

As Introduced

**136th General Assembly
Regular Session
2025-2026**

S. B. No. 127

Senator Brenner

A BILL

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

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

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

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

workforce. Beginning with students who enter the ninth grade for 20
the first time on or after July 1, 2014, the system shall 21
replace the Ohio graduation tests prescribed in division (B)(1) 22
of section 3301.0710 of the Revised Code as a measure of student 23
academic performance and one determinant of eligibility for a 24
high school diploma in the manner prescribed by rule adopted 25
under division (D) of this section. 26

(B) The college and work ready assessment system shall 27
consist of the following: 28

(1)(a) Except as provided in division (B)(1)(b) of this 29
section, nationally standardized assessments that measure 30
college and career readiness and are used for college admission. 31
The assessments shall be selected jointly by the department and 32
the chancellor, and one of which shall be selected by each 33
school district or school to administer to its students. The 34
assessments prescribed under division (B)(1) of this section 35
shall be administered to all eleventh-grade students in the 36
spring of the school year. 37

(b) Beginning with students who enter the ninth grade for 38
the first time on or after July 1, 2022, the parent or guardian 39
of a student may elect not to have a nationally standardized 40
assessment administered to that student. In that event, the 41
student's school district or school shall not administer the 42
nationally standardized assessment to that student. 43

(2)(a) Except as provided in division (B)(2)(b) of this 44
section, seven end-of-course examinations, one in each of the 45
areas of English language arts I, English language arts II, 46
science, Algebra I, geometry, American history, and American 47
government. The end-of-course examinations shall be selected 48
jointly by the department and the chancellor in consultation 49

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

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

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

(3) The end-of-course examinations in American history and 79

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

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

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

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

(ii) If a student is enrolled in an appropriate course 102
under any other advanced standing program, as described in 103
section 3313.6013 of the Revised Code, that student shall not be 104
required to take the science, American history, or American 105
government end-of-course examination, whichever is applicable, 106
prescribed under division (B) (2) of this section. Instead, that 107
student's final course grade shall be used in lieu of the 108
applicable end-of-course examination prescribed under that 109

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

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

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

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

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

(a) Determine and designate at least five ranges of scores 128
on each of the end-of-course examinations prescribed under 129
division (B) (2) of this section, and substitute examinations 130
prescribed under division (B) (4) of this section. Not later than 131
sixty days after the designation of ranges of scores, the 132
director of education and workforce shall conduct a public 133
presentation before the standing committees of the house of 134
representatives and the senate that consider primary and 135
secondary education legislation regarding the designated range 136
of scores. Each range of scores shall be considered to 137
demonstrate a level of achievement so that any student attaining 138

a score within such range has achieved one of the following:	139
(i) An advanced level of skill;	140
(ii) An accomplished level of skill;	141
(iii) A proficient level of skill;	142
(iv) A basic level of skill;	143
(v) A limited level of skill.	144
(b) Determine a method by which to calculate a cumulative performance score based on the results of a student's end-of-course examinations or substitute examinations;	145 146 147
(c) Determine the minimum cumulative performance score that demonstrates the level of academic achievement necessary to earn a high school diploma under division (A) (2) of section 3313.618 of the Revised Code. However, no new minimum cumulative performance score shall be determined after October 17, 2019.	148 149 150 151 152
(d) Develop a table of corresponding score equivalents for the end-of-course examinations and substitute examinations in order to calculate student performance consistently across the different examinations.	153 154 155 156
A score of two on an advanced placement examination or a score of two or three on an international baccalaureate examination shall be considered equivalent to a proficient level of skill as specified under division (B) (5) (a) (iii) of this section.	157 158 159 160 161
(6) (a) A student who meets both of the following conditions shall not be required to take an end-of-course examination:	162 163 164
(i) The student received high school credit prior to July	165

1, 2015, for a course for which the end-of-course examination is prescribed. 166
167

(ii) The examination was not available for administration 168
prior to July 1, 2015. 169

Receipt of credit for the course described in division (B) 170
(6) (a) (i) of this section shall satisfy the requirement to take 171
the end-of-course examination. A student exempted under division 172
(B) (6) (a) of this section may take the applicable end-of-course 173
examination at a later date. 174

(b) For purposes of determining whether a student who is 175
exempt from taking an end-of-course examination under division 176
(B) (6) (a) of this section has attained the cumulative score 177
prescribed by division (B) (5) (c) of this section, such student 178
shall select either of the following: 179

(i) The student is considered to have attained a 180
proficient score on the end-of-course examination from which the 181
student is exempt; 182

(ii) The student's final course grade shall be used in 183
lieu of a score on the end-of-course examination from which the 184
student is exempt. 185

The department, in consultation with the chancellor, shall 186
adopt guidelines for purposes of calculating the corresponding 187
final course grades and the minimum cumulative performance score 188
that demonstrates the level of academic achievement necessary to 189
earn a high school diploma. 190

(7) (a) Notwithstanding anything to the contrary in this 191
section, the department may replace the algebra I end-of-course 192
examination prescribed under division (B) (2) of this section 193
with an algebra II end-of-course examination, beginning with the 194

2016-2017 school year for students who enter ninth grade on or 195
after July 1, 2016. 196

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

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

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

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

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

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

(8) (a) For students entering the ninth grade for the first 220
time on or after July 1, 2014, but prior to July 1, 2015, the 221
assessment in the area of science shall be physical science or 222
biology. For students entering the ninth grade for the first 223

time on or after July 1, 2015, the assessment in the area of 224
science shall be biology. 225

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

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

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

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

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

(D) Upon completion of the development of the assessment 251
system, the department shall adopt rules prescribing all of the 252

following: 253

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

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

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

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

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

(E) (1) Any person enrolled in a nonchartered nonpublic 277
school or any person who is exempt from attendance at school for 278
the purpose of home education under section 3321.042 of the 279
Revised Code may choose to participate in the system of 280
assessments administered under divisions (B) (1) and (2) of this 281

section. However, no such person shall be required to 282
participate in the system of assessments. 283

