge any tuition to 1310
families of students in grades nine through twelve receiving a 1311
scholarship in excess of the actual tuition charge of the school 1312
less the scholarship amount established pursuant to division (A) 1313
(11) (a) of section 3317.022 of the Revised Code, excluding any 1314
increase described in that division. 1315

(10) It annually administers the applicable assessments 1316
prescribed by section 3301.0710, or 3301.0712, ~~or 3313.619~~ of 1317
the Revised Code to each scholarship student enrolled in the 1318
school in accordance with section 3301.0711 or 3301.0712 of the 1319
Revised Code and reports to the department of education the 1320
results of each such assessment administered to each scholarship 1321
student, unless one of the following applies to the student: 1322

(a) The student is excused from taking that assessment 1323
under federal law, the student's individualized education 1324
program, or division (C) (1) (c) (i) of section 3301.0711 of the 1325
Revised Code. 1326

(b) The student is enrolled in a chartered nonpublic 1327
school that meets the conditions specified in division (K) (2) or 1328
(L) (4) of section 3301.0711 of the Revised Code. 1329

(c) ~~The student is enrolled in any of grades three to~~ 1330

~~eight and takes an alternative standardized assessment under~~ 1331
~~division (K) (1) of section 3301.0711 of the Revised Code.~~ 1332

~~(d)~~ The student is excused from taking the assessment 1333
prescribed under division (B) (1) of section 3301.0712 of the 1334
Revised Code pursuant to division (C) (1) (c) (ii) of section 1335
3301.0711 of the Revised Code. 1336

(B) The director shall revoke the registration of any 1337
school if, after a hearing, the director determines that the 1338
school is in violation of any of the provisions of division (A) 1339
of this section. 1340

(C) Any public school located in a school district 1341
adjacent to the pilot project school district may receive 1342
scholarship payments on behalf of parents pursuant to section 1343
3317.022 of the Revised Code if the superintendent of the 1344
district in which such public school is located notifies the 1345
director prior to the first day of March that the district 1346
intends to admit students from the pilot project school district 1347
for the ensuing school year pursuant to section 3327.06 of the 1348
Revised Code. 1349

(D) Any parent wishing to purchase tutorial assistance 1350
from any person or governmental entity pursuant to the pilot 1351
project program under sections 3313.974 to 3313.979 of the 1352
Revised Code shall apply to the director. The director shall 1353
approve providers who appear to possess the capability of 1354
furnishing the instructional services they are offering to 1355
provide. 1356

(E) On and after July 1, 2024, the director shall not 1357
require the parent of a student to submit a complete copy of the 1358
parent's federal income tax return, or a return filed under 1359

section 5747.08 of the Revised Code, to determine a student's 1360
family income for the purposes of the pilot project scholarship 1361
program. Rather, the director may require a parent to submit a 1362
partial federal income tax return, or a return filed under 1363
section 5747.08 of the Revised Code, that only contains the 1364
minimum amount of information necessary to determine a student's 1365
family income. 1366

(F) Not later than the thirtieth day of June of each year, 1367
each private school registered under this section shall submit 1368
to the director of education and workforce, in a form and manner 1369
prescribed by the director, the tuition rates charged by the 1370
school for the following school year. 1371

Sec. 3314.03. A copy of every contract entered into under 1372
this section shall be filed with the director of education and 1373
workforce. The department of education and workforce shall make 1374
available on its web site a copy of every approved, executed 1375
contract filed with the director under this section. 1376

(A) Each contract entered into between a sponsor and the 1377
governing authority of a community school shall specify the 1378
following: 1379

(1) That the school shall be established as either of the 1380
following: 1381

(a) A nonprofit corporation established under Chapter 1382
1702. of the Revised Code, if established prior to April 8, 1383
2003; 1384

(b) A public benefit corporation established under Chapter 1385
1702. of the Revised Code, if established after April 8, 2003. 1386

