

As Introduced

**136th General Assembly
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H. B. No. 934

Representative Williams

To amend sections 3301.0714, 3302.03, 3314.03, 1
3317.25, 3324.10, and 3326.11; to enact new 2
section 3313.6032 and sections 3302.131, 3
3302.132, 3313.6034, 3313.6035, 3319.2214, and 4
3319.2311; and to repeal section 3313.6032 of 5
the Revised Code to enact the Science of Math 6
Act with regard to academic intervention 7
services at public schools and the establishment 8
of mathematics improvement and intervention 9
plans. 10

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

Section 1. That sections 3301.0714, 3302.03, 3314.03, 11
3317.25, 3324.10, and 3326.11 be amended and new section 12
3313.6032 and sections 3302.131, 3302.132, 3313.6034, 3313.6035, 13
3319.2214, and 3319.2311 of the Revised Code be enacted to read 14
as follows: 15

Sec. 3301.0714. (A) The department of education and 16
workforce shall adopt rules for a statewide education management 17
information system. The rules shall require the department to 18
establish guidelines for the establishment and maintenance of 19
the system in accordance with this section and the rules adopted 20
under this section. The guidelines shall include: 21

(1) Standards identifying and defining the types of data in the system in accordance with divisions (B) and (C) of this section;	22 23 24
(2) Procedures for annually collecting and reporting the data to the department in accordance with division (D) of this section;	25 26 27
(3) Procedures for annually compiling the data in accordance with division (G) of this section;	28 29
(4) Procedures for annually reporting the data to the public in accordance with division (H) of this section;	30 31
(5) Standards to provide strict safeguards to protect the confidentiality of personally identifiable student data.	32 33
(B) The guidelines adopted under this section shall require the data maintained in the education management information system to include at least the following:	34 35 36
(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:	37 38 39
(a) The numbers of students receiving each category of instructional service offered by the school district, such as regular education instruction, vocational education instruction, specialized instruction programs or enrichment instruction that is part of the educational curriculum, instruction for gifted students, instruction for students with disabilities, and remedial instruction. The guidelines shall require instructional services under this division to be divided into discrete categories if an instructional service is limited to a specific subject, a specific type of student, or both, such as regular instructional services in mathematics, remedial reading	40 41 42 43 44 45 46 47 48 49 50

instructional services, instructional services specifically for 51
students gifted in mathematics or some other subject area, or 52
instructional services for students with a specific type of 53
disability. The categories of instructional services required by 54
the guidelines under this division shall be the same as the 55
categories of instructional services used in determining cost 56
units pursuant to division (C) (3) of this section. 57

(b) The numbers of students receiving support or 58
extracurricular services for each of the support services or 59
extracurricular programs offered by the school district, such as 60
counseling services, health services, and extracurricular sports 61
and fine arts programs. The categories of services required by 62
the guidelines under this division shall be the same as the 63
categories of services used in determining cost units pursuant 64
to division (C) (4) (a) of this section. 65

(c) Average student grades in each subject in grades nine 66
through twelve; 67

(d) Academic achievement levels as assessed under sections 68
3301.0710, 3301.0711, and 3301.0712 of the Revised Code; 69

(e) The number of students designated as having a 70
disabling condition pursuant to division (C) (1) of section 71
3301.0711 of the Revised Code; 72

(f) The numbers of students reported to the department 73
pursuant to division (C) (2) of section 3301.0711 of the Revised 74
Code; 75

(g) Attendance rates and the average daily attendance for 76
the year. For purposes of this division, a student shall be 77
counted as present for any field trip that is approved by the 78
school administration. 79

(h) Expulsion rates;	80
(i) Suspension rates;	81
(j) Dropout rates;	82
(k) Rates of retention in grade;	83
(l) For pupils in grades nine through twelve, the average number of carnegie units, as calculated in accordance with the director's rules;	84 85 86
(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;	87 88 89 90 91
(n) Results of diagnostic assessments described in division (A) (1) of section 3301.0715 of the Revised Code;	92 93
(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;	94 95 96
(p) The number of students demonstrating competency for graduation using each option described in divisions (B) (1) (a) to (d) of section 3313.618 of the Revised Code;	97 98 99
(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;	100 101 102 103
(r) The number of students enrolled in all-day kindergarten, as defined in section 3321.05 of the Revised Code.	104 105
(2) Personnel and classroom enrollment data for each	106

school district, including:	107
(a) The total numbers of licensed employees and	108
nonlicensed employees and the numbers of full-time equivalent	109
licensed employees and nonlicensed employees providing each	110
category of instructional service, instructional support	111
service, and administrative support service used pursuant to	112
division (C)(3) of this section. The guidelines adopted under	113
this section shall require these categories of data to be	114
maintained for the school district as a whole and, wherever	115
applicable, for each grade in the school district as a whole,	116
for each school building as a whole, and for each grade in each	117
school building.	118
(b) The total number of employees and the number of full-	119
time equivalent employees providing each category of service	120
used pursuant to divisions (C)(4)(a) and (b) of this section,	121
and the total numbers of licensed employees and nonlicensed	122
employees and the numbers of full-time equivalent licensed	123
employees and nonlicensed employees providing each category used	124
pursuant to division (C)(4)(c) of this section. The guidelines	125
adopted under this section shall require these categories of	126
data to be maintained for the school district as a whole and,	127
wherever applicable, for each grade in the school district as a	128
whole, for each school building as a whole, and for each grade	129
in each school building.	130
(c) The total number of regular classroom teachers	131
teaching classes of regular education and the average number of	132
pupils enrolled in each such class, in each of grades	133
kindergarten through five in the district as a whole and in each	134
school building in the school district.	135
(d) The number of lead teachers employed by each school	136

district and each school building.	137
(3) (a) Student demographic data for each school district,	138
including information regarding the gender ratio of the school	139
district's pupils, the racial make-up of the school district's	140
pupils, the number of English learners in the district, and an	141
appropriate measure of the number of the school district's	142
pupils who reside in economically disadvantaged households. The	143
demographic data shall be collected in a manner to allow	144
correlation with data collected under division (B) (1) of this	145
section. Categories for data collected pursuant to division (B)	146
(3) of this section shall conform, where appropriate, to	147
standard practices of agencies of the federal government.	148
(b) With respect to each student entering kindergarten,	149
whether the student previously participated in a public	150
preschool program, a private preschool program, or a head start	151
program, and the number of years the student participated in	152
each of these programs.	153
(4) (a) The core curriculum and instructional materials	154
being used for English language arts in each of grades pre-	155
kindergarten to five;	156
(b) The reading intervention programs being used in each	157
of grades pre-kindergarten to twelve.	158
<u>(5) (5) (a) The core curriculum and instructional materials</u>	159
<u>being used for mathematics in each of grades kindergarten to</u>	160
<u>twelve;</u>	161
<u>(b) The mathematics intervention programs being used in</u>	162
<u>each of grades kindergarten to twelve.</u>	163
<u>(6) Any data required to be collected pursuant to federal</u>	164
<u>law.</u>	165

(C) The education management information system shall 166
include cost accounting data for each district as a whole and 167
for each school building in each school district. The guidelines 168
adopted under this section shall require the cost data for each 169
school district to be maintained in a system of mutually 170
exclusive cost units and shall require all of the costs of each 171
school district to be divided among the cost units. The 172
guidelines shall require the system of mutually exclusive cost 173
units to include at least the following: 174

(1) Administrative costs for the school district as a 175
whole. The guidelines shall require the cost units under this 176
division (C) (1) to be designed so that each of them may be 177
compiled and reported in terms of average expenditure per pupil 178
in enrolled ADM in the school district, as determined pursuant 179
to section 3317.03 of the Revised Code. 180

(2) Administrative costs for each school building in the 181
school district. The guidelines shall require the cost units 182
under this division (C) (2) to be designed so that each of them 183
may be compiled and reported in terms of average expenditure per 184
full-time equivalent pupil receiving instructional or support 185
services in each building. 186

(3) Instructional services costs for each category of 187
instructional service provided directly to students and required 188
by guidelines adopted pursuant to division (B) (1) (a) of this 189
section. The guidelines shall require the cost units under 190
division (C) (3) of this section to be designed so that each of 191
them may be compiled and reported in terms of average 192
expenditure per pupil receiving the service in the school 193
district as a whole and average expenditure per pupil receiving 194
the service in each building in the school district and in terms 195

of a total cost for each category of service and, as a breakdown	196
of the total cost, a cost for each of the following components:	197
(a) The cost of each instructional services category	198
required by guidelines adopted under division (B) (1) (a) of this	199
section that is provided directly to students by a classroom	200
teacher;	201
(b) The cost of the instructional support services, such	202
as services provided by a speech-language pathologist, classroom	203
aide, multimedia aide, or librarian, provided directly to	204
students in conjunction with each instructional services	205
category;	206
(c) The cost of the administrative support services	207
related to each instructional services category, such as the	208
cost of personnel that develop the curriculum for the	209
instructional services category and the cost of personnel	210
supervising or coordinating the delivery of the instructional	211
services category.	212
(4) Support or extracurricular services costs for each	213
category of service directly provided to students and required	214
by guidelines adopted pursuant to division (B) (1) (b) of this	215
section. The guidelines shall require the cost units under	216
division (C) (4) of this section to be designed so that each of	217
them may be compiled and reported in terms of average	218
expenditure per pupil receiving the service in the school	219
district as a whole and average expenditure per pupil receiving	220
the service in each building in the school district and in terms	221
of a total cost for each category of service and, as a breakdown	222
of the total cost, a cost for each of the following components:	223
(a) The cost of each support or extracurricular services	224

category required by guidelines adopted under division (B) (1) (b) 225
of this section that is provided directly to students by a 226
licensed employee, such as services provided by a guidance 227
counselor or any services provided by a licensed employee under 228
a supplemental contract; 229

(b) The cost of each such services category provided 230
directly to students by a nonlicensed employee, such as 231
janitorial services, cafeteria services, or services of a sports 232
trainer; 233

(c) The cost of the administrative services related to 234
each services category in division (C) (4) (a) or (b) of this 235
section, such as the cost of any licensed or nonlicensed 236
employees that develop, supervise, coordinate, or otherwise are 237
involved in administering or aiding the delivery of each 238
services category. 239

(D) (1) The guidelines adopted under this section shall 240
require school districts to collect information about individual 241
students, staff members, or both in connection with any data 242
required by division (B) or (C) of this section or other 243
reporting requirements established in the Revised Code. The 244
guidelines may also require school districts to report 245
information about individual staff members in connection with 246
any data required by division (B) or (C) of this section or 247
other reporting requirements established in the Revised Code. 248
The guidelines shall not authorize school districts to request 249
social security numbers of individual students. The guidelines 250
shall prohibit the reporting under this section of a student's 251
name, address, and social security number to the department. The 252
guidelines shall also prohibit the reporting under this section 253
of any personally identifiable information about any student, 254

except for the purpose of assigning the data verification code 255
required by division (D) (2) of this section, to any other person 256
unless such person is employed by the school district or the 257
information technology center operated under section 3301.075 of 258
the Revised Code and is authorized by the district or technology 259
center to have access to such information or is employed by an 260
entity with which the department contracts for the scoring or 261
the development of state assessments. The guidelines may require 262
school districts to provide the social security numbers of 263
individual staff members and the county of residence for a 264
student. Nothing in this section prohibits the department from 265
providing a student's county of residence to the department of 266
taxation to facilitate the distribution of tax revenue. 267

(2) (a) The guidelines shall provide for each school 268
district or community school to assign a data verification code 269
that is unique on a statewide basis over time to each student 270
whose initial Ohio enrollment is in that district or school and 271
to report all required individual student data for that student 272
utilizing such code. The guidelines shall also provide for 273
assigning data verification codes to all students enrolled in 274
districts or community schools on the effective date of the 275
guidelines established under this section. The assignment of 276
data verification codes for other entities, as described in 277
division (D) (2) (d) of this section, the use of those codes, and 278
the reporting and use of associated individual student data 279
shall be coordinated by the department of education and 280
workforce in accordance with state and federal law. 281

School districts shall report individual student data to 282
the department through the information technology centers 283
utilizing the code. The entities described in division (D) (2) (d) 284
of this section shall report individual student data to the 285

department in the manner prescribed by the department. 286

(b) (i) Except as provided in sections 3301.941, 3310.11, 287
3310.42, 3310.63, 3313.978, 3317.20, and 5747.057 of the Revised 288
Code, and in division (D) (2) (b) (ii) of this section, at no time 289
shall the department have access to information that would 290
enable any data verification code to be matched to personally 291
identifiable student data. 292

(ii) For the purpose of making per-pupil payments to 293
community schools under section 3317.022 of the Revised Code, 294
the department shall have access to information that would 295
enable any data verification code to be matched to personally 296
identifiable student data. 297

(c) Each school district and community school shall ensure 298
that the data verification code is included in the student's 299
records reported to any subsequent school district, community 300
school, or state institution of higher education, as defined in 301
section 3345.011 of the Revised Code, in which the student 302
enrolls. Any such subsequent district or school shall utilize 303
the same identifier in its reporting of data under this section. 304

(d) (i) The director of any state agency that administers a 305
publicly funded program providing services to children who are 306
younger than compulsory school age, as defined in section 307
3321.01 of the Revised Code, including the directors of health, 308
job and family services, mental health and addiction services, 309
children and youth, and developmental disabilities, shall 310
request and receive, pursuant to sections 3301.0723 and 5180.33 311
of the Revised Code, a data verification code for a child who is 312
receiving those services. 313

(ii) The director of developmental disabilities, director 314

of health, director of job and family services, director of 315
children and youth, director of mental health and addiction 316
services, medicaid director, executive director of the 317
commission on minority health, executive director of the 318
opportunities for Ohioans with disabilities agency, or director 319
of education and workforce, on behalf of a program that receives 320
public funds and provides services to children who are younger 321
than compulsory school age, may request and receive, pursuant to 322
section 3301.0723 of the Revised Code, a data verification code 323
for a child who is receiving services from the program. 324

(E) The guidelines adopted under this section may require 325
school districts to collect and report data, information, or 326
reports other than that described in divisions (A), (B), and (C) 327
of this section for the purpose of complying with other 328
reporting requirements established in the Revised Code. The 329
other data, information, or reports may be maintained in the 330
education management information system but are not required to 331
be compiled as part of the profile formats required under 332
division (G) of this section or the annual statewide report 333
required under division (H) of this section. 334