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

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

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

Annually, not later than the fifteenth day of September or 304
the preceding Friday when that day falls on a Saturday or 305
Sunday, the department shall assign a letter grade or 306
performance rating for overall academic performance and for each 307
separate performance measure for each school district, and each 308
school building in a district, in accordance with this section. 309
The department shall adopt rules pursuant to Chapter 119. of the 310
Revised Code to implement this section. The department's rules 311

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

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

(a) Annual measurable objectives; 331

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

(c) The extent to which the school district or building 340
meets each of the applicable performance indicators established 341

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

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

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

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

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

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

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

(iv) A score that is less than or equal to two standard 369
errors of measure below the mean score but is greater than three 370

standard errors of measure below the mean score shall be 371
designated as a "D." 372

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

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

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

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

At least forty-five days prior to the department's 395
adoption of rules to prescribe the methods by which the 396
performance measures under division (A) (1) of this section shall 397
be assessed and assigned a letter grade, the department shall 398
conduct a public presentation before the standing committees of 399

the house of representatives and the senate that consider 400
education legislation describing such methods, including 401
performance benchmarks. 402

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

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

(a) Annual measurable objectives; 408

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

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

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

(e) The overall score under the value-added progress 426
dimension of a school district or building, for which the 427
department shall use up to three years of value-added data as 428

available. 429

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

(g) Whether a school district or building is making 438
progress in improving literacy in grades kindergarten through 439
three, as determined using a method prescribed by the 440
department. The department shall adopt rules to prescribe 441
benchmarks and standards for assigning grades to districts and 442
buildings for purposes of division (B) (1) (g) of this section. In 443
adopting benchmarks for assigning letter grades under divisions 444
(B) (1) (g) and (C) (1) (g) of this section, the department shall 445
determine progress made based on the reduction in the total 446
percentage of students scoring below grade level, or below 447
proficient, compared from year to year on the reading and 448
writing diagnostic assessments administered under section 449
3301.0715 of the Revised Code and the third grade English 450
language arts assessment under section 3301.0710 of the Revised 451
Code, as applicable. The department shall designate for a "C" 452
grade a value that is not lower than the statewide average value 453
for this measure. No grade shall be issued under divisions (B) 454
(1) (g) and (C) (1) (g) of this section for a district or building 455
in which less than five per cent of students have scored below 456
grade level on the diagnostic assessment administered to 457
students in kindergarten under division (B) (1) of section 458
3313.608 of the Revised Code. 459

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

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

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

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

(b) The number of a district's or building's students who 481
have earned at least three college credits through dual 482
enrollment or advanced standing programs, such as the post- 483
secondary enrollment options program under Chapter 3365. of the 484
Revised Code and state-approved career-technical courses offered 485
through dual enrollment or statewide articulation, that appear 486
on a student's transcript or other official document, either of 487
which is issued by the institution of higher education from 488
which the student earned the college credit. The credits earned 489

that are reported under divisions (B) (2) (b) and (C) (2) (c) of 490
this section shall not include any that are remedial or 491
developmental and shall include those that count toward the 492
curriculum requirements established for completion of a degree. 493

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

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

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

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

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

At least forty-five days prior to the department's 516
adoption of rules to prescribe the methods by which the 517
performance measures under division (B) (1) of this section shall 518

be assessed and assigned a letter grade, the department shall 519
conduct a public presentation before the standing committees of 520
the house of representatives and the senate that consider 521
education legislation describing such methods, including 522
performance benchmarks. 523

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

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

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

(b) Performance index score for a school district or 542
building. Grades shall be awarded as a percentage of the total 543
possible points on the performance index system as created by 544
the department. In adopting benchmarks for assigning letter 545
grades under division (C) (1) (b) of this section, the department 546
shall designate ninety per cent or higher for an "A," at least 547
seventy per cent but not more than eighty per cent for a "C," 548

and less than fifty per cent for an "F." 549

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

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

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

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

For the metric prescribed by division (C) (1) (e) of this 571
section, the department may adopt a student academic progress 572
measure to be used instead of the value-added progress 573
dimension. If the department adopts such a measure, it also 574
shall prescribe a method for assigning letter grades for the new 575
measure that is comparable to the method prescribed in division 576
(A) (1) (e) of this section. 577

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

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

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

(h) For a high mobility school district or building, an 606
additional value-added progress dimension score. For this 607

measure, the department shall use value-added data from the most 608
recent school year available and shall use assessment scores for 609
only those students to whom the district or building has 610
administered the assessments prescribed by section 3301.0710 of 611
the Revised Code for each of the two most recent consecutive 612
school years. 613

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

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

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

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

(c) The percentage of a district's or building's students 633
who have earned at least three college credits through advanced 634
standing programs, such as the college credit plus program under 635
Chapter 3365. of the Revised Code and state-approved career- 636

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

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

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

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

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

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

(3) The department shall adopt rules pursuant to Chapter 663
119. of the Revised Code that establish a method to assign an 664
overall grade for a school district or school building for the 665

2017-2018 school year and each school year thereafter. The rules 666
shall group the performance measures in divisions (C)(1) and (2) 667
of this section into the following components: 668

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

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

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

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

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

(f) Prepared for success, which shall include the 680
performance measures in divisions (C)(2)(a), (b), (c), (d), (e), 681
and (f) of this section. The department shall develop a method 682
to determine a grade for the component in division (C)(3)(f) of 683
this section using the performance measures in divisions (C)(2) 684
(a), (b), (c), (d), (e), and (f) of this section. When 685
available, the department may incorporate the performance 686
measure under division (C)(2)(g) of this section into the 687
component under division (C)(3)(f) of this section. When 688
determining the overall grade for the prepared for success 689
component prescribed by division (C)(3)(f) of this section, no 690
individual student shall be counted in more than one performance 691
measure. However, if a student qualifies for more than one 692
performance measure in the component, the department may, in its 693
method to determine a grade for the component, specify an 694