(2) The education program of the school, including the 1387
school's mission and educational philosophy, the characteristics 1388

of the students the school is expected to attract, the ages and 1389
grades of students, and the focus of the curriculum; 1390

(3) The academic goals to be achieved and the method of 1391
measurement that will be used to determine progress toward those 1392
goals, which shall include the statewide achievement 1393
assessments; 1394

(4) Performance standards, including but not limited to 1395
all applicable report card measures set forth in section 3302.03 1396
or 3314.017 of the Revised Code, by which the success of the 1397
school will be evaluated by the sponsor; 1398

(5) The admission standards of section 3314.06 of the 1399
Revised Code and, if applicable, section 3314.061 of the Revised 1400
Code; 1401

(6) (a) Dismissal procedures; 1402

(b) A requirement that the governing authority adopt an 1403
attendance policy that includes a procedure for automatically 1404
withdrawing a student from the school if the student without a 1405
legitimate excuse fails to participate in seventy-two 1406
consecutive hours of the learning opportunities offered to the 1407
student. 1408

(7) The ways by which the school will achieve racial and 1409
ethnic balance reflective of the community it serves; 1410

(8) Requirements for financial audits by the auditor of 1411
state. The contract shall require financial records of the 1412
school to be maintained in the same manner as are financial 1413
records of school districts, pursuant to rules of the auditor of 1414
state. Audits shall be conducted in accordance with section 1415
117.10 of the Revised Code. 1416

(9) An addendum to the contract outlining the facilities	1417
to be used that contains at least the following information:	1418
(a) A detailed description of each facility used for	1419
instructional purposes;	1420
(b) The annual costs associated with leasing each facility	1421
that are paid by or on behalf of the school;	1422
(c) The annual mortgage principal and interest payments	1423
that are paid by the school;	1424
(d) The name of the lender or landlord, identified as	1425
such, and the lender's or landlord's relationship to the	1426
operator, if any.	1427
(10) Qualifications of employees, including both of the	1428
following:	1429
(a) A requirement that the school's classroom teachers be	1430
licensed in accordance with sections 3319.22 to 3319.31 of the	1431
Revised Code, except that a community school may engage	1432
noncertificated persons to teach up to twelve hours or forty	1433
hours per week pursuant to section 3319.301 of the Revised Code;	1434
(b) A prohibition against the school employing an	1435
individual described in section 3314.104 of the Revised Code in	1436
any position.	1437
(11) That the school will comply with the following	1438
requirements:	1439
(a) The school will provide learning opportunities to a	1440
minimum of twenty-five students for a minimum of nine hundred	1441
twenty hours per school year.	1442
(b) The governing authority will purchase liability	1443

insurance, or otherwise provide for the potential liability of 1444
the school. 1445

(c) The school will be nonsectarian in its programs, 1446
admission policies, employment practices, and all other 1447
operations, and will not be operated by a sectarian school or 1448
religious institution. 1449

(d) The school will comply with sections 9.90, 9.91, 1450
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 1451
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.24, 3301.948, 1452
3302.037, 3302.131, 3313.472, 3313.473, 3313.474, 3313.50, 1453
3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.609, 1454
3313.6012, 3313.6013, 3313.6014, 3313.6020, 3313.6024, 1455
3313.6026, 3313.6028, 3313.6029, 3313.6031, 3313.6032, 1456
3313.6034, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 1457
3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 1458
3313.6610, 3313.6612, 3313.67, 3313.671, 3313.672, 3313.673, 1459
3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 1460
3313.7117, 3313.721, 3313.753, 3313.80, 3313.814, 3313.816, 1461
3313.817, 3313.818, 3313.819, 3313.8110, 3313.86, 3313.89, 1462
3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.2214, 1463
3319.238, 3319.318, 3319.321, 3319.324, 3319.39, 3319.391, 1464
3319.393, 3319.41, 3319.46, 3319.90, 3319.614, 3320.01, 3320.02, 1465
3320.03, 3320.04, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 1466
3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 1467
4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 1468
117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. 1469
of the Revised Code as if it were a school district and will 1470
comply with section 3301.0714 of the Revised Code in the manner 1471
specified in section 3314.17 of the Revised Code. 1472