(F) The board of education of each school district shall 335
annually collect and report to the department, in accordance 336
with the guidelines established by the department, the data 337
required pursuant to this section. A school district may collect 338
and report these data notwithstanding section 2151.357 or 339
3319.321 of the Revised Code. 340

(G) The department shall, in accordance with the 341
procedures it adopts, annually compile the data reported by each 342
school district pursuant to division (D) of this section. The 343
department shall design formats for profiling each school 344

district as a whole and each school building within each 345
district and shall compile the data in accordance with these 346
formats. These profile formats shall: 347

(1) Include all of the data gathered under this section in 348
a manner that facilitates comparison among school districts and 349
among school buildings within each school district; 350

(2) Present the data on academic achievement levels as 351
assessed by the testing of student achievement maintained 352
pursuant to division (B)(1)(d) of this section. 353

(H)(1) The department shall, in accordance with the 354
procedures it adopts, annually prepare a statewide report for 355
all school districts and the general public that includes the 356
profile of each of the school districts developed pursuant to 357
division (G) of this section. Copies of the report shall be sent 358
to each school district. 359

(2) The department shall, in accordance with the 360
procedures it adopts, annually prepare an individual report for 361
each school district and the general public that includes the 362
profiles of each of the school buildings in that school district 363
developed pursuant to division (G) of this section. 364

(I) Any data that is collected or maintained pursuant to 365
this section and that identifies an individual pupil is not a 366
public record for the purposes of section 149.43 of the Revised 367
Code. 368

(J) As used in this section: 369

(1) "School district" means any city, local, exempted 370
village, or joint vocational school district and, in accordance 371
with section 3314.17 of the Revised Code, any community school. 372
As used in division (L) of this section, "school district" also 373

includes any educational service center or other educational 374
entity required to submit data using the system established 375
under this section. 376

(2) "Cost" means any expenditure for operating expenses 377
made by a school district excluding any expenditures for debt 378
retirement except for payments made to any commercial lending 379
institution for any loan approved pursuant to section 3313.483 380
of the Revised Code. 381

(K) Any person who removes data from the information 382
system established under this section for the purpose of 383
releasing it to any person not entitled under law to have access 384
to such information is subject to section 2913.42 of the Revised 385
Code prohibiting tampering with data. 386

(L) (1) In accordance with division (L) (2) of this section 387
and the rules adopted under division (L) (10) of this section, 388
the department may sanction any school district that reports 389
incomplete or inaccurate data, reports data that does not 390
conform to data requirements and descriptions published by the 391
department, fails to report data in a timely manner, or 392
otherwise does not make a good faith effort to report data as 393
required by this section. 394

(2) If the department decides to sanction a school 395
district under this division, the department shall take the 396
following sequential actions: 397

(a) Notify the district in writing that the department has 398
determined that data has not been reported as required under 399
this section and require the district to review its data 400
submission and submit corrected data by a deadline established 401
by the department. The department also may require the district 402

to develop a corrective action plan, which shall include 403
provisions for the district to provide mandatory staff training 404
on data reporting procedures. 405

(b) Withhold up to ten per cent of the total amount of 406
state funds due to the district for the current fiscal year and, 407
if not previously required under division (L) (2) (a) of this 408
section, require the district to develop a corrective action 409
plan in accordance with that division; 410

(c) Withhold an additional amount of up to twenty per cent 411
of the total amount of state funds due to the district for the 412
current fiscal year; 413

(d) Direct department staff or an outside entity to 414
investigate the district's data reporting practices and make 415
recommendations for subsequent actions. The recommendations may 416
include one or more of the following actions: 417

(i) Arrange for an audit of the district's data reporting 418
practices by department staff or an outside entity; 419

(ii) Conduct a site visit and evaluation of the district; 420

(iii) Withhold an additional amount of up to thirty per 421
cent of the total amount of state funds due to the district for 422
the current fiscal year; 423

(iv) Continue monitoring the district's data reporting; 424

(v) Assign department staff to supervise the district's 425
data management system; 426

(vi) Conduct an investigation to determine whether to 427
suspend or revoke the license of any district employee in 428
accordance with division (N) of this section; 429

(vii) If the district is issued a report card under 430
section 3302.03 of the Revised Code, indicate on the report card 431
that the district has been sanctioned for failing to report data 432
as required by this section; 433

(viii) If the district is issued a report card under 434
section 3302.03 of the Revised Code and incomplete or inaccurate 435
data submitted by the district likely caused the district to 436
receive a higher performance rating than it deserved under that 437
section, issue a revised report card for the district; 438

(ix) Any other action designed to correct the district's 439
data reporting problems. 440

(3) Any time the department takes an action against a 441
school district under division (L)(2) of this section, the 442
department shall make a report of the circumstances that 443
prompted the action. The department shall send a copy of the 444
report to the district superintendent or chief administrator and 445
maintain a copy of the report in its files. 446

(4) If any action taken under division (L)(2) of this 447
section resolves a school district's data reporting problems to 448
the department's satisfaction, the department shall not take any 449
further actions described by that division. If the department 450
withheld funds from the district under that division, the 451
department may release those funds to the district, except that 452
if the department withheld funding under division (L)(2)(c) of 453
this section, the department shall not release the funds 454
withheld under division (L)(2)(b) of this section and, if the 455
department withheld funding under division (L)(2)(d) of this 456
section, the department shall not release the funds withheld 457
under division (L)(2)(b) or (c) of this section. 458

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

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

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

this purpose. 490

(8) Any school district that has funds withheld under 491
division (L) (2) of this section may appeal the withholding in 492
accordance with Chapter 119. of the Revised Code. 493

(9) In all cases of a disagreement between the department 494
and a school district regarding the appropriateness of an action 495
taken under division (L) (2) of this section, the burden of proof 496
shall be on the district to demonstrate that it made a good 497
faith effort to report data as required by this section. 498

(10) The director of education and workforce shall adopt 499
rules under Chapter 119. of the Revised Code to implement 500
division (L) of this section. 501

(M) No information technology center or school district 502
shall acquire, change, or update its student administration 503
software package to manage and report data required to be 504
reported to the department unless it converts to a student 505
software package that is certified by the department. 506

(N) The state board of education, in accordance with 507
sections 3319.31 and 3319.311 of the Revised Code, may suspend 508
or revoke a license as defined under division (A) of section 509
3319.31 of the Revised Code that has been issued to any school 510
district employee found to have willfully reported erroneous, 511
inaccurate, or incomplete data to the education management 512
information system. 513

(O) No person shall release or maintain any information 514
about any student in violation of this section. Whoever violates 515
this division is guilty of a misdemeanor of the fourth degree. 516

(P) If the department cannot compile any of the 517
information required by division (I) of section 3302.03 of the 518

Revised Code based upon the data collected under this section, 519
the department shall develop a plan and a reasonable timeline 520
for the collection of any data necessary to comply with that 521
division. 522

Sec. 3302.03. Not later than the thirty-first day of July 523
of each year, the department of education and workforce shall 524
submit preliminary report card data for overall academic 525
performance and for each separate performance measure for each 526
school district, and each school building, in accordance with 527
this section. 528

Annually, not later than the fifteenth day of September or 529
the preceding Friday when that day falls on a Saturday or 530
Sunday, the department shall assign a letter grade or 531
performance rating for overall academic performance and for each 532
separate performance measure for each school district, and each 533
school building in a district, in accordance with this section. 534
The department shall adopt rules pursuant to Chapter 119. of the 535
Revised Code to implement this section. The department's rules 536
shall establish performance criteria for each letter grade or 537
performance rating and prescribe a method by which the 538
department assigns each letter grade or performance rating. For 539
a school building to which any of the performance measures do 540
not apply, due to grade levels served by the building, the 541
department shall designate the performance measures that are 542
applicable to the building and that must be calculated 543
separately and used to calculate the building's overall grade or 544
performance rating. The department shall issue annual report 545
cards reflecting the performance of each school district, each 546
building within each district, and for the state as a whole 547
using the performance measures and letter grade or performance 548
rating system described in this section. The department shall 549

include on the report card for each district and each building 550
within each district the most recent two-year trend data in 551
student achievement for each subject and each grade. 552

(A) (1) For the 2012-2013 school year, the department shall 553
issue grades as described in division (F) of this section for 554
each of the following performance measures: 555

(a) Annual measurable objectives; 556

(b) Performance index score for a school district or 557
building. Grades shall be awarded as a percentage of the total 558
possible points on the performance index system as adopted by 559
the department. In adopting benchmarks for assigning letter 560
grades under division (A) (1) (b) of this section, the department 561
shall designate ninety per cent or higher for an "A," at least 562
seventy per cent but not more than eighty per cent for a "C," 563
and less than fifty per cent for an "F." 564

(c) The extent to which the school district or building 565
meets each of the applicable performance indicators established 566
by the department under section 3302.02 of the Revised Code and 567
the percentage of applicable performance indicators that have 568
been achieved. In adopting benchmarks for assigning letter 569
grades under division (A) (1) (c) of this section, the department 570
shall designate ninety per cent or higher for an "A." 571

(d) The four- and five-year adjusted cohort graduation 572
rates. 573

In adopting benchmarks for assigning letter grades under 574
division (A) (1) (d), (B) (1) (d), or (C) (1) (d) of this section, the 575
department shall designate a four-year adjusted cohort 576
graduation rate of ninety-three per cent or higher for an "A" 577
and a five-year cohort graduation rate of ninety-five per cent 578

or higher for an "A." 579

(e) The overall score under the value-added progress 580
dimension of a school district or building, for which the 581
department shall use up to three years of value-added data as 582
available. The letter grade assigned for this growth measure 583
shall be as follows: 584

(i) A score that is at least one standard error of measure 585
above the mean score shall be designated as an "A." 586

(ii) A score that is less than one standard error of 587
measure above but greater than one standard error of measure 588
below the mean score shall be designated as a "B." 589

(iii) A score that is less than or equal to one standard 590
error of measure below the mean score but greater than two 591
standard errors of measure below the mean score shall be 592
designated as a "C." 593

(iv) A score that is less than or equal to two standard 594
errors of measure below the mean score but is greater than three 595
standard errors of measure below the mean score shall be 596
designated as a "D." 597

(v) A score that is less than or equal to three standard 598
errors of measure below the mean score shall be designated as an 599
"F." 600

Whenever the value-added progress dimension is used as a 601
graded performance measure in this division and divisions (B) 602
and (C) of this section, whether as an overall measure or as a 603
measure of separate subgroups, the grades for the measure shall 604
be calculated in the same manner as prescribed in division (A) 605
(1)(e) of this section. 606

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

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

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

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

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

(a) Annual measurable objectives;

(b) Performance index score for a school district or building. Grades shall be awarded as a percentage of the total

possible points on the performance index system as created by 636
the department. In adopting benchmarks for assigning letter 637
grades under division (B) (1) (b) of this section, the department 638
shall designate ninety per cent or higher for an "A," at least 639
seventy per cent but not more than eighty per cent for a "C," 640
and less than fifty per cent for an "F." 641

(c) The extent to which the school district or building 642
meets each of the applicable performance indicators established 643
by the department under section 3302.03 of the Revised Code and 644
the percentage of applicable performance indicators that have 645
been achieved. In adopting benchmarks for assigning letter 646
grades under division (B) (1) (c) of this section, the department 647
shall designate ninety per cent or higher for an "A." 648

(d) The four- and five-year adjusted cohort graduation 649
rates; 650

(e) The overall score under the value-added progress 651
dimension of a school district or building, for which the 652
department shall use up to three years of value-added data as 653
available. 654

(f) The value-added progress dimension score for a school 655
district or building disaggregated for each of the following 656
subgroups: students identified as gifted in superior cognitive 657
ability and specific academic ability fields under Chapter 3324. 658
of the Revised Code, students with disabilities, and students 659
whose performance places them in the lowest quintile for 660
achievement on a statewide basis. Each subgroup shall be a 661
separate graded measure. 662

(g) Whether a school district or building is making 663
progress in improving literacy in grades kindergarten through 664

three, as determined using a method prescribed by the 665
department. The department shall adopt rules to prescribe 666
benchmarks and standards for assigning grades to districts and 667
buildings for purposes of division (B) (1) (g) of this section. In 668
adopting benchmarks for assigning letter grades under divisions 669
(B) (1) (g) and (C) (1) (g) of this section, the department shall 670
determine progress made based on the reduction in the total 671
percentage of students scoring below grade level, or below 672
proficient, compared from year to year on the reading diagnostic 673
assessments administered under section 3301.0715 of the Revised 674
Code and the third grade English language arts assessment under 675
section 3301.0710 of the Revised Code, as applicable. The 676
department shall designate for a "C" grade a value that is not 677
lower than the statewide average value for this measure. No 678
grade shall be issued under divisions (B) (1) (g) and (C) (1) (g) of 679
this section for a district or building in which less than five 680
per cent of students have scored below grade level on the 681
diagnostic assessment administered to students in kindergarten 682
under division (B) (1) of section 3313.608 of the Revised Code. 683

(h) For a high mobility school district or building, an 684
additional value-added progress dimension score. For this 685
measure, the department shall use value-added data from the most 686
recent school year available and shall use assessment scores for 687
only those students to whom the district or building has 688
administered the assessments prescribed by section 3301.0710 of 689
the Revised Code for each of the two most recent consecutive 690
school years. 691

As used in this division, "high mobility school district 692
or building" means a school district or building where at least 693
twenty-five per cent of its total enrollment is made up of 694
students who have attended that school district or building for 695

less than one year. 696

(2) In addition to the graded measures in division (B) (1) 697
of this section, the department shall include on a school 698
district's or building's report card all of the following 699
without an assigned letter grade: 700

(a) The percentage of students enrolled in a district or 701
building participating in advanced placement classes and the 702
percentage of those students who received a score of three or 703
better on advanced placement examinations; 704