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

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

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

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

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

(a) Whether the district or building meets the gifted 723

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

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

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

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

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

(d) The overall score under the value-added progress 742
dimension of a district or building, for which the department 743
shall use three consecutive years of value-added data. In using 744
three years of value-added data to calculate the measure 745
prescribed under division (D) (1) (d) of this section, the 746
department shall assign a weight of fifty per cent to the most 747
recent year's data and a weight of twenty-five per cent to the 748
data of each of the other years. However, if three consecutive 749
years of value-added data is not available, the department shall 750
use prior years of value-added data to calculate the measure, as 751
follows: 752

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

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

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

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

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

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

(h) Whether a district or building is making progress in 774
improving literacy in grades kindergarten through three, as 775
determined using a method prescribed by the department. The 776
method shall determine progress made based on the reduction in 777
the total percentage of students scoring below grade level, or 778
below proficient, compared from year to year on the reading 779
segments of the diagnostic assessments administered under 780
section 3301.0715 of the Revised Code, including the 781

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

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

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

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

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

(ii) Attaining required scores on three or more advanced 809
placement or international baccalaureate examinations. The 810

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

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

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

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

(vi) Satisfying any of the following conditions: 835

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

(II) Completing an apprenticeship registered with the 839

apprenticeship council established under section 4139.02 of the 840
Revised Code in the student's chosen career field; 841

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

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

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

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

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

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

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

(2) In addition to the performance measures under division 864
(D) (1) of this section, the department shall report on a 865
district's or building's report card all of the following data 866
without an assigned performance rating: 867

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(iii) Attained gainful employment, as determined by the

department; 926

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

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

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

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

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

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

(iii) The average ratio of nurses to students in a 951
district or building; 952

(iv) The average ratio of licensed librarians and library 953

media specialists to students in a district or building;	954
(v) The average ratio of social workers to students in a district or building;	955 956
(vi) The average ratio of mental health professionals to students in a district or building;	957 958
(vii) The average ratio of paraprofessionals to students in a district or building;	959 960
(viii) The percentage of teachers with fewer than three years of experience teaching in any school;	961 962
(ix) The percentage of principals with fewer than three years of experience as a principal in any school;	963 964
(x) The percentage of teachers who are not teaching in the subject or field for which they are certified or licensed;	965 966
(xi) The percentage of kindergarten students who are enrolled in all-day kindergarten, as defined in section 3321.05 of the Revised Code;	967 968 969
(xii) The percentage of students enrolled in a performing or visual arts course;	970 971
(xiii) The percentage of students enrolled in a physical education or wellness course;	972 973
(xiv) The percentage of students enrolled in a world language course;	974 975
(xv) The percentage of students in grades seven through twelve who are enrolled in a career-technical education course;	976 977
(xvi) The percentage of students participating in one or more cocurricular activities;	978 979

(xvii) The percentage of students participating in advance	980
placement courses, international baccalaureate courses, honors	981
courses, or courses offered through the college credit plus	982
program established under Chapter 3365. of the Revised Code;	983
(xviii) The percentage of students identified as gifted in	984
superior cognitive ability and specific academic ability fields	985
under Chapter 3324. of the Revised Code and receiving gifted	986
services pursuant to that chapter;	987
(xix) The percentage of students participating in	988
enrichment or support programs offered by the district or	989
building outside of the normal school day;	990
(xx) The percentage of eligible students participating	991
each school day in school breakfast programs offered by the	992
district or building in accordance with section 3313.813 or	993
3313.818 of the Revised Code;	994
(xxi) The percentage of students who are transported by a	995
school bus each school day;	996
(xxii) The ratio of portable technology devices that	997
students may take home to the number of students.	998
The department shall include only opportunity measures at	999
the building level for which data for buildings is available, as	1000
determined by a school district.	1001
(j) (i) The percentage of students included in the four-	1002
and five-year adjusted cohort graduation rates of the district	1003
or building who completed all of grades nine through twelve	1004
while enrolled in the district or building;	1005
(ii) The four-year adjusted cohort graduation rate for	1006
only those students who were continuously enrolled in the same	1007

district or building for grades nine through twelve. 1008

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

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

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

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

(a) Gap closing. In addition to other criteria determined 1033
appropriate by the department, performance ratings for the gap 1034
closing component shall reflect whether each of the following 1035
performance measures are met or not met: 1036

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

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

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

(iv) The subgroup graduation targets; 1043

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

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

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

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

(b) Achievement, which shall include the performance 1059
measure in division (D) (1) (c) of this section and the reported 1060
data in division (D) (2) (a) of this section. Performance ratings 1061
for the achievement component shall be awarded as a percentage 1062
of the maximum performance index score described in division (D) 1063
(1) (c) of this section. 1064

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

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

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

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

If the measure prescribed under division (D) (1) (h) of this 1086
section is not included in a report card of a district or 1087
building, performance ratings for the early literacy component 1088
shall give a weight of sixty per cent to the measure prescribed 1089
under division (D) (1) (g) of this section and a weight of forty 1090
per cent to the measure prescribed under division (D) (1) (i) of 1091
this section. 1092

(f) College, career, workforce, and military readiness, 1093

which shall include the performance measure in division (D) (1) 1094
(j) of this section and the reported data in division (D) (2) (f) 1095
of this section. 1096

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

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

The department shall submit the rules to the joint 1122
committee on agency rule review. The committee shall conduct at 1123

least one public hearing on the proposed rules and approve or 1124
disapprove the rules. If the committee approves the rules, the 1125
department shall adopt the rules in accordance with Chapter 119. 1126
of the Revised Code. If the rules are adopted, the department 1127
shall assign a performance rating to the college, career, 1128
workforce, and military readiness component under the rules 1129
beginning with the 2024-2025 school year, and for each school 1130
year thereafter. If the committee disapproves the rules, the 1131
component shall be included in the report card only as reported 1132
data for the 2024-2025 school year, and each school year 1133
thereafter. 1134