(e) The school shall comply with Chapter 102. and section 1473

2921.42 of the Revised Code. 1474

(f) The school will comply with sections 3313.61, 1475
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 1476
Revised Code, except that for students who enter ninth grade for 1477
the first time before July 1, 2010, the requirement in sections 1478
3313.61 and 3313.611 of the Revised Code that a person must 1479
successfully complete the curriculum in any high school prior to 1480
receiving a high school diploma may be met by completing the 1481
curriculum adopted by the governing authority of the community 1482
school rather than the curriculum specified in Title XXXIII of 1483
the Revised Code or any rules of the department. Beginning with 1484
students who enter ninth grade for the first time on or after 1485
July 1, 2010, the requirement in sections 3313.61 and 3313.611 1486
of the Revised Code that a person must successfully complete the 1487
curriculum of a high school prior to receiving a high school 1488
diploma shall be met by completing the requirements prescribed 1489
in section 3313.6027 and division (C) of section 3313.603 of the 1490
Revised Code, unless the person qualifies under division (D) or 1491
(F) of that section. Each school shall comply with the plan for 1492
awarding high school credit based on demonstration of subject 1493
area competency, and beginning with the 2017-2018 school year, 1494
with the updated plan that permits students enrolled in seventh 1495
and eighth grade to meet curriculum requirements based on 1496
subject area competency adopted by the department under 1497
divisions (J) (1) and (2) of section 3313.603 of the Revised 1498
Code. Beginning with the 2018-2019 school year, the school shall 1499
comply with the framework for granting units of high school 1500
credit to students who demonstrate subject area competency 1501
through work-based learning experiences, internships, or 1502
cooperative education developed by the department under division 1503
(J) (3) of section 3313.603 of the Revised Code. 1504

(g) The school governing authority will submit within four 1505
months after the end of each school year a report of its 1506
activities and progress in meeting the goals and standards of 1507
divisions (A) (3) and (4) of this section and its financial 1508
status to the sponsor and the parents of all students enrolled 1509
in the school. 1510

(h) The school, unless it is an internet- or computer- 1511
based community school, will comply with section 3313.801 of the 1512
Revised Code as if it were a school district. 1513

(i) If the school is the recipient of moneys from a grant 1514
awarded under the federal race to the top program, Division (A), 1515
Title XIV, Sections 14005 and 14006 of the "American Recovery 1516
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 1517
the school will pay teachers based upon performance in 1518
accordance with section 3317.141 and will comply with section 1519
3319.111 of the Revised Code as if it were a school district. 1520

(j) If the school operates a preschool program that is 1521
licensed by the department under sections 3301.52 to 3301.59 of 1522
the Revised Code, the school shall comply with sections 3301.50 1523
to 3301.59 of the Revised Code and the minimum standards for 1524
preschool programs prescribed in rules adopted by the department 1525
of children and youth under section 3301.53 of the Revised Code. 1526

(k) The school will comply with sections 3313.6021 and 1527
3313.6023 of the Revised Code as if it were a school district 1528
unless it is either of the following: 1529

(i) An internet- or computer-based community school; 1530

(ii) A community school in which a majority of the 1531
enrolled students are children with disabilities as described in 1532
division (B) (2) of section 3314.35 of the Revised Code. 1533

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

(m) The school will comply with section 3313.7118 of the Revised Code if it serves elementary school students.