(b) The number of a district's or building's students who 705
have earned at least three college credits through dual 706
enrollment or advanced standing programs, such as the post- 707
secondary enrollment options program under Chapter 3365. of the 708
Revised Code and state-approved career-technical courses offered 709
through dual enrollment or statewide articulation, that appear 710
on a student's transcript or other official document, either of 711
which is issued by the institution of higher education from 712
which the student earned the college credit. The credits earned 713
that are reported under divisions (B) (2) (b) and (C) (2) (c) of 714
this section shall not include any that are remedial or 715
developmental and shall include those that count toward the 716
curriculum requirements established for completion of a degree. 717

(c) The percentage of students enrolled in a district or 718
building who have taken a national standardized test used for 719
college admission determinations and the percentage of those 720
students who are determined to be remediation-free in accordance 721
with standards adopted under division (F) of section 3345.061 of 722
the Revised Code; 723

(d) The percentage of the district's or the building's 724

students who receive industry-recognized credentials as approved 725
under section 3313.6113 of the Revised Code. 726

(e) The percentage of students enrolled in a district or 727
building who are participating in an international baccalaureate 728
program and the percentage of those students who receive a score 729
of four or better on the international baccalaureate 730
examinations. 731

(f) The percentage of the district's or building's 732
students who receive an honors diploma under division (B) of 733
section 3313.61 of the Revised Code. 734

(3) The department shall adopt rules in accordance with 735
Chapter 119. of the Revised Code that prescribe the methods by 736
which the performance measures under divisions (B) (1) (f) and (B) 737
(1) (g) of this section will be assessed and assigned a letter 738
grade, including performance benchmarks for each grade. 739

At least forty-five days prior to the department's 740
adoption of rules to prescribe the methods by which the 741
performance measures under division (B) (1) of this section shall 742
be assessed and assigned a letter grade, the department shall 743
conduct a public presentation before the standing committees of 744
the house of representatives and the senate that consider 745
education legislation describing such methods, including 746
performance benchmarks. 747

(4) There shall not be an overall letter grade for a 748
school district or building for the 2013-2014, 2014-2015, 2015- 749
2016, and 2016-2017 school years. 750

(C) (1) For the 2014-2015, 2015-2016, 2016-2017, 2017-2018, 751
2018-2019, 2019-2020, and 2020-2021 school years, the department 752
shall issue grades as described in division (F) of this section 753

for each of the performance measures prescribed in division (C) 754
(1) of this section. The graded measures are as follows: 755

(a) Annual measurable objectives. For the 2017-2018 school 756
year, the department shall not include any subgroup data in the 757
annual measurable objectives that includes data from fewer than 758
twenty-five students. For the 2018-2019 school year, the 759
department shall not include any subgroup data in the annual 760
measurable objectives that includes data from fewer than twenty 761
students. Beginning with the 2019-2020 school year, the 762
department shall not include any subgroup data in the annual 763
measurable objectives that includes data from fewer than fifteen 764
students. 765

(b) Performance index score for a school district or 766
building. Grades shall be awarded as a percentage of the total 767
possible points on the performance index system as created by 768
the department. In adopting benchmarks for assigning letter 769
grades under division (C) (1) (b) of this section, the department 770
shall designate ninety per cent or higher for an "A," at least 771
seventy per cent but not more than eighty per cent for a "C," 772
and less than fifty per cent for an "F." 773

(c) The extent to which the school district or building 774
meets each of the applicable performance indicators established 775
by the department under section 3302.03 of the Revised Code and 776
the percentage of applicable performance indicators that have 777
been achieved. In adopting benchmarks for assigning letter 778
grades under division (C) (1) (c) of this section, the department 779
shall designate ninety per cent or higher for an "A." 780

(d) The four- and five-year adjusted cohort graduation 781
rates; 782

(e) The overall score under the value-added progress 783
dimension, or another measure of student academic progress if 784
adopted by the department, of a school district or building, for 785
which the department shall use up to three years of value-added 786
data as available. 787

In adopting benchmarks for assigning letter grades for 788
overall score on value-added progress dimension under division 789
(C) (1) (e) of this section, the department shall prohibit the 790
assigning of a grade of "A" for that measure unless the 791
district's or building's grade assigned for value-added progress 792
dimension for all subgroups under division (C) (1) (f) of this 793
section is a "C" or higher. 794

For the metric prescribed by division (C) (1) (e) of this 795
section, the department may adopt a student academic progress 796
measure to be used instead of the value-added progress 797
dimension. If the department adopts such a measure, it also 798
shall prescribe a method for assigning letter grades for the new 799
measure that is comparable to the method prescribed in division 800
(A) (1) (e) of this section. 801

(f) The value-added progress dimension score of a school 802
district or building disaggregated for each of the following 803
subgroups: students identified as gifted in superior cognitive 804
ability and specific academic ability fields under Chapter 3324. 805
of the Revised Code, students with disabilities, and students 806
whose performance places them in the lowest quintile for 807
achievement on a statewide basis, as determined by a method 808
prescribed by the department. Each subgroup shall be a separate 809
graded measure. 810

The department may adopt student academic progress 811
measures to be used instead of the value-added progress 812

dimension. If the department adopts such measures, it also shall 813
prescribe a method for assigning letter grades for the new 814
measures that is comparable to the method prescribed in division 815
(A) (1) (e) of this section. 816

(g) Whether a school district or building is making 817
progress in improving literacy in grades kindergarten through 818
three, as determined using a method prescribed by the 819
department. The department shall adopt rules to prescribe 820
benchmarks and standards for assigning grades to a district or 821
building for purposes of division (C) (1) (g) of this section. The 822
department shall designate for a "C" grade a value that is not 823
lower than the statewide average value for this measure. No 824
grade shall be issued under division (C) (1) (g) of this section 825
for a district or building in which less than five per cent of 826
students have scored below grade level on the kindergarten 827
diagnostic assessment under division (B) (1) of section 3313.608 828
of the Revised Code. 829

(h) For a high mobility school district or building, an 830
additional value-added progress dimension score. For this 831
measure, the department shall use value-added data from the most 832
recent school year available and shall use assessment scores for 833
only those students to whom the district or building has 834
administered the assessments prescribed by section 3301.0710 of 835
the Revised Code for each of the two most recent consecutive 836
school years. 837

As used in this division, "high mobility school district 838
or building" means a school district or building where at least 839
twenty-five per cent of its total enrollment is made up of 840
students who have attended that school district or building for 841
less than one year. 842

(2) In addition to the graded measures in division (C) (1) 843
of this section, the department shall include on a school 844
district's or building's report card all of the following 845
without an assigned letter grade: 846

(a) The percentage of students enrolled in a district or 847
building who have taken a national standardized test used for 848
college admission determinations and the percentage of those 849
students who are determined to be remediation-free in accordance 850
with the standards adopted under division (F) of section 851
3345.061 of the Revised Code; 852

(b) The percentage of students enrolled in a district or 853
building participating in advanced placement classes and the 854
percentage of those students who received a score of three or 855
better on advanced placement examinations; 856

(c) The percentage of a district's or building's students 857
who have earned at least three college credits through advanced 858
standing programs, such as the college credit plus program under 859
Chapter 3365. of the Revised Code and state-approved career- 860
technical courses offered through dual enrollment or statewide 861
articulation, that appear on a student's college transcript 862
issued by the institution of higher education from which the 863
student earned the college credit. The credits earned that are 864
reported under divisions (B) (2) (b) and (C) (2) (c) of this section 865
shall not include any that are remedial or developmental and 866
shall include those that count toward the curriculum 867
requirements established for completion of a degree. 868

(d) The percentage of the district's or building's 869
students who receive an honor's diploma under division (B) of 870
section 3313.61 of the Revised Code; 871

(e) The percentage of the district's or building's	872
students who receive industry-recognized credentials as approved	873
under section 3313.6113 of the Revised Code;	874
(f) The percentage of students enrolled in a district or	875
building who are participating in an international baccalaureate	876
program and the percentage of those students who receive a score	877
of four or better on the international baccalaureate	878
examinations;	879
(g) The results of the college and career-ready	880
assessments administered under division (B) (1) of section	881
3301.0712 of the Revised Code;	882
(h) Whether the school district or building has	883
implemented a positive behavior intervention and supports	884
framework in compliance with the requirements of section 3319.46	885
of the Revised Code, notated as a "yes" or "no" answer.	886
(3) The department shall adopt rules pursuant to Chapter	887
119. of the Revised Code that establish a method to assign an	888
overall grade for a school district or school building for the	889
2017-2018 school year and each school year thereafter. The rules	890
shall group the performance measures in divisions (C) (1) and (2)	891
of this section into the following components:	892
(a) Gap closing, which shall include the performance	893
measure in division (C) (1) (a) of this section;	894
(b) Achievement, which shall include the performance	895
measures in divisions (C) (1) (b) and (c) of this section;	896
(c) Progress, which shall include the performance measures	897
in divisions (C) (1) (e) and (f) of this section;	898
(d) Graduation, which shall include the performance	899

measure in division (C) (1) (d) of this section; 900

(e) Kindergarten through third-grade literacy, which shall 901
include the performance measure in division (C) (1) (g) of this 902
section; 903

(f) Prepared for success, which shall include the 904
performance measures in divisions (C) (2) (a), (b), (c), (d), (e), 905
and (f) of this section. The department shall develop a method 906
to determine a grade for the component in division (C) (3) (f) of 907
this section using the performance measures in divisions (C) (2) 908
(a), (b), (c), (d), (e), and (f) of this section. When 909
available, the department may incorporate the performance 910
measure under division (C) (2) (g) of this section into the 911
component under division (C) (3) (f) of this section. When 912
determining the overall grade for the prepared for success 913
component prescribed by division (C) (3) (f) of this section, no 914
individual student shall be counted in more than one performance 915
measure. However, if a student qualifies for more than one 916
performance measure in the component, the department may, in its 917
method to determine a grade for the component, specify an 918
additional weight for such a student that is not greater than or 919
equal to 1.0. In determining the overall score under division 920
(C) (3) (f) of this section, the department shall ensure that the 921
pool of students included in the performance measures aggregated 922
under that division are all of the students included in the 923
four- and five-year adjusted graduation cohort. 924

In the rules adopted under division (C) (3) of this 925
section, the department shall adopt a method for determining a 926
grade for each component in divisions (C) (3) (a) to (f) of this 927
section. The department also shall establish a method to assign 928
an overall grade of "A," "B," "C," "D," or "F" using the grades 929

assigned for each component. The method the department adopts 930
for assigning an overall grade shall give equal weight to the 931
components in divisions (C) (3) (b) and (c) of this section. 932

At least forty-five days prior to the department's 933
adoption of rules to prescribe the methods for calculating the 934
overall grade for the report card, as required by this division, 935
the department shall conduct a public presentation before the 936
standing committees of the house of representatives and the 937
senate that consider education legislation describing the format 938
for the report card, weights that will be assigned to the 939
components of the overall grade, and the method for calculating 940
the overall grade. 941

(D) For the 2021-2022 school year and each school year 942
thereafter, all of the following apply: 943

(1) The department shall include on a school district's or 944
building's report card all of the following performance measures 945
without an assigned performance rating: 946

(a) Whether the district or building meets the gifted 947
performance indicator under division (A) (2) of section 3302.02 948
of the Revised Code and the extent to which the district or 949
building meets gifted indicator performance benchmarks; 950

(b) The extent to which the district or building meets the 951
chronic absenteeism indicator under division (A) (3) of section 952
3302.02 of the Revised Code; 953

(c) Performance index score percentage for a district or 954
building, which shall be calculated by dividing the district's 955
or building's performance index score according to the 956
performance index system created by the department by the 957
maximum performance index score for a district or building. The 958

maximum performance index score shall be as follows: 959

(i) For a building, the average of the highest two per 960
cent of performance index scores achieved by a building for the 961
school year for which a report card is issued; 962

(ii) For a district, the average of the highest two per 963
cent of performance index scores achieved by a district for the 964
school year for which a report card is issued. 965

(d) The overall score under the value-added progress 966
dimension of a district or building, for which the department 967
shall use three consecutive years of value-added data. In using 968
three years of value-added data to calculate the measure 969
prescribed under division (D)(1)(d) of this section, the 970
department shall assign a weight of fifty per cent to the most 971
recent year's data and a weight of twenty-five per cent to the 972
data of each of the other years. However, if three consecutive 973
years of value-added data is not available, the department shall 974
use prior years of value-added data to calculate the measure, as 975
follows: 976

(i) If two consecutive years of value-added data is not 977
available, the department shall use one year of value-added data 978
to calculate the measure. 979

(ii) If two consecutive years of value-added data is 980
available, the department shall use two consecutive years of 981
value-added data to calculate the measure. In using two years of 982
value-added data to calculate the measure, the department shall 983
assign a weight of sixty-seven per cent to the most recent 984
year's data and a weight of thirty-three per cent to the data of 985
the other year. 986

(e) The four-year adjusted cohort graduation rate. 987

(f) The five-year adjusted cohort graduation rate.	988
(g) The percentage of students in the district or building who score proficient or higher on the reading segment of the third grade English language arts assessment under section 3301.0710 of the Revised Code.	989 990 991 992
To the extent possible, the department shall include the results of the summer administration of the third grade reading assessment under section 3301.0710 of the Revised Code in the performance measures prescribed under divisions (D) (1) (g) and (h) of this section.	993 994 995 996 997
(h) Whether a district or building is making progress in improving literacy in grades kindergarten through three, as determined using a method prescribed by the department. The method shall determine progress made based on the reduction in the total percentage of students scoring below grade level, or below proficient, compared from year to year on the reading segments of the diagnostic assessments administered under division (A) (1) of section 3301.0715 of the Revised Code and the third grade English language arts assessment under section 3301.0710 of the Revised Code, as applicable. The method shall not include a deduction for students who did not pass the third grade English language arts assessment under section 3301.0710 of the Revised Code and were not on a reading improvement and monitoring plan.	998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
The performance measure prescribed under division (D) (1) (h) of this section shall not be included on the report card of a district or building in which less than ten per cent of students have scored below grade level on the diagnostic assessment administered to students in kindergarten under division (B) (1) of section 3313.608 of the Revised Code.	1012 1013 1014 1015 1016 1017

(i) The percentage of students in a district or building 1018
who are promoted to the fourth grade based on the student's 1019
score on the third grade English language arts assessment under 1020
division (A) (3) of section 3301.0710 of the Revised Code or 1021
demonstrate competency on an alternative assessment under 1022
division (A) (2) (c) of section 3313.608 of the Revised Code; 1023