(g) (i) Except as provided for in division (D) (3) (g) (ii) of 1135
this section, beginning with the 2022-2023 school year, under 1136
the method prescribed under rules adopted in division (D) (4) of 1137
this section, the department shall use the performance ratings 1138
assigned for the components prescribed in divisions (D) (3) (a) to 1139
(e) of this section to determine and assign an overall 1140
performance rating of "one star," "one and one-half stars," "two 1141
stars," "two and one-half stars," "three stars," "three and one- 1142
half stars," "four stars," "four and one-half stars," or "five 1143
stars" for a district or building. The method shall give equal 1144
weight to the components in divisions (D) (3) (b) and (c) of this 1145
section. The method shall give equal weight to the components in 1146
divisions (D) (3) (a), (d), and (e) of this section. The 1147
individual weights of each of the components prescribed in 1148
divisions (D) (3) (a), (d), and (e) of this section shall be equal 1149
to one-half of the weight given to the component prescribed in 1150
division (D) (3) (b) of this section. 1151

(ii) If the joint committee on agency rule review approves 1152
the department's rules regarding the college, career, workforce, 1153
and military readiness component as described in division (D) (3) 1154

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

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

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

(b) In establishing the performance criteria, benchmarks, 1178
and rating system, the department shall consult with stakeholder 1179
groups and advocates that represent parents, community members, 1180
students, business leaders, and educators from different school 1181
typology regions. The department shall use data from prior 1182
school years and simulations to ensure that there is meaningful 1183
differentiation among districts and buildings across all 1184

performance ratings and that, except as permitted in division 1185
(D) (3) (f) of this section, more than half of all districts or 1186
buildings do not earn the same performance rating in any 1187
component or overall performance rating. 1188

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

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

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

(F) (1) The letter grades assigned to a school district or 1212
building under this section shall be as follows: 1213

(a) "A" for a district or school making excellent progress;	1214 1215
(b) "B" for a district or school making above average progress;	1216 1217
(c) "C" for a district or school making average progress;	1218
(d) "D" for a district or school making below average progress;	1219 1220
(e) "F" for a district or school failing to meet minimum progress.	1221 1222
(2) For the overall performance rating under division (D)	1223
(3) of this section, the department shall include a descriptor for each performance rating as follows:	1224 1225
(a) "Significantly exceeds state standards" for a performance rating of five stars;	1226 1227
(b) "Exceeds state standards" for a performance rating of four stars or four and one-half stars;	1228 1229
(c) "Meets state standards" for a performance rating of three stars or three and one-half stars;	1230 1231
(d) "Needs support to meet state standards" for a performance rating of two stars or two and one-half stars;	1232 1233
(e) "Needs significant support to meet state standards" for a performance rating of one star or one and one-half stars.	1234 1235
(3) For performance ratings for each component under divisions (D) (3) (a) to (f) of this section, the department shall include a description of each component and performance rating. The description shall include component-specific context to each performance rating earned, estimated comparisons to other school	1236 1237 1238 1239 1240

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

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

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

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

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

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

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

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

(3) Performance of students by gender; 1268

(4) Performance of students grouped by those who have been enrolled in a district or school for three or more years;	1269 1270
(5) Performance of students grouped by those who have been enrolled in a district or school for more than one year and less than three years;	1271 1272 1273
(6) Performance of students grouped by those who have been enrolled in a district or school for one year or less;	1274 1275
(7) Performance of students grouped by those who are economically disadvantaged;	1276 1277
(8) Performance of students grouped by those who are enrolled in a conversion community school established under Chapter 3314. of the Revised Code;	1278 1279 1280
(9) Performance of students grouped by those who are classified as English learners;	1281 1282
(10) Performance of students grouped by those who have disabilities;	1283 1284
(11) Performance of students grouped by those who are classified as migrants;	1285 1286
(12) Performance of students grouped by those who are identified as gifted in superior cognitive ability and the specific academic ability fields of reading and math pursuant to Chapter 3324. of the Revised Code. In disaggregating specific academic ability fields for gifted students, the department shall use data for those students with specific academic ability in math and reading. If any other academic field is assessed, the department shall also include data for students with specific academic ability in that field as well.	1287 1288 1289 1290 1291 1292 1293 1294 1295
(13) Performance of students grouped by those who perform	1296

in the lowest quintile for achievement on a statewide basis, as 1297
determined by a method prescribed by the department. 1298

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

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

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

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

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

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

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

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

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

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

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

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

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

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

that election, as required by the department. 1385

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

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

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

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

student's grade level; 1415

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

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

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

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

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

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

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

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

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

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

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

(6) Availability of courses in fine arts; 1459

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

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

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

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

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

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

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

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

(4) Provisions prescribing new buildings where students 1500

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

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

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

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

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

~~consecutive years:~~ 1531

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(d) ~~Reopen the school as a conversion community school~~ 1610
~~under Chapter 3314. of the Revised Code~~ Consolidate the school 1611
district that controls the school building into another school 1612
district. Notwithstanding anything to the contrary in the 1613
Revised Code, the state board of education shall approve any 1614
transfer of territory made under this division. 1615

(e) Work with a department-approved external service 1616
provider with expertise in school improvement. 1617

(3) If a school district board of education that controls 1618
a school building subject to this section implements any 1619
alternative to closure under division (A)(2) of this section or 1620
any combination of alternatives to closure under that division 1621
and the school building continues to meet the criteria described 1622
in division (A)(1) of this section for the next three 1623
consecutive school years, beginning with the school year in 1624
which an alternative to closure is first implemented, the 1625
district board of education with control of that building shall 1626
close the school pursuant to division (A)(2)(a) of this section. 1627