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

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

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

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

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

(17) Whether the school is to be created by converting all or part of an existing public school or educational service center building or is to be a new start-up school, and if it is a converted public school or service center building, both of the following:

(a) Specification of any duties or responsibilities of an employer that the board of education or service center governing

board that operated the school or building before conversion is 1562
delegating to the governing authority of the community school 1563
with respect to all or any specified group of employees provided 1564
the delegation is not prohibited by a collective bargaining 1565
agreement applicable to such employees; 1566

(b) Alternative arrangements for current public school 1567
students who choose not to attend the converted school and for 1568
teachers who choose not to teach in the school or building after 1569
conversion. 1570

(18) Provisions establishing procedures for resolving 1571
disputes or differences of opinion between the sponsor and the 1572
governing authority of the community school; 1573

(19) A provision requiring the governing authority to 1574
adopt a policy regarding the admission of students who reside 1575
outside the district in which the school is located. That policy 1576
shall comply with the admissions procedures specified in 1577
sections 3314.06 and 3314.061 of the Revised Code and, at the 1578
sole discretion of the authority, shall do one of the following: 1579

(a) Prohibit the enrollment of students who reside outside 1580
the district in which the school is located; 1581

(b) Permit the enrollment of students who reside in 1582
districts adjacent to the district in which the school is 1583
located; 1584

(c) Permit the enrollment of students who reside in any 1585
other district in the state. 1586

(20) A provision recognizing the authority of the 1587
department to take over the sponsorship of the school in 1588
accordance with the provisions of division (C) of section 1589
3314.015 of the Revised Code; 1590

(21) A provision recognizing the sponsor's authority to 1591
assume the operation of a school under the conditions specified 1592
in division (B) of section 3314.073 of the Revised Code; 1593

(22) A provision recognizing both of the following: 1594

(a) The authority of public health and safety officials to 1595
inspect the facilities of the school and to order the facilities 1596
closed if those officials find that the facilities are not in 1597
compliance with health and safety laws and regulations; 1598

(b) The authority of the department as the community 1599
school oversight body to suspend the operation of the school 1600
under section 3314.072 of the Revised Code if the department has 1601
evidence of conditions or violations of law at the school that 1602
pose an imminent danger to the health and safety of the school's 1603
students and employees and the sponsor refuses to take such 1604
action. 1605

(23) A description of the learning opportunities that will 1606
be offered to students including both classroom-based and non- 1607
classroom-based learning opportunities that is in compliance 1608
with criteria for student participation established by the 1609
department under division (H) (2) of section 3314.08 of the 1610
Revised Code; 1611

(24) The school will comply with sections 3302.04 and 1612
3302.041 of the Revised Code, except that any action required to 1613
be taken by a school district pursuant to those sections shall 1614
be taken by the sponsor of the school. 1615

(25) Beginning in the 2006-2007 school year, the school 1616
will open for operation not later than the thirtieth day of 1617
September each school year, unless the mission of the school as 1618
specified under division (A) (2) of this section is solely to 1619

serve dropouts. In its initial year of operation, if the school 1620
fails to open by the thirtieth day of September, or within one 1621
year after the adoption of the contract pursuant to division (D) 1622
of section 3314.02 of the Revised Code if the mission of the 1623
school is solely to serve dropouts, the contract shall be void. 1624

(26) Whether the school's governing authority is planning 1625
to seek designation for the school as a STEM school equivalent 1626
under section 3326.032 of the Revised Code; 1627

(27) That the school's attendance and participation 1628
policies will be available for public inspection; 1629

(28) That the school's attendance and participation 1630
records shall be made available to the department, auditor of 1631
state, and school's sponsor to the extent permitted under and in 1632
accordance with the "Family Educational Rights and Privacy Act 1633
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 1634
regulations promulgated under that act, and section 3319.321 of 1635
the Revised Code; 1636

(29) If a school operates using the blended learning 1637
model, as defined in section 3301.079 of the Revised Code, all 1638
of the following information: 1639

(a) An indication of what blended learning model or models 1640
will be used; 1641

(b) A description of how student instructional needs will 1642
be determined and documented; 1643

(c) The method to be used for determining competency, 1644
granting credit, and promoting students to a higher grade level; 1645

(d) The school's attendance requirements, including how 1646
the school will document participation in learning 1647

opportunities; 1648

(e) A statement describing how student progress will be 1649
monitored; 1650

(f) A statement describing how private student data will 1651
be protected; 1652

(g) A description of the professional development 1653
activities that will be offered to teachers. 1654

