

**As Introduced**

**136th General Assembly**

**Regular Session**

**2025-2026**

**H. B. No. 42**

**Representatives Fischer, Williams**

**Cosponsors: Representatives Thomas, D., Schmidt, King, Dean, Gross, Johnson,  
Workman, Click, Klopfenstein, Bird, Lear**

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**A BILL**

To amend section 3301.0714 and to enact sections 1  
107.26, 2965.01, 2965.02, 3301.0717, 5101.546, 2  
5107.101, and 5162.138 of the Revised Code to 3  
require certain agencies to collect and report 4  
data concerning the citizenship or immigration 5  
status of persons with whom they come into 6  
contact. 7

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

**Section 1.** That section 3301.0714 be amended and sections 8  
107.26, 2965.01, 2965.02, 3301.0717, 5101.546, 5107.101, and 9  
5162.138 of the Revised Code be enacted to read as follows: 10

**Sec. 107.26.** By the thirty-first day of March of each 11  
year, the governor shall submit a report to the general assembly 12  
in accordance with section 101.68 of the Revised Code 13  
summarizing all information submitted to the governor under 14  
sections 2965.01, 3301.0717, 3722.15, 5101.546, and 5107.101 of 15  
the Revised Code for the previous calendar year. This report 16  
also shall be posted on the governor's web site. 17

Sec. 2965.01. (A) As used in this section, "law enforcement agency" means a municipal or township police department, the office of a sheriff, the state highway patrol, or any other state or local governmental body that enforces criminal laws and that has employees who have a statutory power of arrest. 18  
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(B) A law enforcement agency shall collect and maintain, as part of the law enforcement agency's official records concerning each person in detention, the person's citizenship or immigration status, if the information is available. At the request of the law enforcement agency, a prosecuting attorney, a court clerk, or the department of rehabilitation and correction shall provide any available citizenship or immigration status information to the law enforcement agency. 24  
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(C) By the thirty-first day of January of each year, each law enforcement agency shall submit a report to the office of the attorney general including all of the following information, if available: 32  
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(1) The number of people detained in the previous year who were citizens or nationals of the United States; 36  
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(2) The number of people detained in the previous year who were not a citizen or national of the United States but were lawfully present in the United States; 38  
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(3) The number of people detained in the previous year who were unlawfully present in the United States. 41  
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(D) By the twenty-eighth day of February of each year, the attorney general shall submit a report to the governor summarizing all information submitted to the attorney general under division (C) of this section in the previous calendar 43  
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year. 47

(E) The attorney general may adopt rules establishing the 48  
format of the citizenship information collected by a law 49  
enforcement agency and the format of the annual reports 50  
submitted to the attorney general. 51

**Sec. 2965.02.** (A) The department of rehabilitation and 52  
correction shall collect and maintain, as part of the 53  
department's official records concerning each person in 54  
detention, the person's citizenship or immigration status, if 55  
the information is available. At the request of the department, 56  
a prosecuting attorney, law enforcement agency, or court clerk 57  
shall provide any available citizenship or immigration status 58  
information to the department. 59

(B) By the twenty-eighth day of February of each year, the 60  
department of rehabilitation and correction shall submit a 61  
report to the governor summarizing all of the following 62  
information, if available: 63

(1) The number of people detained in the previous year who 64  
were citizens or nationals of the Unites States; 65

(2) The number of people detained in the previous year who 66  
were not a citizen or national of the United States but were 67  
lawfully present in the United States; 68

(3) The number of people detained in the previous year who 69  
were unlawfully present in the United States. 70