(B) If an action taken by the board under division (A)(2) 1628
of this section causes the district to no longer maintain all 1629
grades kindergarten through twelve, as required by section 1630
3311.29 of the Revised Code, the board shall enter into a 1631
contract with another school district pursuant to section 1632
3327.04 of the Revised Code for enrollment of students in the 1633
schools of that other district to the extent necessary to comply 1634
with the requirement of section 3311.29 of the Revised Code. 1635
Notwithstanding any provision of the Revised Code to the 1636
contrary, if the board enters into and maintains a contract 1637
under section 3327.04 of the Revised Code, the district shall 1638
not be considered to have failed to comply with the requirement 1639
of section 3311.29 of the Revised Code. If, however, the 1640
district board fails to or is unable to enter into or maintain 1641
such a contract, the state board of education shall take all 1642
necessary actions to dissolve the district as provided in 1643
division (A) of section 3311.29 of the Revised Code. 1644

(C) If a particular school is required to restructure 1645

under this section and a petition with respect to that same 1646
school has been filed and verified under divisions (B) and (C) 1647
of section 3302.042 of the Revised Code, the provisions of that 1648
section and the petition filed and verified under it shall 1649
prevail over the provisions of this section and the school shall 1650
be restructured under that section. However, if division (D)(1), 1651
(2), or (3) of section 3302.042 of the Revised Code also applies 1652
to the school, the school shall be subject to restructuring 1653
under this section and not section 3302.042 of the Revised Code. 1654

If the provisions of this section conflict in any way with 1655
the requirements of federal law, federal law shall prevail over 1656
the provisions of this section. 1657

(D) If a school is restructured under this section, 1658
section 3302.042 or 3302.10 of the Revised Code, or federal law, 1659
the school shall not be required to restructure again under 1660
state law for three consecutive years after the implementation 1661
of that prior restructuring. 1662

(E) The department may adopt rules as necessary to 1663
implement this section. 1664

(F) The department shall not consider report cards issued 1665
prior to the 2024-2025 school year in determining whether a 1666
school building is subject to this section. 1667

Sec. 3313.413. (A) As used in this section, "high- 1668
performing community school" means either of the following: 1669

(1) A community school established under Chapter 3314. of 1670
the Revised Code that meets the following conditions: 1671

(a) Except as provided in division (A)(1)(b) or (c) of 1672
this section, the school both: 1673

(i) Has received either a grade of "A," "B," or "C" for 1674
the performance index score under division (C) (1) (b) of section 1675
3302.03 of the Revised Code or a performance rating of three 1676
stars or higher for achievement under division (D) (3) (b) of that 1677
section; or has increased its performance index score under 1678
division (C) (1) (b) or (D) (1) (d) of section 3302.03 of the 1679
Revised Code in each of the previous three years of operation; 1680
and 1681

(ii) Has received either a grade of "A" or "B" for the 1682
value-added progress dimension under division (C) (1) (e) of 1683
section 3302.03 of the Revised Code or a performance rating of 1684
four stars or higher for progress under division (D) (3) (c) of 1685
that section on its most recent report card rating issued under 1686
that section. 1687

(b) If the school serves only grades kindergarten through 1688
three, the school received either a grade of "A" or "B" for 1689
making progress in improving literacy in grades kindergarten 1690
through three under division (C) (1) (g) of section 3302.03 of the 1691
Revised Code or a performance rating of four stars or higher for 1692
early literacy under division (D) (3) (e) of that section on its 1693
most recent report card issued under that section. 1694

(c) If the school primarily serves students enrolled in a 1695
dropout prevention and recovery program ~~as described in division~~ 1696
~~(B) (1) of section 3314.35 of the Revised Code,~~ the school 1697
received a rating of "exceeds standards" on its most recent 1698
report card issued under section 3314.017 of the Revised Code. 1699

(2) A newly established community school that is 1700
implementing a community school model that has a track record of 1701
high-quality academic performance, as determined by the 1702
department of education and workforce. 1703

(B) When a school district board of education decides to 1704
dispose of real property it owns in its corporate capacity under 1705
section 3313.41 of the Revised Code, the board shall first offer 1706
that property to the governing authorities of all start-up 1707
community schools, the boards of trustees of any college- 1708
preparatory boarding schools, and the governing bodies of any 1709
STEM schools that are located within the territory of the 1710
district. Not later than sixty days after the district board 1711
makes the offer, interested governing authorities, boards of 1712
trustees, and governing bodies shall notify the district 1713
treasurer in writing of the intention to purchase the property. 1714

The district board shall give priority to the governing 1715
authorities of high-performing community schools that are 1716
located within the territory of the district. 1717

(1) If more than one governing authority of a high- 1718
performing community school notifies the district treasurer of 1719
its intention to purchase the property pursuant to division (B) 1720
of this section, the board shall conduct a public auction in the 1721
manner required for auctions of district property under division 1722
(A) of section 3313.41 of the Revised Code. Only the governing 1723
authorities of high-performing community schools that notified 1724
the district treasurer pursuant to division (B) of this section 1725
are eligible to bid at the auction. 1726

(2) If no governing authority of a high-performing 1727
community school notifies the district treasurer of its 1728
intention to purchase the property pursuant to division (B) of 1729
this section, the board shall then proceed with the offers from 1730
all other start-up community schools, college-preparatory 1731
boarding schools, and STEM schools made pursuant to that 1732
division. If more than one such entity notifies the district 1733

treasurer of its intention to purchase the property pursuant to 1734
division (B) of this section, the board shall conduct a public 1735
auction in the manner required for auctions of district property 1736
under division (A) of section 3313.41 of the Revised Code. Only 1737
the entities that notified the district treasurer pursuant to 1738
division (B) of this section are eligible to bid at the auction. 1739

(3) If no governing authority, board of trustees, or 1740
governing body notifies the district treasurer of its intention 1741
to purchase the property pursuant to division (B) of this 1742
section, the district may then offer the property for sale in 1743
the manner prescribed under divisions (A) to (F) of section 1744
3313.41 of the Revised Code. 1745