(30) A provision requiring that all moneys the school's 1655
operator loans to the school, including facilities loans or cash 1656
flow assistance, must be accounted for, documented, and bear 1657
interest at a fair market rate; 1658

(31) A provision requiring that, if the governing 1659
authority contracts with an attorney, accountant, or entity 1660
specializing in audits, the attorney, accountant, or entity 1661
shall be independent from the operator with which the school has 1662
contracted. 1663

(32) A provision requiring the governing authority to 1664
adopt an enrollment and attendance policy that requires a 1665
student's parent to notify the community school in which the 1666
student is enrolled when there is a change in the location of 1667
the parent's or student's primary residence. 1668

(33) A provision requiring the governing authority to 1669
adopt a student residence and address verification policy for 1670
students enrolling in or attending the school. 1671

(34) A provision establishing the process by which the 1672
governing authority of the school will be selected in the 1673
future. 1674

(35) A description of the management and administration of 1675

the school. 1676

(36) A provision requiring the governing authority to 1677
adopt policies and procedures to establish internal financial 1678
controls for the school. 1679

(B) A contract entered into under section 3314.02 of the 1680
Revised Code between a sponsor and the governing authority of a 1681
community school may provide for the community school governing 1682
authority to make payments to the sponsor, which is hereby 1683
authorized to receive such payments as set forth in the contract 1684
between the governing authority and the sponsor. The total 1685
amount of such payments for monitoring, oversight, and technical 1686
assistance of the school shall not exceed three per cent of the 1687
total amount of payments for operating expenses that the school 1688
receives from the state. 1689

(C) The contract shall specify the duties of the sponsor 1690
which shall be in accordance with the written agreement entered 1691
into with the department under division (B) of section 3314.015 1692
of the Revised Code and shall include the following: 1693

(1) Monitor the community school's compliance with all 1694
laws applicable to the school and with the terms of the 1695
contract; 1696

(2) Monitor and evaluate the academic and fiscal 1697
performance and the organization and operation of the community 1698
school on at least an annual basis; 1699

(3) Provide technical assistance to the community school 1700
in complying with laws applicable to the school and terms of the 1701
contract; 1702

(4) Take steps to intervene in the school's operation to 1703
correct problems in the school's overall performance, declare 1704

the school to be on probationary status pursuant to section 1705
3314.073 of the Revised Code, suspend the operation of the 1706
school pursuant to section 3314.072 of the Revised Code, or 1707
terminate the contract of the school pursuant to section 3314.07 1708
of the Revised Code as determined necessary by the sponsor; 1709

(5) Have in place a plan of action to be undertaken in the 1710
event the community school experiences financial difficulties or 1711
closes prior to the end of a school year. 1712

(D) Upon the expiration of a contract entered into under 1713
this section, the sponsor of a community school may, with the 1714
approval of the governing authority of the school, renew that 1715
contract for a period of time determined by the sponsor, but not 1716
ending earlier than the end of any school year, if the sponsor 1717
finds that the school's compliance with applicable laws and 1718
terms of the contract and the school's progress in meeting the 1719
academic goals prescribed in the contract have been 1720
satisfactory. Any contract that is renewed under this division 1721
remains subject to the provisions of sections 3314.07, 3314.072, 1722
and 3314.073 of the Revised Code. 1723

(E) If a community school fails to open for operation 1724
within one year after the contract entered into under this 1725
section is adopted pursuant to division (D) of section 3314.02 1726
of the Revised Code or permanently closes prior to the 1727
expiration of the contract, the contract shall be void and the 1728
school shall not enter into a contract with any other sponsor. A 1729
school shall not be considered permanently closed because the 1730
operations of the school have been suspended pursuant to section 1731
3314.072 of the Revised Code. 1732

Sec. 3319.324. (A) As used in this section, "school 1733
records" includes any academic records, student assessment data, 1734

disciplinary record, or other information for which there is a 1735
legitimate educational interest. 1736