**Sec. 3301.0714.** (A) The department of education and 71  
workforce shall adopt rules for a statewide education management 72  
information system. The rules shall require the department to 73  
establish guidelines for the establishment and maintenance of 74  
the system in accordance with this section and the rules adopted 75

under this section. The guidelines shall include:	76
(1) Standards identifying and defining the types of data in the system in accordance with divisions (B) and (C) of this section;	77 78 79
(2) Procedures for annually collecting and reporting the data to the department in accordance with division (D) of this section;	80 81 82
(3) Procedures for annually compiling the data in accordance with division (G) of this section;	83 84
(4) Procedures for annually reporting the data to the public in accordance with division (H) of this section;	85 86
(5) Standards to provide strict safeguards to protect the confidentiality of personally identifiable student data.	87 88
(B) The guidelines adopted under this section shall require the data maintained in the education management information system to include at least the following:	89 90 91
(1) Student participation and performance data, for each grade in each school district as a whole and for each grade in each school building in each school district, that includes:	92 93 94
(a) The numbers of students receiving each category of instructional service offered by the school district, such as regular education instruction, vocational education instruction, specialized instruction programs or enrichment instruction that is part of the educational curriculum, instruction for gifted students, instruction for students with disabilities, and remedial instruction. The guidelines shall require instructional services under this division to be divided into discrete categories if an instructional service is limited to a specific	95 96 97 98 99 100 101 102 103

subject, a specific type of student, or both, such as regular 104  
instructional services in mathematics, remedial reading 105  
instructional services, instructional services specifically for 106  
students gifted in mathematics or some other subject area, or 107  
instructional services for students with a specific type of 108  
disability. The categories of instructional services required by 109  
the guidelines under this division shall be the same as the 110  
categories of instructional services used in determining cost 111  
units pursuant to division (C) (3) of this section. 112

(b) The numbers of students receiving support or 113  
extracurricular services for each of the support services or 114  
extracurricular programs offered by the school district, such as 115  
counseling services, health services, and extracurricular sports 116  
and fine arts programs. The categories of services required by 117  
the guidelines under this division shall be the same as the 118  
categories of services used in determining cost units pursuant 119  
to division (C) (4) (a) of this section. 120

(c) Average student grades in each subject in grades nine 121  
through twelve; 122

(d) Academic achievement levels as assessed under sections 123  
3301.0710, 3301.0711, and 3301.0712 of the Revised Code; 124

(e) The number of students designated as having a 125  
disabling condition pursuant to division (C) (1) of section 126  
3301.0711 of the Revised Code; 127

(f) The numbers of students reported to the department 128  
pursuant to division (C) (2) of section 3301.0711 of the Revised 129  
Code; 130

(g) Attendance rates and the average daily attendance for 131  
the year. For purposes of this division, a student shall be 132

counted as present for any field trip that is approved by the school administration.	133 134
(h) Expulsion rates;	135
(i) Suspension rates;	136
(j) Dropout rates;	137
(k) Rates of retention in grade;	138
(l) For pupils in grades nine through twelve, the average number of carnegie units, as calculated in accordance with the director's rules;	139 140 141
(m) Graduation rates, to be calculated in a manner specified by the department that reflects the rate at which students who were in the ninth grade three years prior to the current year complete school and that is consistent with nationally accepted reporting requirements;	142 143 144 145 146
(n) Results of diagnostic assessments administered to kindergarten students as required under section 3301.0715 of the Revised Code to permit a comparison of the academic readiness of kindergarten students. However, no district shall be required to report to the department the results of any diagnostic assessment administered to a kindergarten student, except for the language and reading assessment described in division (A)(2) of section 3301.0715 of the Revised Code, if the parent of that student requests the district not to report those results.	147 148 149 150 151 152 153 154 155
(o) The number of students earning each state diploma seal included in the system prescribed under division (A) of section 3313.6114 of the Revised Code;	156 157 158
(p) The number of students demonstrating competency for graduation using each option described in divisions (B)(1)(a) to	159 160