(C) Notwithstanding anything to the contrary in sections 1746
3313.41 and 3313.411 of the Revised Code, the purchase price of 1747
any real property sold to any of the entities in accordance with 1748
division (B) of this section shall not be more than the 1749
appraised fair market value of that property as determined in an 1750
appraisal of the property that is not more than one year old. 1751

(D) Not later than the first day of October of each year, 1752
the department of education and workforce shall post in a 1753
prominent location on its web site a list of schools that 1754
qualify as high-performing community schools for purposes of 1755
this section and section 3313.411 of the Revised Code. 1756

Sec. 3314.012. (A) Except as provided in section 3314.017 1757
of the Revised Code, the department of education and workforce 1758
shall issue an annual report card for each community school, 1759
regardless of how long the school has been in operation. The 1760
report card shall report the academic and financial performance 1761
of the school . The report card shall include all information 1762
applicable to school buildings under section 3302.03 of the 1763

Revised Code. The ratings a community school receives under 1764
section 3302.03 of the Revised Code for its first two full 1765
school years shall not be considered toward ~~automatic closure of~~ 1766
~~the school under~~ actions required for poorly performing 1767
community schools under section 3314.35 of the Revised Code or 1768
any other matter that is based on report card ratings. 1769

(B) Upon receipt of a copy of a contract between a sponsor 1770
and a community school entered into under this chapter, the 1771
department shall notify the community school of the specific 1772
model report card that will be used for that school. 1773

(C) Report cards shall be distributed to the parents of 1774
all students in the community school, to the members of the 1775
board of education of the school district in which the community 1776
school is located, and to any person who requests one from the 1777
department. 1778

Sec. 3314.016. This section applies to any entity that 1779
sponsors a community school, regardless of whether section 1780
3314.021 or 3314.027 of the Revised Code exempts the entity from 1781
the requirement to be approved for sponsorship under divisions 1782
(A) (2) and (B) (1) of section 3314.015 of the Revised Code. The 1783
office of Ohio school sponsorship established under section 1784
3314.029 of the Revised Code shall be rated under division (B) 1785
of this section, but divisions (A) and (C) of this section do 1786
not apply to the office. 1787

(A) An entity that sponsors a community school shall be 1788
permitted to enter into contracts under section 3314.03 of the 1789
Revised Code to sponsor additional community schools only if the 1790
entity meets all of the following criteria: 1791

(1) The entity is in compliance with all provisions of 1792

this chapter requiring sponsors of community schools to report 1793
data or information to the department of education and 1794
workforce. 1795

(2) The entity is not rated as "ineffective" under 1796
division (B) (6) of this section. 1797

(3) Except as set forth in sections 3314.021 and 3314.027 1798
of the Revised Code, the entity has received approval from and 1799
entered into an agreement with the department pursuant to 1800
section 3314.015 of the Revised Code. 1801

(B) (1) The department shall develop and implement an 1802
evaluation system that annually rates and assigns an overall 1803
rating to each entity that sponsors a community school. The 1804
department, not later than the first day of February of each 1805
year, shall post on the department's web site the framework for 1806
the evaluation system, including technical documentation that 1807
the department intends to use to rate sponsors for the next 1808
school year. The department shall solicit public comment on the 1809
evaluation system for thirty consecutive days. Not later than 1810
the first day of April of each year, the department shall 1811
compile and post on the department's web site all public 1812
comments that were received during the public comment period. 1813
The evaluation system shall be posted on the department's web 1814
site by the fifteenth day of July of each school year. Any 1815
changes to the evaluation system after that date shall take 1816
effect the following year. The evaluation system shall be based 1817
on the following components: 1818

(a) Academic performance of students enrolled in community 1819
schools sponsored by the same entity. The academic performance 1820
component shall be derived from the performance measures 1821
prescribed for the state report cards under section 3302.03 or 1822

3314.017 of the Revised Code, and shall be based on the 1823
performance of the schools for the school year for which the 1824
evaluation is conducted. In addition to the academic performance 1825
for a specific school year, the academic performance component 1826
shall also include year-to-year changes in the overall sponsor 1827
portfolio. For a community school for which no graded 1828
performance measures are applicable or available, the department 1829
shall use nonreport card performance measures specified in the 1830
contract between the community school and the sponsor under 1831
division (A) (4) of section 3314.03 of the Revised Code. 1832

(b) Adherence by a sponsor to the quality practices 1833
prescribed by the department under division (B) (3) of this 1834
section. For a sponsor that was rated "effective" or "exemplary" 1835
on its most recent rating, the department may evaluate that 1836
sponsor's adherence to quality practices once over a period of 1837
three years. If the department elects to evaluate a sponsor once 1838
over a period of three years, the most recent rating for a 1839
sponsor's adherence to quality practices shall be used when 1840
determining an annual overall rating conducted under this 1841
section. 1842

(c) Compliance with all applicable laws and administrative 1843
rules by an entity that sponsors a community school. 1844

Under the evaluation system prescribed under division (B) 1845
(1) of this section, the department shall not assign an overall 1846
rating of "ineffective" or lower to an entity that sponsors a 1847
community school solely because that entity received no points 1848
on one of the components prescribed under that division. 1849

(2) In calculating an academic performance component, the 1850
department shall exclude all community schools that have been in 1851
operation for not more than two full school years and all 1852

community schools ~~described in division (B) (2) of section~~ 1853
~~3314.35 of the Revised Code~~ in which a majority of the enrolled 1854
students are children with disabilities receiving special 1855
education and related services in accordance with Chapter 3323. 1856
of the Revised Code. However, the academic performance of the 1857
community schools ~~described in division (B) (2) of section~~ 1858
~~3314.35 of the Revised Code~~ in which a majority of the enrolled 1859
students are children with disabilities receiving special 1860
education and related services in accordance with Chapter 3323. 1861
of the Revised Code shall be reported, but shall not be used as 1862
a factor when determining a sponsoring entity's rating under 1863
this section. 1864