(j) A post-secondary readiness measure. This measure shall 1024
be calculated by dividing the number of students included in the 1025
four-year adjusted graduation rate cohort who demonstrate post- 1026
secondary readiness by the total number of students included in 1027
the denominator of the four-year adjusted graduation rate 1028
cohort. Demonstration of post-secondary readiness shall include 1029
a student doing any of the following: 1030

(i) Attaining a remediation-free score, in accordance with 1031
standards adopted under division (F) of section 3345.061 of the 1032
Revised Code, on a nationally standardized assessment prescribed 1033
under division (B) (1) of section 3301.0712 of the Revised Code; 1034

(ii) Attaining required scores on three or more advanced 1035
placement, college-level examination program, or international 1036
baccalaureate examinations. The required score for an advanced 1037
placement examination shall be a three or better. The required 1038
score for a college-level examination program examination shall 1039
be a passing score, as determined by the department. The 1040
required score for an international baccalaureate examination 1041
shall be a four or better. A student may satisfy this condition 1042
with any combination of advanced placement, college-level 1043
examination program, or international baccalaureate 1044
examinations. 1045

(iii) Earning at least twelve college credits through 1046
advanced standing programs, such as the college credit plus 1047

program under Chapter 3365. of the Revised Code, an early 1048
college high school program under section 3313.6013 of the 1049
Revised Code, and state-approved career-technical courses 1050
offered through dual enrollment or statewide articulation, that 1051
appear on a student's college transcript issued by the 1052
institution of higher education from which the student earned 1053
the college credit. Earned credits reported under division (D) 1054
(1) (j) (iii) of this section shall include credits that count 1055
toward the curriculum requirements established for completion of 1056
a degree, but shall not include any remedial or developmental 1057
credits. 1058

(iv) Meeting the additional criteria for an honors diploma 1059
under division (B) of section 3313.61 of the Revised Code; 1060

(v) Earning an industry-recognized credential or license 1061
issued by a state agency or board for practice in a vocation 1062
that requires an examination for issuance of that license 1063
approved under section 3313.6113 of the Revised Code; 1064

(vi) Satisfying any of the following conditions: 1065

(I) Completing a pre-apprenticeship aligned with options 1066
established under section 3313.904 of the Revised Code in the 1067
student's chosen career field; 1068

(II) Completing an apprenticeship registered with the 1069
apprenticeship council established under section 4139.02 of the 1070
Revised Code in the student's chosen career field; 1071

(III) Providing evidence of acceptance into an 1072
apprenticeship program after high school that is restricted to 1073
participants eighteen years of age or older. 1074

(vii) Earning a cumulative score of proficient or higher 1075
on three or more state technical assessments aligned with 1076

section 3313.903 of the Revised Code in a single career pathway;	1077
(viii) Earning an OhioMeansJobs-readiness seal established	1078
under section 3313.6112 of the Revised Code and completing two	1079
hundred fifty hours of an internship or other work-based	1080
learning experience that is either:	1081
(I) Approved by the business advisory council established	1082
under section 3313.82 of the Revised Code that represents the	1083
student's district; or	1084
(II) Aligned to the career-technical education pathway	1085
approved by the department in which the student is enrolled.	1086
(ix) Providing evidence that the student has enlisted in a	1087
branch of the armed services of the United States as defined in	1088
section 5910.01 of the Revised Code.	1089
A student who satisfies more than one of the conditions	1090
prescribed under this division shall be counted as one student	1091
for the purposes of calculating the measure prescribed under	1092
division (D) (1) (j) of this section.	1093
(2) In addition to the performance measures under division	1094
(D) (1) of this section, the department shall report on a	1095
district's or building's report card all of the following data	1096
without an assigned performance rating:	1097
(a) The applicable performance indicators established by	1098
the department under division (A) (1) of section 3302.02 of the	1099
Revised Code;	1100
(b) The overall score under the value-added progress	1101
dimension of a district or building for the most recent school	1102
year;	1103
(c) A composite of the overall scores under the value-	1104

added progress dimension of a district or building for the 1105
previous three school years or, if only two years of value-added 1106
data are available, for the previous two years; 1107

(d) The percentage of students included in the four- and 1108
five-year adjusted cohort graduation rates of a district or 1109
building who did not receive a high school diploma under section 1110
3313.61 or 3325.08 of the Revised Code. To the extent possible, 1111
the department shall disaggregate that data according to the 1112
following categories: 1113

(i) Students who are still enrolled in the district or 1114
building and receiving general education services; 1115

(ii) Students with an individualized education program, as 1116
defined in section 3323.01 of the Revised Code, who satisfied 1117
the conditions for a high school diploma under section 3313.61 1118
or 3325.08 of the Revised Code, but opted not to receive a 1119
diploma and are still receiving education services; 1120

(iii) Students with an individualized education program 1121
who have not yet satisfied conditions for a high school diploma 1122
under section 3313.61 or 3325.08 of the Revised Code and who are 1123
still receiving education services; 1124

(iv) Students who are no longer enrolled in any district 1125
or building; 1126

(v) Students who, upon enrollment in the district or 1127
building for the first time, had completed fewer units of high 1128
school instruction required under section 3313.603 of the 1129
Revised Code than other students in the four- or five-year 1130
adjusted cohort graduation rate. 1131

The department may disaggregate the data prescribed under 1132
division (D) (2) (d) of this section according to other categories 1133

that the department determines are appropriate. 1134

(e) Post-graduate outcomes for students who were enrolled 1135
in a district or building and received a high school diploma 1136
under section 3313.61 or 3325.08 of the Revised Code in the 1137
school year prior to the school year for which the report card 1138
is issued, including the percentage of students who: 1139

(i) Enrolled in a post-secondary educational institution. 1140
To the extent possible, the department shall disaggregate that 1141
data according to whether the student enrolled in a four-year 1142
institution of higher education, a two-year institution of 1143
higher education, an Ohio technical center that provides adult 1144
technical education services and is recognized by the chancellor 1145
of higher education, or another type of post-secondary 1146
educational institution. 1147

(ii) Entered an apprenticeship program registered with the 1148
apprenticeship council established under Chapter 4139. of the 1149
Revised Code. The department may include other job training 1150
programs with similar rigor and outcomes. 1151

(iii) Attained gainful employment, as determined by the 1152
department; 1153

(iv) Enlisted in a branch of the armed forces of the 1154
United States, as defined in section 5910.01 of the Revised 1155
Code. 1156

(f) Whether the school district or building has 1157
implemented a positive behavior intervention and supports 1158
framework in compliance with the requirements of section 3319.46 1159
of the Revised Code, notated with a "yes" or "no"; 1160

(g) The number and percentage of high school seniors in 1161
each school year who completed the free application for federal 1162

student aid;	1163
(h) Beginning with the report card issued under this	1164
section for the 2022-2023 school year, a student opportunity	1165
profile measure that reports data regarding the opportunities	1166
provided to students by a district or building. To the extent	1167
possible, and when appropriate, the data shall be disaggregated	1168
by grade level and subgroup. The measure also shall include data	1169
regarding the statewide average, the average for similar school	1170
districts, and, for a building, the average for the district in	1171
which the building is located. The measure shall include all of	1172
the following data for the district or building:	1173
(i) The average ratio of teachers of record to students in	1174
each grade level in a district or building;	1175
(ii) The average ratio of school counselors to students in	1176
a district or building;	1177
(iii) The average ratio of nurses to students in a	1178
district or building;	1179
(iv) The average ratio of licensed librarians and library	1180
media specialists to students in a district or building;	1181
(v) The average ratio of social workers to students in a	1182
district or building;	1183
(vi) The average ratio of mental health professionals to	1184
students in a district or building;	1185
(vii) The average ratio of paraprofessionals to students	1186
in a district or building;	1187
(viii) The percentage of teachers with fewer than three	1188
years of experience teaching in any school;	1189

(ix) The percentage of principals with fewer than three years of experience as a principal in any school;	1190 1191
(x) The percentage of teachers who are not teaching in the subject or field for which they are certified or licensed;	1192 1193
(xi) The percentage of kindergarten students who are enrolled in all-day kindergarten, as defined in section 3321.05 of the Revised Code;	1194 1195 1196
(xii) The percentage of students enrolled in a performing or visual arts course;	1197 1198
(xiii) The percentage of students enrolled in a physical education or wellness course;	1199 1200
(xiv) The percentage of students enrolled in a world language course;	1201 1202
(xv) The percentage of students in grades seven through twelve who are enrolled in a career-technical education course;	1203 1204
(xvi) The percentage of students participating in one or more cocurricular activities;	1205 1206
(xvii) The percentage of students participating in advance placement courses, international baccalaureate courses, honors courses, or courses offered through the college credit plus program established under Chapter 3365. of the Revised Code;	1207 1208 1209 1210
(xviii) The percentage of students identified as gifted in superior cognitive ability and specific academic ability fields under Chapter 3324. of the Revised Code and receiving gifted services pursuant to that chapter;	1211 1212 1213 1214
(xix) The percentage of students participating in enrichment or support programs offered by the district or	1215 1216

building outside of the normal school day;	1217
(xx) The percentage of eligible students participating	1218
each school day in school breakfast programs offered by the	1219
district or building in accordance with section 3313.813 or	1220
3313.818 of the Revised Code;	1221
(xxi) The percentage of students who are transported by a	1222
school bus each school day;	1223
(xxii) The ratio of portable technology devices that	1224
students may take home to the number of students.	1225
The department shall include only opportunity measures at	1226
the building level for which data for buildings is available, as	1227
determined by a school district.	1228
(i) (i) The percentage of students included in the four-	1229
and five-year adjusted cohort graduation rates of the district	1230
or building who completed all of grades nine through twelve	1231
while enrolled in the district or building;	1232
(ii) The four-year adjusted cohort graduation rate for	1233
only those students who were continuously enrolled in the same	1234
district or building for grades nine through twelve.	1235
(j) Whether the district or building provides information	1236
about and promotes the college credit plus program established	1237
under Chapter 3365. of the Revised Code to students in	1238
accordance with section 3365.04 of the Revised Code, notated	1239
with a "yes" or "no";	1240
(k) The percentage of students in the district or building	1241
to whom both of the following apply:	1242
(i) The students are promoted to fourth grade and not	1243
subject to retention under division (A) (2) of section 3313.608	1244

of the Revised Code. 1245

(ii) The students completed all of the grade levels 1246
offered prior to the fourth grade in the district or building. 1247

(1) The reading and math curricula used in each school 1248
building and whether the curriculum is designated as high- 1249
quality by the department under section 3313.6035 of the Revised 1250
Code. The department shall report the information required under 1251
this division in a form and manner determined by the department. 1252

(3) Except as provided in division (D) (3) (f) of this 1253
section, the department shall use the method prescribed under 1254
rules adopted under division (D) (4) of this section to assign 1255
performance ratings of "one star," "two stars," "three stars," 1256
"four stars," or "five stars," as described in division (F) of 1257
this section, for a district or building for the individual 1258
components prescribed under division (D) (3) of this section. The 1259
department also shall assign an overall performance rating for a 1260
district or building in accordance with division (D) (3) (g) of 1261
this section. The method shall use the performance measures 1262
prescribed under division (D) (1) of this section to calculate 1263
performance ratings for components. The method may report data 1264
under division (D) (2) of this section with corresponding 1265
components, but shall not use the data to calculate performance 1266
ratings for that component. The performance measures and 1267
reported data shall be grouped together into components as 1268
follows: 1269

(a) Gap closing. In addition to other criteria determined 1270
appropriate by the department, performance ratings for the gap 1271
closing component shall reflect whether each of the following 1272
performance measures are met or not met: 1273

(i) The gifted performance indicator as described in	1274
division (D) (1) (a) of this section;	1275
(ii) The chronic absenteeism indicator as described in	1276
division (D) (1) (b) of this section;	1277
(iii) For English learners, an English language	1278
proficiency improvement indicator established by the department;	1279
(iv) The subgroup graduation targets;	1280
(v) The subgroup achievement targets in both mathematics	1281
and English language arts;	1282
(vi) The subgroup progress targets in both mathematics and	1283
English language arts.	1284
Achievement and progress targets under division (D) (3) (a)	1285
of this section shall be calculated individually, and districts	1286
and buildings shall receive a status of met or not met on each	1287
measure. The department shall not require a subgroup of a	1288
district or building to meet both the achievement and progress	1289
targets at the same time to receive a status of met.	1290
The department shall not include any subgroup data in this	1291
measure that includes data from fewer than fifteen students. Any	1292
penalty for failing to meet the required assessment	1293
participation rate must be partially in proportion to how close	1294
the district or building was to meeting the rate requirement.	1295
(b) Achievement, which shall include the performance	1296
measure in division (D) (1) (c) of this section and the reported	1297
data in division (D) (2) (a) of this section. Performance ratings	1298
for the achievement component shall be awarded as a percentage	1299
of the maximum performance index score described in division (D)	1300
(1) (c) of this section.	1301

(c) Progress, which shall include the performance measure 1302
in division (D) (1) (d) of this section and the reported data in 1303
divisions (D) (2) (b) and (c) of this section; 1304

(d) Graduation, which shall include the performance 1305
measures in divisions (D) (1) (e) and (f) of this section and the 1306
reported data in divisions (D) (2) (d) and (j) of this section. 1307
The four-year adjusted cohort graduation rate shall be assigned 1308
a weight of sixty per cent and the five-year adjusted cohort 1309
graduation rate shall be assigned a weight of forty per cent. 1310

(e) Early literacy, which shall include the performance 1311
measures in divisions (D) (1) (g), (h), and (i) of this section 1312
and the reported data in division (D) (2) (k) of this section. 1313

If the measure prescribed under division (D) (1) (h) of this 1314
section is included in a report card, performance ratings for 1315
the early literacy component shall give a weight of forty per 1316
cent to the measure prescribed under division (D) (1) (g) of this 1317
section, a weight of thirty-five per cent to the measure 1318
prescribed under division (D) (1) (i) of this section, and a 1319
weight of twenty-five per cent to the measure prescribed under 1320
division (D) (1) (h) of this section. 1321