(d) of section 3313.618 of the Revised Code;	161
(q) The number of students completing each foundational and supporting option as part of the demonstration of competency for graduation pursuant to division (B)(1)(b) of section 3313.618 of the Revised Code;	162 163 164 165
(r) The number of students enrolled in all-day kindergarten, as defined in section 3321.05 of the Revised Code;	166 167
<u>(s) The number of students who are citizens or nationals of the United States;</u>	168 169
<u>(t) The number of students who are not citizens or nationals of the United States but who are lawfully present in the United States, disaggregated by specific immigration status;</u>	170 171 172
<u>(u) The number of students who are not lawfully present in the United States.</u>	173 174
(2) Personnel and classroom enrollment data for each school district, including:	175 176
(a) The total numbers of licensed employees and nonlicensed employees and the numbers of full-time equivalent licensed employees and nonlicensed employees providing each category of instructional service, instructional support service, and administrative support service used pursuant to division (C)(3) of this section. The guidelines adopted under this section shall require these categories of data to be maintained for the school district as a whole and, wherever applicable, for each grade in the school district as a whole, for each school building as a whole, and for each grade in each school building.	177 178 179 180 181 182 183 184 185 186 187
(b) The total number of employees and the number of full-	188

time equivalent employees providing each category of service 189  
used pursuant to divisions (C) (4) (a) and (b) of this section, 190  
and the total numbers of licensed employees and nonlicensed 191  
employees and the numbers of full-time equivalent licensed 192  
employees and nonlicensed employees providing each category used 193  
pursuant to division (C) (4) (c) of this section. The guidelines 194  
adopted under this section shall require these categories of 195  
data to be maintained for the school district as a whole and, 196  
wherever applicable, for each grade in the school district as a 197  
whole, for each school building as a whole, and for each grade 198  
in each school building. 199

(c) The total number of regular classroom teachers 200  
teaching classes of regular education and the average number of 201  
pupils enrolled in each such class, in each of grades 202  
kindergarten through five in the district as a whole and in each 203  
school building in the school district. 204

(d) The number of lead teachers employed by each school 205  
district and each school building. 206

(3) (a) Student demographic data for each school district, 207  
including information regarding the gender ratio of the school 208  
district's pupils, the racial make-up of the school district's 209  
pupils, the number of English learners in the district, and an 210  
appropriate measure of the number of the school district's 211  
pupils who reside in economically disadvantaged households. The 212  
demographic data shall be collected in a manner to allow 213  
correlation with data collected under division (B) (1) of this 214  
section. Categories for data collected pursuant to division (B) 215  
(3) of this section shall conform, where appropriate, to 216  
standard practices of agencies of the federal government. 217

(b) With respect to each student entering kindergarten, 218



whether the student previously participated in a public 219  
preschool program, a private preschool program, or a head start 220  
program, and the number of years the student participated in 221  
each of these programs. 222

(4) (a) The core curriculum and instructional materials 223  
being used for English language arts in each of grades pre- 224  
kindergarten to five; 225

(b) The reading intervention programs being used in each 226  
of grades pre-kindergarten to twelve. 227

(5) Any data required to be collected pursuant to federal 228  
law. 229

(C) The education management information system shall 230  
include cost accounting data for each district as a whole and 231  
for each school building in each school district. The guidelines 232  
adopted under this section shall require the cost data for each 233  
school district to be maintained in a system of mutually 234  
exclusive cost units and shall require all of the costs of each 235  
school district to be divided among the cost units. The 236  
guidelines shall require the system of mutually exclusive cost 237  
units to include at least the following: 238

(1) Administrative costs for the school district as a 239  
whole. The guidelines shall require the cost units under this 240  
division (C) (1) to be designed so that each of them may be 241  
compiled and reported in terms of average expenditure per pupil 242  
in enrolled ADM in the school district, as determined pursuant 243  
to section 3317.03 of the Revised Code. 244

(2) Administrative costs for each school building in the 245  
school district. The guidelines shall require the cost units 246  
under this division (C) (2) to be designed so that each of them 247

may be compiled and reported in terms of average expenditure per 248  
full-time equivalent pupil receiving instructional or support 249  
services in each building. 250

(3) Instructional services costs for each category of 251  
instructional service provided directly to students and required 252  
by guidelines adopted pursuant to division (B)(1)(a) of this 253  
section. The guidelines shall require the cost units under 254  
division (C)(3) of this section to be designed so that each of 255  
them may be compiled and reported in terms of average 256  
expenditure per pupil receiving the service in the school 257  
district as a whole and average expenditure per pupil receiving 258  
the service in each building in the school district and in terms 259  
of a total cost for each category of service and, as a breakdown 260  
of the total cost, a cost for each of the following components: 261