(3) The department, in consultation with entities that 1865
sponsor community schools, shall prescribe quality practices for 1866
community school sponsors and develop an instrument to measure 1867
adherence to those quality practices. The quality practices 1868
shall be based on standards developed by the national 1869
association of charter school authorizers or any other 1870
nationally organized community school organization. 1871

(4) (a) The department may permit peer review of a 1872
sponsor's adherence to the quality practices prescribed under 1873
division (B) (3) of this section. Peer reviewers shall be limited 1874
to individuals employed by sponsors rated "effective" or 1875
"exemplary" on the most recent ratings conducted under this 1876
section. 1877

(b) The department shall require individuals participating 1878
in peer review under division (B) (4) (a) of this section to 1879
complete training approved or established by the department. 1880

(c) The department may enter into an agreement with 1881
another entity to provide training to individuals conducting 1882

peer review of sponsors. Prior to entering into an agreement 1883
with an entity, the department shall review and approve of the 1884
entity's training program. 1885

(5) The director of education and workforce shall adopt 1886
rules in accordance with Chapter 119. of the Revised Code 1887
prescribing standards for measuring compliance with applicable 1888
laws and rules under division (B) (1) (c) of this section. 1889

(6) The department annually shall rate all entities that 1890
sponsor community schools as either "exemplary," "effective," 1891
"ineffective," or "poor," based on the components prescribed by 1892
division (B) of this section, where each component is weighted 1893
equally. A separate rating shall be given by the department for 1894
each component of the evaluation system. 1895

The department shall publish the ratings between the first 1896
day of October and the fifteenth day of November. 1897

Prior to the publication of the final ratings, the 1898
department shall designate and provide notice of a period of at 1899
least ten business days during which each sponsor may review the 1900
information used by the department to determine the sponsor's 1901
rating on the components prescribed by division (B) (1) of this 1902
section. If the sponsor believes there is an error in the 1903
department's evaluation, the sponsor may request adjustments to 1904
the rating of any of those components based on documentation 1905
previously submitted as part of an evaluation. The sponsor shall 1906
provide to the department any necessary evidence or information 1907
to support the requested adjustments. The department shall 1908
review the evidence and information, determine whether an 1909
adjustment is valid, and promptly notify the sponsor of its 1910
determination and reasons. If any adjustments to the data could 1911
result in a change to the rating on the applicable component or 1912

to the overall rating, the department shall recalculate the 1913
ratings prior to publication. 1914

The department shall provide training on an annual basis 1915
regarding the evaluation system prescribed under this section. 1916
The training shall, at a minimum, describe methodology, 1917
timelines, and data required for the evaluation system. The 1918
first training session shall occur not later than March 2, 2016. 1919
Beginning in 2018, the training shall be made available to each 1920
entity that sponsors a community school by the fifteenth day of 1921
July of each year and shall include guidance on any changes made 1922
to the evaluation system. 1923

(7) (a) Entities with an overall rating of "exemplary" for 1924
the two most recent years in which the entity was evaluated may 1925
take advantage of the following incentives: 1926

(i) Renewal of the written agreement with the department, 1927
not to exceed ten years, provided that the entity consents to 1928
continued evaluation of adherence to quality practices as 1929
described in division (B) (1) (b) of this section; 1930

(ii) The ability to extend the term of the contract 1931
between the sponsoring entity and the community school beyond 1932
the term described in the written agreement with the department; 1933

(iii) An exemption from the preliminary agreement and 1934
contract adoption and execution deadline requirements prescribed 1935
in division (D) of section 3314.02 of the Revised Code; 1936

(iv) An exemption from the automatic contract expiration 1937
requirement, should a new community school fail to open by the 1938
thirtieth day of September of the calendar year in which the 1939
community school contract is executed; 1940

(v) No limit on the number of community schools the entity 1941

may sponsor; 1942

(vi) No territorial restrictions on sponsorship. 1943

An entity may continue to sponsor any community schools 1944
with which it entered into agreements under division (B) (7) (a) 1945
(v) or (vi) of this section while rated "exemplary," 1946
notwithstanding the fact that the entity later receives a lower 1947
overall rating. 1948

(b) Entities with an overall rating of "exemplary" or 1949
"effective" for the three most recent years in which the entity 1950
was evaluated shall be evaluated by the department once every 1951
three years. 1952

(c) (i) Entities that receive an overall rating of 1953
"ineffective" shall be prohibited from sponsoring any new or 1954
additional community schools during the time in which the 1955
sponsor is rated as "ineffective" and shall be subject to a 1956
quality improvement plan based on correcting the deficiencies 1957
that led to the "ineffective" rating, with timelines and 1958
benchmarks that have been established by the department. 1959

(ii) Entities that receive an overall rating of 1960
"ineffective" on their three most recent ratings shall have all 1961
sponsorship authority revoked. Within thirty days after 1962
receiving its third rating of "ineffective," the entity may 1963
appeal the revocation of its sponsorship authority to the 1964
director, who shall appoint an independent hearing officer to 1965
conduct a hearing in accordance with Chapter 119. of the Revised 1966
Code. The hearing shall be conducted within thirty days after 1967
receipt of the notice of appeal. Within forty-five days after 1968
the hearing is completed, the director shall determine whether 1969
the revocation is appropriate based on the hearing conducted by 1970

the independent hearing officer, and if determined appropriate, 1971
the revocation shall be confirmed. 1972

(d) Entities that receive an overall rating of "poor" 1973
shall have all sponsorship authority revoked. Within thirty days 1974
after receiving a rating of "poor," the entity may appeal the 1975
revocation of its sponsorship authority to the director, who 1976
shall appoint an independent hearing officer to conduct a 1977
hearing in accordance with Chapter 119. of the Revised Code. The 1978
hearing shall be conducted within thirty days after receipt of 1979
the notice of appeal. Within forty-five days after the hearing 1980
is completed, the director shall determine whether the 1981
revocation is appropriate based on the hearing conducted by the 1982
independent hearing officer, and if determined appropriate, the 1983
revocation shall be confirmed. 1984