If the measure prescribed under division (D) (1) (h) of this 1322
section is not included in a report card of a district or 1323
building, performance ratings for the early literacy component 1324
shall give a weight of sixty per cent to the measure prescribed 1325
under division (D) (1) (g) of this section and a weight of forty 1326
per cent to the measure prescribed under division (D) (1) (i) of 1327
this section. 1328

(f) College, career, workforce, and military readiness, 1329
which shall include the performance measure in division (D) (1) 1330

(j) of this section and the reported data in division (D) (2) (e) 1331
of this section. 1332

For the 2021-2022, 2022-2023, and 2023-2024 school years, 1333
the department only shall report the data for, and not assign a 1334
performance rating to, the college, career, workforce, and 1335
military readiness component. The reported data shall include 1336
the percentage of students who demonstrate post-secondary 1337
readiness using any of the options described in division (D) (1) 1338
(j) of this section. 1339

The department shall analyze the data included in the 1340
performance measure prescribed in division (D) (1) (j) of this 1341
section for the 2021-2022, 2022-2023, and 2023-2024 school 1342
years. Using that data, the department shall develop and propose 1343
rules for a method to assign a performance rating to the 1344
college, career, workforce, and military readiness component 1345
based on that measure. The method to assign a performance rating 1346
shall not include a tiered structure or per student bonuses. The 1347
rules shall specify that a district or building shall not 1348
receive lower than a performance rating of three stars for the 1349
component if the district's or building's performance on the 1350
component meets or exceeds a level of improvement set by the 1351
department. Notwithstanding division (D) (4) (b) of this section, 1352
more than half of the total districts and buildings may earn a 1353
performance rating of three stars on this component to account 1354
for the districts and buildings that earned a performance rating 1355
of three stars because they met or exceeded the level of 1356
improvement set by the department. 1357

The department shall submit the rules to the joint 1358
committee on agency rule review. The committee shall conduct at 1359
least one public hearing on the proposed rules and approve or 1360

disapprove the rules. If the committee approves the rules, the
department shall adopt the rules in accordance with Chapter 119.
of the Revised Code. If the rules are adopted, the department
shall assign a performance rating to the college, career,
workforce, and military readiness component under the rules
beginning with the 2024-2025 school year, and for each school
year thereafter. If the committee disapproves the rules, the
component shall be included in the report card only as reported
data for the 2024-2025 school year, and each school year
thereafter.

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

(ii) If the joint committee on agency rule review approves
the department's rules regarding the college, career, workforce,
and military readiness component as described in division (D) (3)
(f) of this section, for the 2024-2025 school year, and each

school year thereafter, the department's method shall use the 1392
components in divisions (D) (3) (a), (b), (c), (d), (e), and (f) 1393
of this section to calculate the overall performance rating. The 1394
method shall give equal weight to the components in divisions 1395
(D) (3) (b) and (c) of this section. The method shall give equal 1396
weight to the components prescribed in divisions (D) (3) (a), (d), 1397
(e), and (f) of this section. The individual weights of each of 1398
the components prescribed in divisions (D) (3) (a), (d), (e), and 1399
(f) of this section shall be equal to one-half the weight given 1400
to the component prescribed in division (D) (3) (b) of this 1401
section. 1402

If the joint committee on agency rule review disapproves 1403
the department's rules regarding the college, career, workforce, 1404
and military readiness component as described in division (D) (3) 1405
(f) of this section, division (D) (3) (g) (ii) of this section does 1406
not apply. 1407

(4) (a) The department shall adopt rules in accordance with 1408
Chapter 119. of the Revised Code to establish the performance 1409
criteria, benchmarks, and rating system necessary to implement 1410
divisions (D) and (F) of this section, including the method for 1411
the department to assign performance ratings under division (D) 1412
(3) of this section. 1413

(b) In establishing the performance criteria, benchmarks, 1414
and rating system, the department shall consult with stakeholder 1415
groups and advocates that represent parents, community members, 1416
students, business leaders, and educators from different school 1417
typology regions. The department shall use data from prior 1418
school years and simulations to ensure that there is meaningful 1419
differentiation among districts and buildings across all 1420
performance ratings and that, except as permitted in division 1421

(D) (3) (f) of this section, more than half of all districts or 1422
buildings do not earn the same performance rating in any 1423
component or overall performance rating. 1424

(c) The department shall adopt the rules prescribed by 1425
division (D) (4) of this section not later than March 31, 2022. 1426
However, the department shall notify districts and buildings of 1427
the changes to the report card prescribed in law not later than 1428
one week after September 30, 2021. 1429

(d) Prior to adopting or updating rules under division (D) 1430
(4) of this section, the director of education and workforce and 1431
the department shall conduct a public presentation before the 1432
standing committees of the house of representatives and the 1433
senate that consider primary and secondary education legislation 1434
describing the format for the report card and the performance 1435
criteria, benchmarks, and rating system, including the method to 1436
assign performance ratings under division (D) (3) of this 1437
section. 1438

(E) The department may develop a measure of student 1439
academic progress for high school students using only data from 1440
assessments in English language arts and mathematics. If the 1441
department develops this measure, each school district and 1442
applicable school building shall be assigned a separate letter 1443
grade for it not sooner than the 2017-2018 school year. The 1444
district's or building's grade for that measure shall not be 1445
included in determining the district's or building's overall 1446
letter grade. 1447

(F) (1) The letter grades assigned to a school district or 1448
building under this section shall be as follows: 1449

(a) "A" for a district or school making excellent 1450

progress;	1451
(b) "B" for a district or school making above average	1452
progress;	1453
(c) "C" for a district or school making average progress;	1454
(d) "D" for a district or school making below average	1455
progress;	1456
(e) "F" for a district or school failing to meet minimum	1457
progress.	1458
(2) For the overall performance rating under division (D)	1459
(3) of this section, the department shall include a descriptor	1460
for each performance rating as follows:	1461
(a) "Significantly exceeds state standards" for a	1462
performance rating of five stars;	1463
(b) "Exceeds state standards" for a performance rating of	1464
four stars or four and one-half stars;	1465
(c) "Meets state standards" for a performance rating of	1466
three stars or three and one-half stars;	1467
(d) "Needs support to meet state standards" for a	1468
performance rating of two stars or two and one-half stars;	1469
(e) "Needs significant support to meet state standards"	1470
for a performance rating of one star or one and one-half stars.	1471
(3) For performance ratings for each component under	1472
divisions (D) (3) (a) to (f) of this section, the department shall	1473
include a description of each component and performance rating.	1474
The description shall include component-specific context to each	1475
performance rating earned, estimated comparisons to other school	1476
districts and buildings if appropriate, and any other	1477

information determined by the department. The descriptions shall 1478
be not longer than twenty-five words in length when possible. In 1479
addition to such descriptions, the department shall include the 1480
descriptors in division (F)(2) of this section for component 1481
performance ratings. 1482

(4) Each report card issued under this section shall 1483
include all of the following: 1484

(a) A graphic that depicts the performance ratings of a 1485
district or school on a color scale. The color associated with a 1486
performance rating of three stars shall be green and the color 1487
associated with a performance rating of one star shall be red. 1488

(b) An arrow graphic that shows data trends for 1489
performance ratings for school districts or buildings. The 1490
department shall determine the data to be used for this graphic, 1491
which shall include at least the three most recent years of 1492
data. 1493

(c) A description regarding the weights that are assigned 1494
to each component and used to determine an overall performance 1495
rating, as prescribed under division (D)(3)(g) of this section, 1496
which shall be included in the presentation of the overall 1497
performance rating on each report card. 1498

(G) When reporting data on student achievement and 1499
progress, the department shall disaggregate that data according 1500
to the following categories: 1501

(1) Performance of students by grade-level; 1502

(2) Performance of students by race and ethnic group; 1503

(3) Performance of students by gender; 1504

(4) Performance of students grouped by those who have been 1505

enrolled in a district or school for three or more years;	1506
(5) Performance of students grouped by those who have been	1507
enrolled in a district or school for more than one year and less	1508
than three years;	1509
(6) Performance of students grouped by those who have been	1510
enrolled in a district or school for one year or less;	1511
(7) Performance of students grouped by those who are	1512
economically disadvantaged;	1513
(8) Performance of students grouped by those who are	1514
enrolled in a conversion community school established under	1515
Chapter 3314. of the Revised Code;	1516
(9) Performance of students grouped by those who are	1517
classified as English learners;	1518
(10) Performance of students grouped by those who have	1519
disabilities;	1520
(11) Performance of students grouped by those who are	1521
classified as migrants;	1522
(12) Performance of students grouped by those who are	1523
identified as gifted in superior cognitive ability and the	1524
specific academic ability fields of reading and math pursuant to	1525
Chapter 3324. of the Revised Code. In disaggregating specific	1526
academic ability fields for gifted students, the department	1527
shall use data for those students with specific academic ability	1528
in math and reading. If any other academic field is assessed,	1529
the department shall also include data for students with	1530
specific academic ability in that field as well.	1531
(13) Performance of students grouped by those who perform	1532
in the lowest quintile for achievement on a statewide basis, as	1533

determined by a method prescribed by the department. 1534

The department may disaggregate data on student 1535
performance according to other categories that the department 1536
determines are appropriate. To the extent possible, the 1537
department shall disaggregate data on student performance 1538
according to any combinations of two or more of the categories 1539
listed in divisions (G) (1) to (13) of this section that it deems 1540
relevant. 1541

In reporting data pursuant to division (G) of this 1542
section, the department shall not include in the report cards 1543
any data statistical in nature that is statistically unreliable 1544
or that could result in the identification of individual 1545
students. For this purpose, the department shall not report 1546
student performance data for any group identified in division 1547
(G) of this section that contains less than ten students. If the 1548
department does not report student performance data for a group 1549
because it contains less than ten students, the department shall 1550
indicate on the report card that is why data was not reported. 1551

(H) The department may include with the report cards any 1552
additional education and fiscal performance data it deems 1553
valuable. 1554

(I) The department shall include on each report card a 1555
list of additional information collected by the department that 1556
is available regarding the district or building for which the 1557
report card is issued. When available, such additional 1558
information shall include student mobility data disaggregated by 1559
race and socioeconomic status, college enrollment data, and the 1560
reports prepared under section 3302.031 of the Revised Code. 1561

The department shall maintain a site on the world wide 1562

web. The report card shall include the address of the site and 1563
shall specify that such additional information is available to 1564
the public at that site. The department shall also provide a 1565
copy of each item on the list to the superintendent of each 1566
school district. The district superintendent shall provide a 1567
copy of any item on the list to anyone who requests it. 1568

(J) (1) (a) Except as provided in division (J) (1) (b) of this 1569
section, for any district that sponsors a conversion community 1570
school under Chapter 3314. of the Revised Code, the department 1571
shall combine data regarding the academic performance of 1572
students enrolled in the community school with comparable data 1573
from the schools of the district for the purpose of determining 1574
the performance of the district as a whole on the report card 1575
issued for the district under this section or section 3302.033 1576
of the Revised Code. 1577

(b) The department shall not combine data from any 1578
conversion community school that a district sponsors if the 1579
conversion community school is a dropout prevention and recovery 1580
community school, as defined in section 3314.02 of the Revised 1581
Code. The department shall include as an addendum to the 1582
district's report card the ratings and performance measures that 1583
are required under section 3314.017 of the Revised Code for any 1584
community school to which division (J) (1) (b) of this section 1585
applies. This addendum shall include, at a minimum, the data 1586
specified in divisions (C) (1) (a), (C) (2), and (C) (3) of section 1587
3314.017 of the Revised Code. 1588

(2) Any district that leases a building to a community 1589
school located in the district or that enters into an agreement 1590
with a community school located in the district whereby the 1591
district and the school endorse each other's programs may elect 1592

to have data regarding the academic performance of students 1593
enrolled in the community school combined with comparable data 1594
from the schools of the district for the purpose of determining 1595
the performance of the district as a whole on the district 1596
report card. Any district that so elects shall annually file a 1597
copy of the lease or agreement with the department. 1598

(3) Any municipal school district, as defined in section 1599
3311.71 of the Revised Code, that sponsors a community school 1600
located within the district's territory, or that enters into an 1601
agreement with a community school located within the district's 1602
territory whereby the district and the community school endorse 1603
each other's programs, may exercise either or both of the 1604
following elections: 1605

(a) To have data regarding the academic performance of 1606
students enrolled in that community school combined with 1607
comparable data from the schools of the district for the purpose 1608
of determining the performance of the district as a whole on the 1609
district's report card; 1610

(b) To have the number of students attending that 1611
community school noted separately on the district's report card. 1612

The election authorized under division (J) (3) (a) of this 1613
section is subject to approval by the governing authority of the 1614
community school. 1615

Any municipal school district that exercises an election 1616
to combine or include data under division (J) (3) of this 1617
section, by the first day of October of each year, shall file 1618
with the department documentation indicating eligibility for 1619
that election, as required by the department. 1620

(K) The department shall include on each report card the 1621

percentage of teachers in the district or building who are 1622
properly certified or licensed teachers, as defined in section 1623
3319.074 of the Revised Code, and a comparison of that 1624
percentage with the percentages of such teachers in similar 1625
districts and buildings. 1626

(L) (1) In calculating English language arts, mathematics, 1627
science, American history, or American government assessment 1628
passage rates used to determine school district or building 1629
performance under this section, the department shall include all 1630
students taking an assessment with accommodation or to whom an 1631
alternate assessment is administered pursuant to division (C) (1) 1632
or (3) of section 3301.0711 of the Revised Code and all students 1633
who take substitute examinations approved under division (B) (4) 1634
of section 3301.0712 of the Revised Code in the subject areas of 1635
science, American history and American government. 1636

(2) In calculating performance index scores, rates of 1637
achievement on the performance indicators established by the 1638
department under section 3302.02 of the Revised Code, and annual 1639
measurable objectives for determining adequate yearly progress 1640
for school districts and buildings under this section, the 1641
department shall do all of the following: 1642

(a) Include for each district or building only those 1643
students who are included in the ADM certified for the first 1644
full school week of October and are continuously enrolled in the 1645
district or building through the time of the spring 1646
administration of any assessment prescribed by division (A) (1) 1647
or (B) (1) of section 3301.0710 or division (B) of section 1648
3301.0712 of the Revised Code that is administered to the 1649
student's grade level; 1650