(a) The cost of each instructional services category 262  
required by guidelines adopted under division (B)(1)(a) of this 263  
section that is provided directly to students by a classroom 264  
teacher; 265

(b) The cost of the instructional support services, such 266  
as services provided by a speech-language pathologist, classroom 267  
aide, multimedia aide, or librarian, provided directly to 268  
students in conjunction with each instructional services 269  
category; 270

(c) The cost of the administrative support services 271  
related to each instructional services category, such as the 272  
cost of personnel that develop the curriculum for the 273  
instructional services category and the cost of personnel 274  
supervising or coordinating the delivery of the instructional 275  
services category. 276

(4) Support or extracurricular services costs for each	277
category of service directly provided to students and required	278
by guidelines adopted pursuant to division (B) (1) (b) of this	279
section. The guidelines shall require the cost units under	280
division (C) (4) of this section to be designed so that each of	281
them may be compiled and reported in terms of average	282
expenditure per pupil receiving the service in the school	283
district as a whole and average expenditure per pupil receiving	284
the service in each building in the school district and in terms	285
of a total cost for each category of service and, as a breakdown	286
of the total cost, a cost for each of the following components:	287
(a) The cost of each support or extracurricular services	288
category required by guidelines adopted under division (B) (1) (b)	289
of this section that is provided directly to students by a	290
licensed employee, such as services provided by a guidance	291
counselor or any services provided by a licensed employee under	292
a supplemental contract;	293
(b) The cost of each such services category provided	294
directly to students by a nonlicensed employee, such as	295
janitorial services, cafeteria services, or services of a sports	296
trainer;	297
(c) The cost of the administrative services related to	298
each services category in division (C) (4) (a) or (b) of this	299
section, such as the cost of any licensed or nonlicensed	300
employees that develop, supervise, coordinate, or otherwise are	301
involved in administering or aiding the delivery of each	302
services category.	303
(D) (1) The guidelines adopted under this section shall	304
require school districts to collect information about individual	305
students, staff members, or both in connection with any data	306

required by division (B) or (C) of this section or other 307  
reporting requirements established in the Revised Code. The 308  
guidelines may also require school districts to report 309  
information about individual staff members in connection with 310  
any data required by division (B) or (C) of this section or 311  
other reporting requirements established in the Revised Code. 312  
The guidelines shall not authorize school districts to request 313  
social security numbers of individual students. The guidelines 314  
shall prohibit the reporting under this section of a student's 315  
name, address, and social security number to the department. The 316  
guidelines shall also prohibit the reporting under this section 317  
of any personally identifiable information about any student, 318  
except for the purpose of assigning the data verification code 319  
required by division (D) (2) of this section, to any other person 320  
unless such person is employed by the school district or the 321  
information technology center operated under section 3301.075 of 322  
the Revised Code and is authorized by the district or technology 323  
center to have access to such information or is employed by an 324  
entity with which the department contracts for the scoring or 325  
the development of state assessments. The guidelines may require 326  
school districts to provide the social security numbers of 327  
individual staff members and the county of residence for a 328  
student. Nothing in this section prohibits the department from 329  
providing a student's county of residence to the department of 330  
taxation to facilitate the distribution of tax revenue. 331

(2) (a) The guidelines shall provide for each school 332  
district or community school to assign a data verification code 333  
that is unique on a statewide basis over time to each student 334  
whose initial Ohio enrollment is in that district or school and 335  
to report all required individual student data for that student 336  
utilizing such code. The guidelines shall also provide for 337

assigning data verification codes to all students enrolled in 338  
districts or community schools on the effective date of the 339  
guidelines established under this section. The assignment of 340  
data verification codes for other entities, as described in 341  
division (D) (2) (d) of this section, the use of those codes, and 342  
the reporting and use of associated individual student data 343  
shall be coordinated by the department of education and 344  
workforce in accordance with state and federal law. 345

School districts shall report individual student data to 346  
the department through the information technology centers 347  
utilizing the code. The entities described in division (D) (2) (d) 348  
of this section shall report individual student data to the 349  
department in the manner prescribed by the department. 350