(B) Except as provided for in division (C) of this 1737
section, when any school district or chartered nonpublic school 1738
receives a request from another district or school to which a 1739
student has transferred for that student's school records, the 1740
district or school receiving the request shall respond, within 1741
five school days after receiving the request, by transmitting to 1742
the requesting district or school either the student's school 1743
records as authorized under section 3319.321 of the Revised Code 1744
or, if the district or school has no record of the student's 1745
attendance, a statement of that fact. 1746

(C) Except as provided for in division (E) of this 1747
section, a district or school may withhold a student's school 1748
records if there is two thousand five hundred dollars or more of 1749
outstanding debt attributed to the student. The district or 1750
school shall transmit the student's school records in the manner 1751
specified under division (A) of this section once the debt is 1752
paid. 1753

(D) The provisions of this section are in addition to, and 1754
do not affect the obligations of a school district or school to 1755
comply with, the requirements of division (D) of section 1756
3313.642 and section 3313.672 of the Revised Code. 1757

(E) A district or school shall not withhold records 1758
related to a student's expulsion under division (B) (6) of 1759
section 3313.66 of the Revised Code due to outstanding debt 1760
attributed to the student. 1761

Sec. 3326.11. Each science, technology, engineering, and 1762
mathematics school established under this chapter and its 1763

governing body shall comply with sections 9.90, 9.91, 109.65, 1764
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 1765
3301.0714, 3301.0715, 3301.0729, 3301.24, 3301.948, 3302.037, 1766
3302.131, 3313.14, 3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 1767
3313.472, 3313.473, 3313.474, 3313.48, 3313.481, 3313.482, 1768
3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 1769
3313.6012, 3313.6013, 3313.6014, 3313.6020, 3313.6021, 1770
3313.6023, 3313.6024, 3313.6026, 3313.6028, 3313.6029, 1771
3313.6031, 3313.6032, 3313.6034, 3313.61, 3313.611, 3313.614, 1772
3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411, 1773
3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 1774
3313.668, 3313.669, 3313.6610, 3313.6612, 3313.67, 3313.671, 1775
3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.717, 1776
3313.718, 3313.719, 3313.7112, 3313.7117, 3313.7118, 3313.721, 1777
3313.753, 3313.80, 3313.801, 3313.814, 3313.816, 3313.817, 1778
3313.818, 3313.819, 3313.8110, 3313.86, 3313.89, 3313.96, 1779
3319.073, 3319.077, 3319.078, 3319.0812, 3319.21, 3319.2214, 1780
3319.238, 3319.318, 3319.32, 3319.321, 3319.324, 3319.35, 1781
3319.39, 3319.391, 3319.393, 3319.41, 3319.45, 3319.46, 1782
3319.614, 3319.90, 3320.01, 3320.02, 3320.03, 3320.04, 3321.01, 1783
3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 1784
3321.19, 3321.191, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 1785
4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 102., 1786
117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 4123., 1787
4141., and 4167. of the Revised Code as if it were a school 1788
district. 1789

Section 2. That existing sections 3301.0711, 3310.03, 1790
3310.13, 3310.14, 3310.15, 3313.618, 3313.619, 3313.976, 1791
3314.03, 3319.324, and 3326.11 of the Revised Code are hereby 1792
repealed. 1793

Section 3. Sections 1 and 2 of this act take effect July 1794

1, 2027. 1795

Section 4. This act shall be known as the Take the Dough, 1796
We Gotta Know Act. 1797

Section 5. Section 3326.11 of the Revised Code is 1798
presented in this act as a composite of the section as amended 1799
by both H.B. 455 and S.B. 19 of the 136th General Assembly. The 1800
General Assembly, applying the principle stated in division (B) 1801
of section 1.52 of the Revised Code that amendments are to be 1802
harmonized if reasonably capable of simultaneous operation, 1803
finds that the composite is the resulting version of the section 1804
in effect prior to the effective date of the section as 1805
presented in this act. 1806