(b) Include cumulative totals from both the fall and 1651

spring administrations of the third grade English language arts 1652
achievement assessment and, to the extent possible, the summer 1653
administration of that assessment; 1654

(c) Include for each district or building any English 1655
learner in accordance with the department's plan, as approved by 1656
the United States secretary of education, to comply with the 1657
"Elementary and Secondary Education Act of 1965," 20 U.S.C. 6311 1658
to 6339. 1659

As used in this section, "English learner" has the same 1660
meaning as in section 3301.0731 of the Revised Code. 1661

(M) Beginning with the 2015-2016 school year and at least 1662
once every three years thereafter, the department shall review 1663
and may adjust the benchmarks for assigning letter grades or 1664
performance ratings to the performance measures and components 1665
prescribed under divisions (C) (3), (D), and (E) of this section. 1666

Sec. 3302.131. (A) As used in this section: 1667

(1) "Curriculum list" means the list of curriculum 1668
established by the department of education and workforce under 1669
section 3313.6035 of the Revised Code. 1670

(2) "Third grade mathematics assessment" means the third 1671
grade mathematics assessment prescribed under section 3301.0710 1672
of the Revised Code. 1673

(3) "Third grade student" means a student who took the 1674
third grade mathematics assessment. 1675

(B) Beginning with the 2026-2027 school year and each 1676
school year thereafter, each school district or community school 1677
in which fifty-one per cent or less of the district's or 1678
school's third grade students for that school year attained at 1679

least a proficient score on the third grade mathematics 1680
assessment shall establish and submit to the department of 1681
education and workforce a mathematics achievement improvement 1682
plan. 1683

(C) Beginning with the 2026-2027 school year and each 1684
school year thereafter, all of the following apply: 1685

(1) If thirty-three per cent or less of all of a school 1686
district's third grade students attained at least a proficient 1687
score on the third grade mathematics assessment in a school 1688
year, the district shall use a curriculum from the curriculum 1689
list in all of the schools operated by the district in 1690
subsequent school years. If not less than fifty-one per cent of 1691
the district's third grade students attain at least a proficient 1692
score on the third grade mathematics assessment in a subsequent 1693
school year, the district may cease using a curriculum from the 1694
curriculum list except with respect to a school subject to 1695
division (C) (2) of this section. 1696

(2) If thirty-three per cent or less of third grade 1697
students in a school operated by a school district attained at 1698
least a proficient score on the third grade mathematics 1699
assessment in a school year, that school shall use a curriculum 1700
from the curriculum list in subsequent school years. If not less 1701
than fifty-one per cent of the school's third grade students 1702
attain at least a proficient score on the third grade 1703
mathematics assessment in a subsequent school year, the school 1704
may cease using curriculum unless the school's district is 1705
subject to division (C) (1) of this section. 1706

(3) If thirty-three per cent or less of a community 1707
school's third grade students attained at least a proficient 1708
score on the third grade mathematics assessment, the school 1709

shall use a curriculum from the curriculum list in subsequent 1710
school years. If not less than fifty-one per cent of the 1711
school's third grade students attain at least a proficient score 1712
on the third grade mathematics assessment in a subsequent school 1713
year, the school may cease using a curriculum from the 1714
curriculum list. 1715

(D) The department shall establish guidelines prescribing 1716
the content of and deadlines for mathematics achievement 1717
improvement plans required under division (A) of this section. 1718
The guidelines shall prescribe that each plan include, at a 1719
minimum, an analysis of relevant student performance data, 1720
measurable student performance goals, strategies to meet 1721
specific student needs, a staffing and professional development 1722
plan, and instructional strategies for improving student 1723
performance. The department also shall establish guidelines 1724
regarding the implementation of the mathematics achievement 1725
improvement plans. 1726

(E) Beginning with the 2026-2027 school year and each 1727
school year thereafter, any school district or community school 1728
to which this section applies is no longer required to submit an 1729
improvement plan pursuant to division (A) of this section when 1730
not less than fifty-one per cent of the district's students who 1731
took the third grade mathematics assessment prescribed under 1732
section 3301.0710 of the Revised Code for that school year 1733
attained at least a proficient score on that assessment. 1734

(F) The department shall post in a prominent location on 1735
its web site all plans submitted and all guidelines developed 1736
pursuant to this section. 1737

(G) The department shall develop a student academic 1738
intervention template specific to mathematics and post it on its 1739

publicly accessible web site. Each district or school to which 1740
this section applies shall include the intervention template in 1741
its mathematics achievement improvement plan. 1742

Sec. 3302.132. (A) Beginning with the 2026-2027 school 1743
year and each school year thereafter, a school district shall 1744
develop a mathematics improvement and monitoring plan for each 1745
student for which it is required to provide mathematics 1746
intervention services under section 3313.6034 of the Revised 1747
Code. The district shall develop the plan within sixty days 1748
after receiving the student's results on the mathematics 1749
achievement assessment, end-of-course examination, or diagnostic 1750
assessment that qualifies the student for mathematics 1751
intervention services under that section. The district shall 1752
involve the student's parent or guardian and classroom teacher 1753
in developing the plan. The plan shall include all of the 1754
following: 1755

(1) Identification of the student's specific mathematics 1756
deficiencies; 1757

(2) A description of the additional instructional services 1758
and support that will be provided to the student to remediate 1759
the identified mathematics deficiencies; 1760

(3) Opportunities for the student's parent or guardian to 1761
be involved in the instructional services and support described 1762
in division (A) (2) of this section; 1763

(4) A process for monitoring the extent to which the 1764
student receives the instructional services and support 1765
described in division (A) (2) of this section; 1766

(5) A mathematics curriculum during regular school hours 1767
that does all of the following: 1768

- (a) Assists students in mathematics at grade level; 1769
- (b) Provides scientifically based and reliable assessment; 1770
- (c) Provides initial and ongoing analysis of each 1771
student's progress. 1772
- (6) High-dosage tutoring opportunities aligned with the 1773
student's classroom instruction through a state-approved vendor 1774
on the list of high-quality tutoring vendors under section 1775
3301.136 of the Revised Code or a locally approved opportunity 1776
that aligns with high-dosage tutoring best practices. High- 1777
dosage tutoring opportunities shall include instruction time 1778
delivered at least three days per week, or at least fifty hours 1779
over thirty-six weeks. High-dosage tutoring may be incorporated 1780
into a student's regular classroom instruction. 1781
- (B) (1) The district shall continue to implement the plan 1782
developed under division (A) of this section as follows: 1783
- (a) If the student is in the sixth grade or lower when the 1784
student is placed on the plan, the plan shall be implemented 1785
until the student completes the sixth grade. 1786
- (b) If the student has completed the sixth grade prior to 1787
being placed on the plan, the plan shall be implemented until 1788
the student achieves the required level of skill in mathematics 1789
for the student's current grade level. 1790
- (2) The district shall report any information requested by 1791
the department of education and workforce about the mathematics 1792
improvement and monitoring plans developed under this section in 1793
the manner required by the department. 1794
- Sec. 3313.6032.** (A) Beginning July 1, 2026, each school 1795
district shall do all of the following: 1796

(1) Enroll each seventh-grade student who achieves an accomplished or advanced level of skill on a mathematics achievement assessment prescribed under section 3301.0710 of the Revised Code in Algebra I in eighth grade, unless the student has already completed Algebra I. Each student shall take the corresponding required end-of-course examination for Algebra I as prescribed under division (D) of this section. 1797
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(2) Enroll each student in grades three through six who achieves an accomplished or advanced level of skill on a mathematics achievement assessment prescribed under section 3301.0710 of the Revised Code in advanced learning opportunities in mathematics. Advanced learning opportunities in mathematics means a course that exceeds the standard mathematics curriculum for the student's grade level, or services or curricula modifications in mathematics, provided either in person or through electronic means, which provide additional rigor or challenge, and may include the following: 1804
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(a) Differentiated instruction in which the depth, breadth, complexity, pacing, and acceleration is tailored to the student's particular needs and readiness; 1814
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(b) Interdisciplinary work. 1817

(3) Adopt a comprehensive mathematics placement policy that includes a curriculum plan beginning in grade three that does both of the following: 1818
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(a) Creates a timeline and explanation of how students will be prepared and placed in Algebra I; 1821
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(b) Describes how the school district will provide advanced learning opportunities in mathematics and accommodate each student in grade seven that qualifies for placement in 1823
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Algebra I under division (A) (1) of this section. 1826

(B) Each school district shall notify the parent or guardian of a student who qualifies for enrollment in Algebra I under division (A) (1) of this section of that determination. The parent or guardian of any such student may submit a written request for that student to not be enrolled in Algebra I, in which case the district is not required to enroll the student in Algebra I. 1827
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(C) The department of education and workforce shall provide school districts with guidance regarding the placement of students in Algebra I under division (A) (1) of this section, based on the student's performance in the previous school year on a mathematics achievement assessment prescribed under section 3301.0710 of the Revised Code. 1834
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(D) Each student shall take any corresponding required achievement assessment or end-of-course examination for any mathematics course the student takes as a result of enrollment in an advanced mathematics course under this section. 1840
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(E) Each school district may provide additional students advanced learning opportunities in mathematics, including enrollment in advanced courses such as Algebra I, if a student meets district requirements for such a course or would benefit from those opportunities. 1844
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Sec. 3313.6034. (A) As used in this section: 1849

(1) "Qualifying student" means a student who demonstrates a limited level of skill on an achievement assessment prescribed under section 3301.0710 or an end-of-course examination prescribed under section 3301.0712 of the Revised Code in mathematics or English language arts, or both, or who 1850
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demonstrates a level of skill that is below grade level or below 1855
proficient on a mathematics diagnostic assessment. "Qualifying 1856
student" does not include a student that has an individualized 1857
education program developed under Chapter 3323. of the Revised 1858
Code that includes services related to a traumatic brain injury 1859
or a student that attends a dropout prevention and recovery 1860
community school, as defined in section 3314.02 of the Revised 1861
Code. 1862

(2) "Tutoring supports" means high-dosage tutoring 1863
opportunities aligned with the student's classroom instruction 1864
through a state-approved vendor on the list of high-quality 1865
tutoring vendors under section 3301.136 of the Revised Code or a 1866
locally approved opportunity that aligns with high-dosage 1867
tutoring best practices. High-dosage tutoring opportunities 1868
shall include instruction time delivered at least three days per 1869
week, or at least fifty hours over thirty-six weeks. High-dosage 1870
tutoring may be incorporated into a student's regular classroom 1871
instruction. 1872

To the extent practicable, districts and schools shall 1873
endeavor to provide each of a student's tutoring supports with 1874
the same tutor. 1875

(3) "Integrated student supports" means an evidence-based 1876
approach whereby schools intentionally and systematically 1877
leverage and coordinate resources and relationships available in 1878
the school and the surrounding community to address 1879
comprehensive student strengths, interests, and needs. 1880

(B) Each school district, community school established 1881
pursuant to Chapter 3314., and STEM school established pursuant 1882
to Chapter 3326. of the Revised Code shall provide evidence- 1883
based academic intervention services, free of cost, to each 1884

qualifying student. The district or school shall provide those 1885
services directly, through a contracted vendor, or as a 1886
combination of both options. A district or school annually shall 1887
notify the department of education and workforce, through the 1888
education management information system established under 1889
section 3301.0714 of the Revised Code, of all of the following: 1890

(1) The number of qualifying students enrolled in the 1891
district or school; 1892

(2) The number of qualifying students receiving academic 1893
intervention services in mathematics, English language arts, or 1894
both; 1895

(3) The number of qualifying students receiving academic 1896
intervention services from the district or school directly, 1897
through a vendor, or a combination of both options. 1898

(C) (1) Academic intervention services provided to a 1899
student under this section may encompass a variety of evidence- 1900
based supports, including tutoring supports, additional 1901
instruction time, an extended school calendar, participation in 1902
a learning support program, or any other academically centered 1903
support service that the district or school determines will 1904
improve the student's academic performance. Intervention 1905
services may also be offered in combination with integrated 1906
student supports. 1907

(2) All academic intervention services provided to a 1908
qualifying student under this section shall align with the 1909
academic instruction the student receives. Intervention services 1910
shall be in addition to and not a replacement for existing 1911
academic instruction and other services provided to students. 1912
All academic intervention services in English language arts 1913

shall align with the science of reading as defined in section 1914
3313.6028 of the Revised Code. 1915

(D) A district or school shall ensure that academic 1916
intervention services provided to a qualifying student under 1917
division (C) of this section do not supplant the student's core 1918
academic instructional time. 1919

(E) (1) A district or school shall notify the parent or 1920
guardian of a qualifying student that the student will receive 1921
academic intervention services prior to providing services to 1922
the student. Notification shall include a description of which 1923
intervention or interventions the qualifying student will 1924
receive and who will provide services to the student. 1925

(2) The district or school periodically shall update the 1926
parent or guardian on the academic intervention services 1927
provided to the qualifying student and shall provide resources 1928
and recommendations for ways the parent or guardian may assist 1929
the qualifying student. 1930

(F) (1) Beginning with the 2026-2027 school year, and each 1931
school year thereafter, the department randomly shall identify 1932
and select individual schools operated by a school district, 1933
community schools, and STEM schools for a review of their 1934
academic intervention services for qualifying students under 1935
this section. The department shall not select more than five per 1936
cent of all schools to review each year. No school shall be 1937
selected for review more than once every three years. The review 1938
shall include, at a minimum, a document review, interviews with 1939
applicable school staff, and observations of interventions. 1940

The review shall assess all of the following: 1941

(a) Whether qualifying students receive academic 1942

intervention services in accordance with division (B) of this 1943
section; 1944

(b) The types and methods of academic intervention 1945
services that qualifying students receive; 1946

(c) The quality of the academic intervention services 1947
provided by the school or the contracted vendor. To determine 1948
quality, the department may consider the length and duration of 1949
the intervention, specific programs and curriculum being used, 1950
the credentials and training of intervention providers, and data 1951
regarding qualifying student progress. 1952