(b) (i) Except as provided in sections 3301.941, 3310.11, 351  
3310.42, 3310.63, 3313.978, 3317.20, and 5747.057 of the Revised 352  
Code, and in division (D) (2) (b) (ii) of this section, at no time 353  
shall the department have access to information that would 354  
enable any data verification code to be matched to personally 355  
identifiable student data. 356

(ii) For the purpose of making per-pupil payments to 357  
community schools under section 3317.022 of the Revised Code, 358  
the department shall have access to information that would 359  
enable any data verification code to be matched to personally 360  
identifiable student data. 361

(c) Each school district and community school shall ensure 362  
that the data verification code is included in the student's 363  
records reported to any subsequent school district, community 364  
school, or state institution of higher education, as defined in 365  
section 3345.011 of the Revised Code, in which the student 366  
enrolls. Any such subsequent district or school shall utilize 367

the same identifier in its reporting of data under this section. 368

(d) (i) The director of any state agency that administers a 369  
publicly funded program providing services to children who are 370  
younger than compulsory school age, as defined in section 371  
3321.01 of the Revised Code, including the directors of health, 372  
job and family services, mental health and addiction services, 373  
children and youth, and developmental disabilities, shall 374  
request and receive, pursuant to sections 3301.0723 and 5180.33 375  
of the Revised Code, a data verification code for a child who is 376  
receiving those services. 377

(ii) The director of developmental disabilities, director 378  
of health, director of job and family services, director of 379  
mental health and addiction services, medicaid director, 380  
executive director of the commission on minority health, 381  
executive director of the opportunities for Ohioans with 382  
disabilities agency, or director of education and workforce, on 383  
behalf of a program that receives public funds and provides 384  
services to children who are younger than compulsory school age, 385  
may request and receive, pursuant to section 3301.0723 of the 386  
Revised Code, a data verification code for a child who is 387  
receiving services from the program. 388

(E) The guidelines adopted under this section may require 389  
school districts to collect and report data, information, or 390  
reports other than that described in divisions (A), (B), and (C) 391  
of this section for the purpose of complying with other 392  
reporting requirements established in the Revised Code. The 393  
other data, information, or reports may be maintained in the 394  
education management information system but are not required to 395  
be compiled as part of the profile formats required under 396  
division (G) of this section or the annual statewide report 397

required under division (H) of this section. 398

(F) The board of education of each school district shall 399  
annually collect and report to the department, in accordance 400  
with the guidelines established by the department, the data 401  
required pursuant to this section. A school district may collect 402  
and report these data notwithstanding section 2151.357 or 403  
3319.321 of the Revised Code. 404

(G) The department shall, in accordance with the 405  
procedures it adopts, annually compile the data reported by each 406  
school district pursuant to division (D) of this section. The 407  
department shall design formats for profiling each school 408  
district as a whole and each school building within each 409  
district and shall compile the data in accordance with these 410  
formats. These profile formats shall: 411

(1) Include all of the data gathered under this section in 412  
a manner that facilitates comparison among school districts and 413  
among school buildings within each school district; 414

(2) Present the data on academic achievement levels as 415  
assessed by the testing of student achievement maintained 416  
pursuant to division (B)(1)(d) of this section. 417

(H)(1) The department shall, in accordance with the 418  
procedures it adopts, annually prepare a statewide report for 419  
all school districts and the general public that includes the 420  
profile of each of the school districts developed pursuant to 421  
division (G) of this section. Copies of the report shall be sent 422  
to each school district. 423

(2) The department shall, in accordance with the 424  
procedures it adopts, annually prepare an individual report for 425  
each school district and the general public that includes the 426

profiles of each of the school buildings in that school district 427  
developed pursuant to division (G) of this section. 428

(I) Any data that is collected or maintained pursuant to 429  
this section and that identifies an individual pupil is not a 430  
public record for the purposes of section 149.43 of the Revised 431  
Code. 432

