As Reported by the Senate Education Committee

136th General Assembly

Regular Session 2025-2026

Am. H. B. No. 114

Representatives Bird, Ritter

Cosponsors: Representatives Williams, Young, King, Daniels, Fowler Arthur, Hiner, Odioso, Brennan, Click, Barhorst, Brewer, Brownlee, Cockley, Deeter, Denson, Dovilla, Grim, Gross, Hall, D., Hall, T., Isaacsohn, Jarrells, John, Jones, Lawson-Rowe, Lett, Mathews, T., Mohamed, Newman, Piccolantonio, Rader, Richardson, Robb Blasdel, Robinson, Roemer, Rogers, Salvo, Sigrist, Somani, Thomas, C., Troy, Upchurch, White, E., Willis

Senator Brenner

A BILL

To	amend section	3321.01 of the Revised Code	1
	regarding age	requirements for kindergarten	2
	admission and	to correct a scoring error on the	3
	2024-2025 scie	ence end-of-course exam.	4

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

Section 1. That section 3321.01 of the Revised Code be	5
amended to read as follows:	6
Sec. 3321.01. (A) (1) As used in this chapter, "parent,"	7
"guardian," or "other person having charge or care of a child"	8
means either parent unless the parents are separated or divorced	9
or their marriage has been dissolved or annulled, in which case	10
"parent" means the parent who is the residential parent and	11
legal custodian of the child. If the child is in the legal or	12
permanent custody of a person or government agency, "parent"	13
means that person or government agency. When a child is a	14

resident of a home, as defined in section 3313.64 of the Revised Code, and the child's parent is not a resident of this state, "parent," "guardian," or "other person having charge or care of a child" means the head of the home.

A child between six and eighteen years of age is "of compulsory school age" for the purpose of sections 3321.01 to 3321.13 of the Revised Code. A child under six years of age who has been enrolled in kindergarten also shall be considered "of compulsory school age" for the purpose of sections 3321.01 to 3321.13 of the Revised Code unless at any time the child's parent or guardian, at the parent's or guardian's discretion and in consultation with the child's teacher and principal, formally withdraws the child from kindergarten. The compulsory school age of a child shall not commence until the beginning of the term of such schools, or other time in the school year fixed by the rules of the board of the district in which the child resides.

(2) Each school district board of education shall admit to kindergarten any student who is five or, for a student who has not completed first grade, six years of age by the first day of instruction of the school year of admittance.

In a district in which all children are admitted to kindergarten and the first grade in August or September, a child shall be admitted if the child is five or six years of age, respectively, by the thirtieth day of September of the year of admittance, or by the first day of a term or semester other than one beginning in August or September in school districts granting admittance at the beginning of such term or semester. A

A child who does not meet the age requirements of this section for admittance to kindergarten or first grade, but who will be five or six years old, respectiverespectively, prior to

the first day of January of the school year in which admission is requested, shall be evaluated for early admittance in accordance with district policy upon referral by the child's parent or guardian, an educator employed by the district, a preschool educator who knows the child, or a pediatrician or psychologist who knows the child. Following an evaluation in accordance with a referral under this section, the district board shall decide whether to admit the child. If a child for whom admission to kindergarten or first grade is requested will not be five or six years of age, respectively, prior to the first day of January of the school year in which admission is requested, the child shall be admitted only in accordance with the district's acceleration policy adopted under section 3324.10 of the Revised Code.

- (3) Notwithstanding division (A)(2) of this section, beginning with the school year that starts in 2001 and continuing thereafter the board of education of any district may adopt a resolution establishing the first day of August in lieu of the thirtieth day of September as the required date by which students must have attained the age specified in that division_for admittance to first grade.
- (4) After a student has been admitted to kindergarten in a school district or chartered nonpublic school, no board of education of a school district to which the student transfers shall deny that student admission based on the student's age.
- (B) As used in division (C) of this section, "successfully 70 completed kindergarten" means that the child has completed the 71 kindergarten requirements at one of the following: 72
 - (1) A public or chartered nonpublic school;

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provider or school described by division (B)(1) or (B)(2)(a) of 101 this section shall be developmentally appropriate. 102 (F) Upon written request of a child care provider 103 described by division (B)(2)(a) of this section, the department 104 of education and workforce shall determine whether certification 105 held by a teacher employed by the provider meets the requirement 106 of division (B)(2)(b)(iii) of this section and, if so, shall 107 furnish the provider a statement to that effect. 108 109 (G) As used in this division, "all-day kindergarten" has the same meaning as in section 3321.05 of the Revised Code. 110 (1) A school district that is offering all-day 111 kindergarten for the first time or that charged fees or tuition 112 for all-day kindergarten in the 2012-2013 school year may charge 113 fees or tuition for a student enrolled in all-day kindergarten 114 in any school year following the 2012-2013 school year. The 115 department shall adjust the district's average daily membership 116 certification under section 3317.03 of the Revised Code by one-117 half of the full-time equivalency for each student charged fees 118 or tuition for all-day kindergarten under this division. If a 119 district charges fees or tuition for all-day kindergarten under 120 this division, the district shall develop a sliding fee scale 121 based on family incomes. 122 (2) The department shall conduct an annual survey of each 123 school district described in division (G)(1) of this section to 124 determine the following: 125 (a) Whether the district charges fees or tuition for 126 students enrolled in all-day kindergarten; 127

(b) The amount of the fees or tuition charged;

(c) How many of the students for whom tuition is charged

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are eligible for free lunches under the "National School Lunch	130
Act," 60 Stat. 230 (1946), 42 U.S.C. 1751, as amended, and the	131
"Child Nutrition Act of 1966," 80 Stat. 885, 42 U.S.C. 1771, as	132
amended, and how many of the students for whom tuition is	133
charged are eligible for reduced price lunches under those acts;	134
(d) How many students are enrolled in traditional half-day	135
kindergarten rather than all-day kindergarten.	136
Each district shall report to the department, in the	137
manner prescribed by the department, the information described	138
in divisions (G)(2)(a) to (d) of this section.	139
The department shall issue an annual report on the results	140
of the survey and shall post the report on its web site. The	141
department shall issue the first report not later than April 30,	142
2008, and shall issue a report not later than the thirtieth day	143
of April each year thereafter.	144
Section 2. That existing section 3321.01 of the Revised	145
Code is hereby repealed.	146
Section 3. As used in this section, "school" means a	147
community school established under Chapter 3314. of the Revised	148
Code, a STEM school established under Chapter 3326. of the	149
Revised Code, or a chartered nonpublic school that grants a high	150
school diploma based on meeting the requirements of section	151
3313.618 of the Revised Code.	152
The Department of Education and Workforce shall review the	153
scores of students who took the science end-of-course	154
examination prescribed under division (B)(2) of section	155
3301.0712 of the Revised Code during the 2024-2025 school year	156
to determine those students who were affected by an error in the	157
scoring of a single, one-point question on that examination. For	158

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any student who would have achieved a higher score on the	159
examination had the question been scored correctly, the	160
Department shall increase the student's score accordingly. If	161
the increase in the student's score qualifies the student for a	162
science seal or an honors diploma seal under section 3313.6114	163
of the Revised Code, the school district or school in which the	164
student was enrolled during the 2024-2025 school year shall	165
award the applicable seal. The Department shall not decrease any	166
student's score on the science end-of-course examination due to	167
the scoring error.	168