(2) The department shall provide a report to the school 1953
containing its review of the school's academic intervention 1954
services not later than seventy-five days after the department 1955
completes the review. Each report shall include an assessment of 1956
the efficacy of the academic intervention services provided to 1957
qualifying students, along with any recommendations the 1958
department considers necessary. The school shall post a copy of 1959
the report on its web site and shall make the report available 1960
upon request to any person. The department shall include a 1961
review completed under this division as part of the student 1962
opportunity profile on the state report card under section 1963
3302.03 of the Revised Code. 1964

(3) The department may contract with an organization that 1965
has documented expertise in supporting school improvement and 1966
academic intervention services to help with conducting its 1967
review under division (F) of this section. 1968

(G) (1) A student is no longer a qualifying student under 1969
this section when the student achieves a level of skill higher 1970
than limited on a statewide assessment or diagnostic assessment 1971

prescribed under sections 3301.079, 3301.0710, 3301.0712, and 1972
3301.0715 of the Revised Code, in mathematics or English 1973
language arts, taken for the grade level in which the student is 1974
enrolled. 1975

(2) If a qualifying student receiving academic 1976
intervention services in both mathematics and English language 1977
arts demonstrates a skill greater than limited under this 1978
section in one, but not both, subject areas, the student shall 1979
continue to receive academic intervention services for the 1980
subject area in which the student continues to demonstrate a 1981
limited level of skill. 1982

(3) Any student in any of grades nine through twelve who 1983
fails to demonstrate a level of skill greater than limited on an 1984
end-of-course examination in mathematics or English language 1985
arts, or both, as prescribed under section 3301.0712 of the 1986
Revised Code, and is not required to retake the examination, 1987
continues to qualify for intervention services under this 1988
section. For such a student, the district or school shall align 1989
intervention services with the student's selected graduation 1990
pathway prescribed under section 3313.618 of the Revised Code. 1991

(H) Nothing in this section prohibits a district or school 1992
from providing academic intervention services to a student who 1993
does not meet the definition of a qualifying student under this 1994
section. 1995

Sec. 3313.6035. Not later than April 15, 2026, the 1996
department of education and workforce shall review core math 1997
curricula and establish a list of high-quality core curriculum 1998
and instructional materials in mathematics, and a list of 1999
evidence-based math intervention programs, that are aligned with 2000
state standards and best practices. Each school district, 2001

community school established under Chapter 3314. of the Revised 2002
Code, and STEM school established under Chapter 3326. of the 2003
Revised Code may use the core curriculum and instructional 2004
materials established by the department or may select different 2005
high-quality core curriculum and instructional materials. 2006

Sec. 3314.03. A copy of every contract entered into under 2007
this section shall be filed with the director of education and 2008
workforce. The department of education and workforce shall make 2009
available on its web site a copy of every approved, executed 2010
contract filed with the director under this section. 2011

(A) Each contract entered into between a sponsor and the 2012
governing authority of a community school shall specify the 2013
following: 2014

(1) That the school shall be established as either of the 2015
following: 2016

(a) A nonprofit corporation established under Chapter 2017
1702. of the Revised Code, if established prior to April 8, 2018
2003; 2019

(b) A public benefit corporation established under Chapter 2020
1702. of the Revised Code, if established after April 8, 2003. 2021

(2) The education program of the school, including the 2022
school's mission and educational philosophy, the characteristics 2023
of the students the school is expected to attract, the ages and 2024
grades of students, and the focus of the curriculum; 2025

(3) The academic goals to be achieved and the method of 2026
measurement that will be used to determine progress toward those 2027
goals, which shall include the statewide achievement 2028
assessments; 2029

(4) Performance standards, including but not limited to	2030
all applicable report card measures set forth in section 3302.03	2031
or 3314.017 of the Revised Code, by which the success of the	2032
school will be evaluated by the sponsor;	2033
(5) The admission standards of section 3314.06 of the	2034
Revised Code and, if applicable, section 3314.061 of the Revised	2035
Code;	2036
(6) (a) Dismissal procedures;	2037
(b) A requirement that the governing authority adopt an	2038
attendance policy that includes a procedure for automatically	2039
withdrawing a student from the school if the student without a	2040
legitimate excuse fails to participate in seventy-two	2041
consecutive hours of the learning opportunities offered to the	2042
student.	2043
(7) The ways by which the school will achieve racial and	2044
ethnic balance reflective of the community it serves;	2045
(8) Requirements for financial audits by the auditor of	2046
state. The contract shall require financial records of the	2047
school to be maintained in the same manner as are financial	2048
records of school districts, pursuant to rules of the auditor of	2049
state. Audits shall be conducted in accordance with section	2050
117.10 of the Revised Code.	2051
(9) An addendum to the contract outlining the facilities	2052
to be used that contains at least the following information:	2053
(a) A detailed description of each facility used for	2054
instructional purposes;	2055
(b) The annual costs associated with leasing each facility	2056
that are paid by or on behalf of the school;	2057

(c) The annual mortgage principal and interest payments that are paid by the school;	2058 2059
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	2060 2061 2062
(10) Qualifications of employees, including both of the following:	2063 2064
(a) A requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours or forty hours per week pursuant to section 3319.301 of the Revised Code;	2065 2066 2067 2068 2069
(b) A prohibition against the school employing an individual described in section 3314.104 of the Revised Code in any position.	2070 2071 2072
(11) That the school will comply with the following requirements:	2073 2074
(a) The school will provide learning opportunities to a minimum of twenty-five students for a minimum of nine hundred twenty hours per school year.	2075 2076 2077
(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the school.	2078 2079 2080
(c) The school will be nonsectarian in its programs, admission policies, employment practices, and all other operations, and will not be operated by a sectarian school or religious institution.	2081 2082 2083 2084
(d) The school will comply with sections 9.90, 9.91,	2085

109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 2086
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.24, 3301.948, 2087
3302.037, 3302.131, 3302.132, 3313.472, 3313.473, 3313.474, 2088
3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 2089
3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6020, 3313.6024, 2090
3313.6026, 3313.6028, 3313.6029, 3313.6031, 3313.6032, 2091
3313.6034, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 2092
3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 2093
3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 2094
3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 2095
3313.721, 3313.753, 3313.80, 3313.814, 3313.816, 3313.817, 2096
3313.818, 3313.819, 3313.8110, 3313.86, 3313.89, 3313.96, 2097
3319.073, 3319.077, 3319.078, 3319.0812, 3319.2214, 3319.238, 2098
3319.318, 3319.321, 3319.324, 3319.39, 3319.391, 3319.393, 2099
3319.41, 3319.46, 3319.90, 3319.614, 3320.01, 3320.02, 3320.03, 2100
3320.04, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 2101
3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 2102
4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 117., 2103
1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. of 2104
the Revised Code as if it were a school district and will comply 2105
with section 3301.0714 of the Revised Code in the manner 2106
specified in section 3314.17 of the Revised Code. 2107

(e) The school shall comply with Chapter 102. and section 2108
2921.42 of the Revised Code. 2109

(f) The school will comply with sections 3313.61, 2110
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 2111
Revised Code, except that for students who enter ninth grade for 2112
the first time before July 1, 2010, the requirement in sections 2113
3313.61 and 3313.611 of the Revised Code that a person must 2114
successfully complete the curriculum in any high school prior to 2115
receiving a high school diploma may be met by completing the 2116

curriculum adopted by the governing authority of the community 2117
school rather than the curriculum specified in Title XXXVIII of 2118
the Revised Code or any rules of the department. Beginning with 2119
students who enter ninth grade for the first time on or after 2120
July 1, 2010, the requirement in sections 3313.61 and 3313.611 2121
of the Revised Code that a person must successfully complete the 2122
curriculum of a high school prior to receiving a high school 2123
diploma shall be met by completing the requirements prescribed 2124
in section 3313.6027 and division (C) of section 3313.603 of the 2125
Revised Code, unless the person qualifies under division (D) or 2126
(F) of that section. Each school shall comply with the plan for 2127
awarding high school credit based on demonstration of subject 2128
area competency, and beginning with the 2017-2018 school year, 2129
with the updated plan that permits students enrolled in seventh 2130
and eighth grade to meet curriculum requirements based on 2131
subject area competency adopted by the department under 2132
divisions (J) (1) and (2) of section 3313.603 of the Revised 2133
Code. Beginning with the 2018-2019 school year, the school shall 2134
comply with the framework for granting units of high school 2135
credit to students who demonstrate subject area competency 2136
through work-based learning experiences, internships, or 2137
cooperative education developed by the department under division 2138
(J) (3) of section 3313.603 of the Revised Code. 2139

(g) The school governing authority will submit within four 2140
months after the end of each school year a report of its 2141
activities and progress in meeting the goals and standards of 2142
divisions (A) (3) and (4) of this section and its financial 2143
status to the sponsor and the parents of all students enrolled 2144
in the school. 2145

(h) The school, unless it is an internet- or computer- 2146
based community school, will comply with section 3313.801 of the 2147

Revised Code as if it were a school district. 2148

(i) If the school is the recipient of moneys from a grant 2149
awarded under the federal race to the top program, Division (A), 2150
Title XIV, Sections 14005 and 14006 of the "American Recovery 2151
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 2152
the school will pay teachers based upon performance in 2153
accordance with section 3317.141 and will comply with section 2154
3319.111 of the Revised Code as if it were a school district. 2155

(j) If the school operates a preschool program that is 2156
licensed by the department under sections 3301.52 to 3301.59 of 2157
the Revised Code, the school shall comply with sections 3301.50 2158
to 3301.59 of the Revised Code and the minimum standards for 2159
preschool programs prescribed in rules adopted by the department 2160
of children and youth under section 3301.53 of the Revised Code. 2161

(k) The school will comply with sections 3313.6021 and 2162
3313.6023 of the Revised Code as if it were a school district 2163
unless it is either of the following: 2164

(i) An internet- or computer-based community school; 2165

(ii) A community school in which a majority of the 2166
enrolled students are children with disabilities as described in 2167
division (B) (2) of section 3314.35 of the Revised Code. 2168

(l) The school will comply with section 3321.191 of the 2169
Revised Code, unless it is an internet- or computer-based 2170
community school that is subject to section 3314.261 of the 2171
Revised Code. 2172

(m) The school will comply with section 3313.7118 of the 2173
Revised Code if it serves elementary school students. 2174

(12) Arrangements for providing health and other benefits 2175

to employees;	2176
(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.	2177 2178 2179 2180
(14) The governing authority of the school, which shall be responsible for carrying out the provisions of the contract;	2181 2182
(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.	2183 2184 2185
(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;	2186 2187 2188 2189
(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:	2190 2191 2192 2193 2194
(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 delegating to the governing authority of the community school with respect to all or any specified group of employees provided the delegation is not prohibited by a collective bargaining agreement applicable to such employees;	2195 2196 2197 2198 2199 2200 2201
(b) Alternative arrangements for current public school students who choose not to attend the converted school and for teachers who choose not to teach in the school or building after	2202 2203 2204

conversion.	2205
(18) Provisions establishing procedures for resolving disputes or differences of opinion between the sponsor and the governing authority of the community school;	2206 2207 2208
(19) A provision requiring the governing authority to adopt a policy regarding the admission of students who reside outside the district in which the school is located. That policy shall comply with the admissions procedures specified in sections 3314.06 and 3314.061 of the Revised Code and, at the sole discretion of the authority, shall do one of the following:	2209 2210 2211 2212 2213 2214
(a) Prohibit the enrollment of students who reside outside the district in which the school is located;	2215 2216
(b) Permit the enrollment of students who reside in districts adjacent to the district in which the school is located;	2217 2218 2219
(c) Permit the enrollment of students who reside in any other district in the state.	2220 2221
(20) A provision recognizing the authority of the department to take over the sponsorship of the school in accordance with the provisions of division (C) of section 3314.015 of the Revised Code;	2222 2223 2224 2225
(21) A provision recognizing the sponsor's authority to assume the operation of a school under the conditions specified in division (B) of section 3314.073 of the Revised Code;	2226 2227 2228
(22) A provision recognizing both of the following:	2229
(a) The authority of public health and safety officials to inspect the facilities of the school and to order the facilities closed if those officials find that the facilities are not in	2230 2231 2232

compliance with health and safety laws and regulations; 2233

(b) The authority of the department as the community 2234
school oversight body to suspend the operation of the school 2235
under section 3314.072 of the Revised Code if the department has 2236
evidence of conditions or violations of law at the school that 2237
pose an imminent danger to the health and safety of the school's 2238
students and employees and the sponsor refuses to take such 2239
action. 2240

(23) A description of the learning opportunities that will 2241
be offered to students including both classroom-based and non- 2242
classroom-based learning opportunities that is in compliance 2243
with criteria for student participation established by the 2244
department under division (H) (2) of section 3314.08 of the 2245
Revised Code; 2246

(24) The school will comply with sections 3302.04 and 2247
3302.041 of the Revised Code, except that any action required to 2248
be taken by a school district pursuant to those sections shall 2249
be taken by the sponsor of the school. 2250

(25) Beginning in the 2006-2007 school year, the school 2251
will open for operation not later than the thirtieth day of 2252
September each school year, unless the mission of the school as 2253
specified under division (A) (2) of this section is solely to 2254
serve dropouts. In its initial year of operation, if the school 2255
fails to open by the thirtieth day of September, or within one 2256
year after the adoption of the contract pursuant to division (D) 2257
of section 3314.02 of the Revised Code if the mission of the 2258
school is solely to serve dropouts, the contract shall be void. 2259