(J) As used in this section: 433

(1) "School district" means any city, local, exempted 434  
village, or joint vocational school district and, in accordance 435  
with section 3314.17 of the Revised Code, any community school. 436  
As used in division (L) of this section, "school district" also 437  
includes any educational service center or other educational 438  
entity required to submit data using the system established 439  
under this section. 440

(2) "Cost" means any expenditure for operating expenses 441  
made by a school district excluding any expenditures for debt 442  
retirement except for payments made to any commercial lending 443  
institution for any loan approved pursuant to section 3313.483 444  
of the Revised Code. 445

(K) Any person who removes data from the information 446  
system established under this section for the purpose of 447  
releasing it to any person not entitled under law to have access 448  
to such information is subject to section 2913.42 of the Revised 449  
Code prohibiting tampering with data. 450

(L) (1) In accordance with division (L) (2) of this section 451  
and the rules adopted under division (L) (10) of this section, 452  
the department may sanction any school district that reports 453  
incomplete or inaccurate data, reports data that does not 454  
conform to data requirements and descriptions published by the 455



department, fails to report data in a timely manner, or 456  
otherwise does not make a good faith effort to report data as 457  
required by this section. 458

(2) If the department decides to sanction a school 459  
district under this division, the department shall take the 460  
following sequential actions: 461

(a) Notify the district in writing that the department has 462  
determined that data has not been reported as required under 463  
this section and require the district to review its data 464  
submission and submit corrected data by a deadline established 465  
by the department. The department also may require the district 466  
to develop a corrective action plan, which shall include 467  
provisions for the district to provide mandatory staff training 468  
on data reporting procedures. 469

(b) Withhold up to ten per cent of the total amount of 470  
state funds due to the district for the current fiscal year and, 471  
if not previously required under division (L) (2) (a) of this 472  
section, require the district to develop a corrective action 473  
plan in accordance with that division; 474

(c) Withhold an additional amount of up to twenty per cent 475  
of the total amount of state funds due to the district for the 476  
current fiscal year; 477

(d) Direct department staff or an outside entity to 478  
investigate the district's data reporting practices and make 479  
recommendations for subsequent actions. The recommendations may 480  
include one or more of the following actions: 481

(i) Arrange for an audit of the district's data reporting 482  
practices by department staff or an outside entity; 483

(ii) Conduct a site visit and evaluation of the district; 484

(iii) Withhold an additional amount of up to thirty per cent of the total amount of state funds due to the district for the current fiscal year;	485 486 487
(iv) Continue monitoring the district's data reporting;	488
(v) Assign department staff to supervise the district's data management system;	489 490
(vi) Conduct an investigation to determine whether to suspend or revoke the license of any district employee in accordance with division (N) of this section;	491 492 493
(vii) If the district is issued a report card under section 3302.03 of the Revised Code, indicate on the report card that the district has been sanctioned for failing to report data as required by this section;	494 495 496 497
(viii) If the district is issued a report card under section 3302.03 of the Revised Code and incomplete or inaccurate data submitted by the district likely caused the district to receive a higher performance rating than it deserved under that section, issue a revised report card for the district;	498 499 500 501 502
(ix) Any other action designed to correct the district's data reporting problems.	503 504
(3) Any time the department takes an action against a school district under division (L)(2) of this section, the department shall make a report of the circumstances that prompted the action. The department shall send a copy of the report to the district superintendent or chief administrator and maintain a copy of the report in its files.	505 506 507 508 509 510
(4) If any action taken under division (L)(2) of this section resolves a school district's data reporting problems to	511 512

the department's satisfaction, the department shall not take any 513  
further actions described by that division. If the department 514  
withheld funds from the district under that division, the 515  
department may release those funds to the district, except that 516  
if the department withheld funding under division (L) (2) (c) of 517  
this section, the department shall not release the funds 518  
withheld under division (L) (2) (b) of this section and, if the 519  
department withheld funding under division (L) (2) (d) of this 520  
section, the department shall not release the funds withheld 521  
under division (L) (2) (b) or (c) of this section. 522