(26) Whether the school's governing authority is planning 2260
to seek designation for the school as a STEM school equivalent 2261

under section 3326.032 of the Revised Code;	2262
(27) That the school's attendance and participation policies will be available for public inspection;	2263 2264
(28) That the school's attendance and participation records shall be made available to the department, auditor of state, and school's sponsor to the extent permitted under and in accordance with the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any regulations promulgated under that act, and section 3319.321 of the Revised Code;	2265 2266 2267 2268 2269 2270 2271
(29) If a school operates using the blended learning model, as defined in section 3301.079 of the Revised Code, all of the following information:	2272 2273 2274
(a) An indication of what blended learning model or models will be used;	2275 2276
(b) A description of how student instructional needs will be determined and documented;	2277 2278
(c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level;	2279 2280
(d) The school's attendance requirements, including how the school will document participation in learning opportunities;	2281 2282 2283
(e) A statement describing how student progress will be monitored;	2284 2285
(f) A statement describing how private student data will be protected;	2286 2287
(g) A description of the professional development	2288

activities that will be offered to teachers.	2289
(30) A provision requiring that all moneys the school's operator loans to the school, including facilities loans or cash flow assistance, must be accounted for, documented, and bear interest at a fair market rate;	2290 2291 2292 2293
(31) A provision requiring that, if the governing authority contracts with an attorney, accountant, or entity specializing in audits, the attorney, accountant, or entity shall be independent from the operator with which the school has contracted.	2294 2295 2296 2297 2298
(32) A provision requiring the governing authority to adopt an enrollment and attendance policy that requires a student's parent to notify the community school in which the student is enrolled when there is a change in the location of the parent's or student's primary residence.	2299 2300 2301 2302 2303
(33) A provision requiring the governing authority to adopt a student residence and address verification policy for students enrolling in or attending the school.	2304 2305 2306
(34) A provision establishing the process by which the governing authority of the school will be selected in the future.	2307 2308 2309
(35) A description of the management and administration of the school.	2310 2311
(36) A provision requiring the governing authority to adopt policies and procedures to establish internal financial controls for the school.	2312 2313 2314
(B) A contract entered into under section 3314.02 of the Revised Code between a sponsor and the governing authority of a	2315 2316

community school may provide for the community school governing 2317
authority to make payments to the sponsor, which is hereby 2318
authorized to receive such payments as set forth in the contract 2319
between the governing authority and the sponsor. The total 2320
amount of such payments for monitoring, oversight, and technical 2321
assistance of the school shall not exceed three per cent of the 2322
total amount of payments for operating expenses that the school 2323
receives from the state. 2324

(C) The contract shall specify the duties of the sponsor 2325
which shall be in accordance with the written agreement entered 2326
into with the department under division (B) of section 3314.015 2327
of the Revised Code and shall include the following: 2328

(1) Monitor the community school's compliance with all 2329
laws applicable to the school and with the terms of the 2330
contract; 2331

(2) Monitor and evaluate the academic and fiscal 2332
performance and the organization and operation of the community 2333
school on at least an annual basis; 2334

(3) Provide technical assistance to the community school 2335
in complying with laws applicable to the school and terms of the 2336
contract; 2337

(4) Take steps to intervene in the school's operation to 2338
correct problems in the school's overall performance, declare 2339
the school to be on probationary status pursuant to section 2340
3314.073 of the Revised Code, suspend the operation of the 2341
school pursuant to section 3314.072 of the Revised Code, or 2342
terminate the contract of the school pursuant to section 3314.07 2343
of the Revised Code as determined necessary by the sponsor; 2344

(5) Have in place a plan of action to be undertaken in the 2345

event the community school experiences financial difficulties or 2346
closes prior to the end of a school year. 2347

(D) Upon the expiration of a contract entered into under 2348
this section, the sponsor of a community school may, with the 2349
approval of the governing authority of the school, renew that 2350
contract for a period of time determined by the sponsor, but not 2351
ending earlier than the end of any school year, if the sponsor 2352
finds that the school's compliance with applicable laws and 2353
terms of the contract and the school's progress in meeting the 2354
academic goals prescribed in the contract have been 2355
satisfactory. Any contract that is renewed under this division 2356
remains subject to the provisions of sections 3314.07, 3314.072, 2357
and 3314.073 of the Revised Code. 2358

(E) If a community school fails to open for operation 2359
within one year after the contract entered into under this 2360
section is adopted pursuant to division (D) of section 3314.02 2361
of the Revised Code or permanently closes prior to the 2362
expiration of the contract, the contract shall be void and the 2363
school shall not enter into a contract with any other sponsor. A 2364
school shall not be considered permanently closed because the 2365
operations of the school have been suspended pursuant to section 2366
3314.072 of the Revised Code. 2367

Sec. 3317.25. (A) As used in this section, "disadvantaged 2368
pupil impact aid" means the following: 2369

(1) For a city, local, or exempted village school 2370
district, the funds received under division (A)(4)(a) of section 2371
3317.022 of the Revised Code; 2372

(2) For a joint vocational school district, the funds 2373
received under division (A)(3) of section 3317.16 of the Revised 2374

Code;	2375
(3) For a community school established under Chapter 3314. of the Revised Code, the funds received under division (A) (4) (b) of section 3317.022 of the Revised Code;	2376 2377 2378
(4) For a STEM school established under Chapter 3326. of the Revised Code, the funds received under division (A) (4) (b) of section 3317.022 of the Revised Code.	2379 2380 2381
(B) (1) For fiscal years 2026 and 2027, a city, local, exempted village, or joint vocational school district, community school, or STEM school shall spend the disadvantaged pupil impact aid it receives for any of the following initiatives or a combination of any of the following initiatives:	2382 2383 2384 2385 2386
(a) Extended school day and school year;	2387
(b) Reading improvement and intervention that is aligned with the science of reading and evidence-based strategies for effective literacy instruction;	2388 2389 2390
(c) Instructional technology or blended learning;	2391
(d) Professional development in the science of reading and evidence-based strategies for effective literacy instruction for teachers of students in kindergarten through third grade;	2392 2393 2394
(e) Dropout prevention;	2395
(f) School safety and security measures;	2396
(g) Community learning centers that address barriers to learning;	2397 2398
(h) Academic interventions for students in any of grades six through twelve;	2399 2400
(i) Employment of an individual who has successfully	2401

completed the bright new leaders for Ohio schools program as a	2402
principal or an assistant principal under section 3319.272 of	2403
the Revised Code;	2404
(j) Mental health services, including telehealth services,	2405
community-based behavioral health services, and recovery	2406
supports;	2407
(k) Culturally appropriate, evidence-based or evidence-	2408
informed prevention services, including youth-led programming	2409
and curricula to promote mental health and prevent substance use	2410
and suicide, and trauma-informed services;	2411
(l) Services for homeless youth;	2412
(m) Services for child welfare involved youth;	2413
(n) Community liaisons or programs that connect students	2414
to community resources, including behavioral wellness	2415
coordinators and city connects, communities in schools, and	2416
other similar programs;	2417
(o) Physical health care services, including telehealth	2418
services and community-based health services;	2419
(p) Family engagement and support services;	2420
(q) Student services provided prior to or after the	2421
regularly scheduled school day or any time school is not in	2422
session, including mentoring programs;	2423
<u>(r) Professional development on evidence-based strategies</u>	2424
<u>for effective mathematics instruction;</u>	2425
<u>(s) Implementation of high-quality core curriculum in math</u>	2426
<u>identified by the department of education and workforce under</u>	2427
<u>section 3313.6035 of the Revised Code.</u>	2428

(2) For fiscal year 2028 and each fiscal year thereafter, 2429
each city, local, exempted village, and joint vocational school 2430
district, community school, and STEM school shall spend the 2431
disadvantaged pupil impact aid it receives for one or more 2432
initiatives specified by the general assembly. 2433

(C) (1) For fiscal years 2026 and 2027, each city, local, 2434
exempted village, and joint vocational school district, 2435
community school, and STEM school that is subject to the 2436
requirements of this section shall develop a plan for utilizing 2437
the disadvantaged pupil impact aid it receives in coordination 2438
with at least one of the following community partners: 2439

(a) A board of alcohol, drug addiction, and mental health 2440
services established under Chapter 340. of the Revised Code; 2441

(b) An educational service center; 2442

(c) A county board of developmental disabilities; 2443

(d) A community mental health prevention or treatment 2444
provider; 2445

(e) A board of health of a city or general health 2446
district; 2447

(f) A county department of job and family services; 2448

(g) A nonprofit organization with experience serving 2449
children; 2450

(h) A public hospital agency. 2451

(2) For fiscal year 2028 and each fiscal year thereafter, 2452
each city, local, exempted village, and joint vocational school 2453
district, community school, and STEM school that is subject to 2454
the requirements of this section shall develop a plan for 2455

utilizing the disadvantaged pupil impact aid it receives in the 2456
manner specified by the general assembly, if the general 2457
assembly requires city, local, exempted village, and joint 2458
vocational school districts, community schools, and STEM schools 2459
to develop such a plan. 2460

(D) After the end of each fiscal year, each city, local, 2461
exempted village, or joint vocational school district, community 2462
school, and STEM school shall submit a report to the department 2463
of education and workforce describing the initiative or 2464
initiatives on which the district's or school's disadvantaged 2465
pupil impact aid were spent during that fiscal year. For fiscal 2466
years 2026 and 2027, this report shall be submitted in a manner 2467
prescribed by the department and shall also describe the amount 2468
of money that was spent on each initiative. 2469

(E) Starting in 2015, the department shall submit a report 2470
of the information it receives under division (C) of this 2471
section to the general assembly not later than the first day of 2472
December of each odd-numbered year in accordance with section 2473
101.68 of the Revised Code. 2474

Sec. 3319.2214. This section applies to each individual 2475
who applies for a new valid educator license under section 2476
3319.22 of the Revised Code with a grade band specification of 2477
grades pre-kindergarten through eight and who may be assigned to 2478
teach mathematics. 2479

The state board of education shall assess whether each 2480
individual to whom this section applies is proficient in 2481
mathematics at the time that individual applies for a license. 2482
The chancellor of higher education, in consultation with the 2483
department of education and workforce, shall define the level of 2484
proficiency at which individuals are prepared to provide high- 2485

quality math instruction. The chancellor and the department 2486
shall collaborate with the state board to set appropriate 2487
benchmarks. Whether that individual is proficient in mathematics 2488
does not affect the state board's duty to issue that applicant a 2489
license. 2490

However, the state board shall certify to each school 2491
district or other school that employs that individual whether 2492
the individual is proficient in mathematics based on the state 2493
board's assessment. If the individual has not demonstrated 2494
proficiency in mathematics, the district or school shall not 2495
assign that individual to teach mathematics. Nevertheless, the 2496
district or school may permit that individual to teach in other 2497
subject areas. 2498

An individual who has not demonstrated proficiency in 2499
mathematics according to the state board's assessment may retake 2500
the assessment. If the individual demonstrates proficiency in 2501
mathematics in the subsequent assessment, the state board shall 2502
certify to each school district or other school that employs the 2503
individual that the individual is proficient in mathematics. In 2504
that case, the district or school may assign the individual to 2505
teach mathematics. 2506

The state board shall adopt rules to implement this 2507
section. 2508

Sec. 3319.2311. The department of education and workforce 2509
shall do both of the following: 2510

(A) Develop a professional development course that focuses 2511
on foundational knowledge in mathematics and integrates life 2512
skills; 2513

(B) Not later than December 31, 2026, develop a pilot 2514

series of professional development programs for school and 2515
regional educational leaders on evidence-based mathematics 2516
instruction. 2517

Sec. 3324.10. (A) The department of education and 2518
workforce shall adopt a model student acceleration policy 2519
addressing recommendations in the former department of 2520
education's 2005 study conducted under the gifted research and 2521
demonstration grant program. The policy shall address, but not 2522
be limited to, whole grade acceleration, subject area 2523
acceleration, and early high school graduation. The policy also 2524
shall include providing advanced learning opportunities in 2525
mathematics under section 3313.6032 of the Revised Code. 2526

(B) The board of education of each city, local, and 2527
exempted village school district shall implement a student 2528
acceleration policy to take effect beginning in the 2006-2007 2529
school year. The policy shall either be the model adopted by the 2530
department under division (A) of this section or a policy 2531
covering similar issues that is adopted by the district board. 2532
If the district board does not adopt the department's model, it 2533
shall submit its policy to the department for review and 2534
approval. The department, upon request, shall provide technical 2535
assistance to the district board in developing the policy. 2536

Sec. 3326.11. Each science, technology, engineering, and 2537
mathematics school established under this chapter and its 2538
governing body shall comply with sections 9.90, 9.91, 109.65, 2539
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 2540
3301.0714, 3301.0715, 3301.0729, 3301.24, 3301.948, 3302.037, 2541
3302.131, 3302.132, 3313.14, 3313.15, 3313.16, 3313.18, 2542
3313.201, 3313.26, 3313.472, 3313.473, 3313.474, 3313.48, 2543
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.5318, 2544

3313.5319, 3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6020, 2545
3313.6021, 3313.6023, 3313.6024, 3313.6026, 3313.6028, 2546
3313.6029, 3313.6031, 3313.6032, 3313.6034, 3313.61, 3313.611, 2547
3313.614, 3313.615, 3313.617, 3313.618, 3313.6114, 3313.643, 2548
3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 2549
3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 2550
3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 2551
3313.717, 3313.718, 3313.719, 3313.7112, 3313.7117, 3313.7118, 2552
3313.721, 3313.753, 3313.80, 3313.801, 3313.814, 3313.816, 2553
3313.817, 3313.818, 3313.819, 3313.8110, 3313.86, 3313.89, 2554
3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.21, 2555
3319.2214, 3319.238, 3319.318, 3319.32, 3319.321, 3319.324, 2556
3319.35, 3319.39, 3319.391, 3319.393, 3319.41, 3319.45, 3319.46, 2557
3319.614, 3319.90, 3320.01, 3320.02, 3320.03, 3320.04, 3321.01, 2558
3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 2559
3321.19, 3321.191, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 2560
4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 102., 2561
117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 4123., 2562
4141., and 4167. of the Revised Code as if it were a school 2563
district. 2564

Section 2. That existing sections 3301.0714, 3302.03, 2565
3314.03, 3317.25, 3324.10, and 3326.11 of the Revised Code are 2566
hereby repealed. 2567

Section 3. That section 3313.6032 of the Revised Code is 2568
hereby repealed. 2569

Section 4. This act shall be known as the Science of Math 2570
Act. 2571

Section 5. The General Assembly, applying the principle 2572
stated in division (B) of section 1.52 of the Revised Code that 2573
amendments are to be harmonized if reasonably capable of 2574

simultaneous operation, finds that the following sections, 2575
presented in this act as composites of the sections as amended 2576
by the acts indicated, are the resulting versions of the 2577
sections in effect prior to the effective date of the sections 2578
as presented in this act: 2579

Section 3314.03 of the Revised Code as amended by both 2580
H.B. 10 and H.B. 96 of the 136th General Assembly. 2581

Section 3326.11 of the Revised Code as amended by both 2582
H.B. 10 and H.B. 96 of the 136th General Assembly. 2583