(5) Notwithstanding anything in this section to the 523  
contrary, the department may use its own staff or an outside 524  
entity to conduct an audit of a school district's data reporting 525  
practices any time the department has reason to believe the 526  
district has not made a good faith effort to report data as 527  
required by this section. If any audit conducted by an outside 528  
entity under division (L) (2) (d) (i) or (5) of this section 529  
confirms that a district has not made a good faith effort to 530  
report data as required by this section, the district shall 531  
reimburse the department for the full cost of the audit. The 532  
department may withhold state funds due to the district for this 533  
purpose. 534

(6) Prior to issuing a revised report card for a school 535  
district under division (L) (2) (d) (viii) of this section, the 536  
department may hold a hearing to provide the district with an 537  
opportunity to demonstrate that it made a good faith effort to 538  
report data as required by this section. The hearing shall be 539  
conducted by a referee appointed by the department. Based on the 540  
information provided in the hearing, the referee shall recommend 541  
whether the department should issue a revised report card for 542  
the district. If the referee affirms the department's contention 543

that the district did not make a good faith effort to report 544  
data as required by this section, the district shall bear the 545  
full cost of conducting the hearing and of issuing any revised 546  
report card. 547

(7) If the department determines that any inaccurate data 548  
reported under this section caused a school district to receive 549  
excess state funds in any fiscal year, the district shall 550  
reimburse the department an amount equal to the excess funds, in 551  
accordance with a payment schedule determined by the department. 552  
The department may withhold state funds due to the district for 553  
this purpose. 554

(8) Any school district that has funds withheld under 555  
division (L)(2) of this section may appeal the withholding in 556  
accordance with Chapter 119. of the Revised Code. 557

(9) In all cases of a disagreement between the department 558  
and a school district regarding the appropriateness of an action 559  
taken under division (L)(2) of this section, the burden of proof 560  
shall be on the district to demonstrate that it made a good 561  
faith effort to report data as required by this section. 562

(10) The director of education and workforce shall adopt 563  
rules under Chapter 119. of the Revised Code to implement 564  
division (L) of this section. 565

(M) No information technology center or school district 566  
shall acquire, change, or update its student administration 567  
software package to manage and report data required to be 568  
reported to the department unless it converts to a student 569  
software package that is certified by the department. 570

(N) The state board of education, in accordance with 571  
sections 3319.31 and 3319.311 of the Revised Code, may suspend 572

or revoke a license as defined under division (A) of section 573  
3319.31 of the Revised Code that has been issued to any school 574  
district employee found to have willfully reported erroneous, 575  
inaccurate, or incomplete data to the education management 576  
information system. 577

(O) No person shall release or maintain any information 578  
about any student in violation of this section. Whoever violates 579  
this division is guilty of a misdemeanor of the fourth degree. 580

(P) The department shall disaggregate the data collected 581  
under division (B)(1)(n) of this section according to the race 582  
and socioeconomic status of the students assessed. 583

(Q) If the department cannot compile any of the 584  
information required by division (I) of section 3302.03 of the 585  
Revised Code based upon the data collected under this section, 586  
the department shall develop a plan and a reasonable timeline 587  
for the collection of any data necessary to comply with that 588  
division. 589

Sec. 3301.0717. The department of education and workforce 590  
shall require each public school to report data under divisions 591  
(B)(1)(s) to (u) of section 3301.0714 of the Revised Code by the 592  
thirty-first day of January each calendar year. That report 593  
shall include the number of each category of students described 594  
in those divisions who were enrolled in the school on the 595  
thirty-first day of December of the prior calendar year. Not 596  
later than the twenty-eighth day of February of each calendar 597  
year, the department shall submit to the governor a report 598  
summarizing that data. 599

Sec. 5101.546. (A) A county department of job and family 600  
services shall collect data that indicate one of the following 601

regarding each household that receives supplemental nutrition 602  
assistance program benefits: 603

(1) All members of the household are citizens or nationals 604  
of the United States. 605

(2) At least one member of the household is not a citizen 606  
or national of the United States but is lawfully present in the 607  
United States, including specific immigration status. 608

(B) By the thirty-first day of January of each year, each 609  
county department of job and family services shall submit a 610  
report to the Ohio department of job and family services 611  
including both of the following for the previous calendar year: 612

(1) The total number of households for which: 613

(a) All members were citizens or nationals of the United 614  
States; 615

(b) At least one member of the household was not a citizen 616  
or national of the United States but was lawfully present in the 617  
United States, disaggregated by immigration status; 618

(2) The monetary value of benefits provided to households 619  
that include a member who is not a citizen or national of the 620  
United States but is lawfully present in the United States. 621

(C) By the twenty-eighth day of February of each year, the 622  
Ohio department of job and family services shall submit a report 623  
to the governor summarizing all information submitted to the 624  
department under division (B) of this section for the previous 625  
calendar year. 626

(D) The Ohio department of job and family services may 627  
adopt rules establishing the format of the citizenship or 628  
immigration information collected by a county department and the 629

format of the annual reports submitted to the Ohio department of 630  
job and family services. The rules shall be adopted in 631  
accordance with Chapter 119. of the Revised Code. 632

**Sec. 5107.101.** (A) A county department of job and family 633  
services shall collect data that indicate one of the following 634  
regarding each assistance group that receives cash assistance: 635

(1) All members of the assistance group are citizens or 636  
nationals of the United States. 637

(2) At least one member of the assistance group is not a 638  
citizen or national of the United States but is lawfully present 639  
in the United States. 640

(3) For child-only assistance groups, each parent, 641  
guardian, custodian, or specified relative residing with and 642  
caring for the child is a citizen or national of the United 643  
States. 644

(4) For child-only assistance groups, at least one parent, 645  
guardian, custodian, or specified relative residing with and 646  
caring for the child is not a citizen or national of the United 647  
States but is lawfully present in the United States. 648

(B) By the thirty-first day of January of each year, each 649  
county department of job and family services shall submit a 650  
report to the Ohio department of job and family services 651  
including both of the following for the previous calendar year: 652

(1) The total number of assistance groups for which: 653

(a) All members were citizens or nationals of the United 654  
States; 655

(b) At least one member was not a citizen or national of 656  
the United States but was lawfully present in the United States, 657

disaggregated by immigration status; 658

(c) Each parent, guardian, custodian, or specified 659  
relative residing with and caring for a child in a child-only 660  
assistance group was a citizen or national of the United States; 661

(d) At least one parent, guardian, custodian, or specified 662  
relative residing with and caring for a child in a child-only 663  
assistance group was not a citizen or national of the United 664  
States but was lawfully present in the United States, 665  
diaggregated by immigration status. 666

(2) The monetary value of benefits provided to assistance 667  
groups that included a member who was not a citizen or national 668  
of the United States but was lawfully present in the United 669  
States. 670

(C) By the twenty-eighth day of February of each year, the 671  
Ohio department of job and family services shall submit a report 672  
to the governor summarizing all information submitted to the 673  
department under division (B) of this section for the previous 674  
calendar year. 675

(D) The Ohio department of job and family services may 676  
adopt rules establishing the format of the citizenship or 677  
immigration information collected by a county department and the 678  
format of the annual reports submitted to the Ohio department of 679  
job and family services. The rules shall be adopted in 680  
accordance with Chapter 119. of the Revised Code. 681

**Sec. 5162.138.** (A) By the thirty-first day of January each 682  
year, the department of medicaid shall submit a report to the 683  
governor that includes the following information: 684

(1) The number of qualified aliens enrolled in the 685  
medicaid program; 686



(2) The number of qualified aliens who applied for 687  
benefits under the medicaid program in the previous calendar 688  
year; 689

(3) The number of individuals not lawfully present in the 690  
United States who received alien emergency medical assistance, 691  
as specified in section 1903(v) of the "Social Security Act," 42 692  
U.S.C. 1396b(v), in the previous calendar year. 693

(B) As used in this section, "qualified alien" has the 694  
same meaning as in section 431(b) of the federal "Personal 695  
Responsibility and Work Opportunity Reconciliation Act of 1996," 696  
8 U.S.C. 1641(b). 697

**Section 2.** That existing section 3301.0714 of the Revised 698  
Code is hereby repealed. 699