(8) For the 2014-2015 school year and each school year 1985
thereafter, student academic performance prescribed under 1986
division (B)(1)(a) of this section shall include student 1987
academic performance data from community schools that primarily 1988
serve students enrolled in a dropout prevention and recovery 1989
program. 1990

(C) If the governing authority of a community school 1991
enters into a contract with a sponsor prior to the date on which 1992
the sponsor is prohibited from sponsoring additional schools 1993
under division (A) of this section and the school has not opened 1994
for operation as of that date, that contract shall be void and 1995
the school shall not open until the governing authority secures 1996
a new sponsor by entering into a contract with the new sponsor 1997
under section 3314.03 of the Revised Code. However, the 1998
department's office of Ohio school sponsorship, established 1999
under section 3314.029 of the Revised Code, may assume the 2000

sponsorship of the school until the earlier of the expiration of 2001
two school years or until a new sponsor is secured by the 2002
school's governing authority. A community school sponsored by 2003
the department under this division shall not be included when 2004
calculating the maximum number of directly authorized community 2005
schools permitted under division (A) (3) of section 3314.029 of 2006
the Revised Code. 2007

(D) When an entity's authority to sponsor schools is 2008
revoked pursuant to division (B) (7) (c) or (d) of this section, 2009
the office of Ohio school sponsorship shall assume sponsorship 2010
of any schools with which the original sponsor has contracted 2011
for the remainder of that school year. The office may continue 2012
sponsoring those schools until the earlier of: 2013

(1) The expiration of two school years from the time that 2014
sponsorship is revoked; 2015

(2) When a new sponsor is secured by the governing 2016
authority pursuant to division (C) (1) of section 3314.02 of the 2017
Revised Code. 2018

Any community school sponsored under this division shall 2019
not be counted for purposes of directly authorized community 2020
schools under division (A) (3) of section 3314.029 of the Revised 2021
Code. 2022

~~(E) The department shall recalculate the rating for the 2023~~
~~2017-2018 school year for each sponsor of a community school 2024~~
~~that receives recalculated ratings pursuant to division (I) of 2025~~
~~section 3314.017 of the Revised Code. 2026~~

Sec. 3314.017. (A) The department of education and 2027
workforce shall prescribe by rules, adopted in accordance with 2028
Chapter 119. of the Revised Code, an academic performance rating 2029

and report card system that satisfies the requirements of this 2030
section for community schools that primarily serve students 2031
enrolled in dropout prevention and recovery programs ~~as~~ 2032
~~described in division (B) (1) of section 3314.35 of the Revised~~ 2033
~~Code,~~ to be used in lieu of the system prescribed under sections 2034
3302.03 and 3314.012 of the Revised Code beginning with the 2035
2012-2013 school year. Each such school shall comply with the 2036
testing and reporting requirements of the system as prescribed 2037
by the department. 2038

(B) Nothing in this section shall at any time relieve a 2039
school from its obligations under the "No Child Left Behind Act 2040
of 2001" to make "adequate yearly progress," as both that act 2041
and that term are defined in section 3302.01 of the Revised 2042
Code, or a school's amenability to the provisions of section 2043
3302.04 or 3302.041 of the Revised Code. The department shall 2044
continue to report each school's performance as required by the 2045
act and to enforce applicable sanctions under section 3302.04 or 2046
3302.041 of the Revised Code. 2047

(C) The rules adopted by the department shall prescribe 2048
the following performance indicators for the rating and report 2049
card system required by this section: 2050

(1) Graduation rate for each of the following student 2051
cohorts: 2052

(a) The number of students who graduate in four years or 2053
less with a regular high school diploma divided by the number of 2054
students who form the adjusted cohort for the graduating class; 2055

(b) The number of students who graduate in five years with 2056
a regular high school diploma divided by the number of students 2057
who form the adjusted cohort for the four-year graduation rate; 2058

(c) The number of students who graduate in six years with 2059
a regular high school diploma divided by the number of students 2060
who form the adjusted cohort for the four-year graduation rate; 2061

(d) The number of students who graduate in seven years 2062
with a regular high school diploma divided by the number of 2063
students who form the adjusted cohort for the four-year 2064
graduation rate; 2065

(e) The number of students who graduate in eight years 2066
with a regular high school diploma divided by the number of 2067
students who form the adjusted cohort for the four-year 2068
graduation rate. 2069

(2) The percentage of twelfth-grade students currently 2070
enrolled in the school who have attained the designated passing 2071
score on all of the state high school achievement assessments 2072
required under division (B) (1) of section 3301.0710 of the 2073
Revised Code or the cumulative performance score on the end-of- 2074
course examinations prescribed under division (B) (2) of section 2075
3301.0712 of the Revised Code, whichever applies, and other 2076
students enrolled in the school, regardless of grade level, who 2077
are within three months of their twenty-second birthday and have 2078
attained the designated passing score on all of the state high 2079
school achievement assessments or the cumulative performance 2080
score on the end-of-course examinations, whichever applies, by 2081
their twenty-second birthday; 2082

(3) Annual measurable objectives as defined in section 2083
3302.01 of the Revised Code; 2084

(4) Growth in student achievement in reading, or 2085
mathematics, or both as measured by separate nationally norm- 2086
referenced assessments that have developed appropriate standards 2087

for students enrolled in dropout prevention and recovery 2088
programs, adopted or approved by the department. 2089

(D) (1) The department's rules shall prescribe the expected 2090
performance levels and benchmarks for each of the indicators 2091
prescribed by division (C) of this section based on the data 2092
gathered by the department under division (G) of this section 2093
and simulations created by the department. Based on a school's 2094
level of attainment or nonattainment of the expected performance 2095
levels and benchmarks for each of the indicators, the department 2096
shall rate each school in one of the following categories: 2097

(a) Exceeds standards; 2098

(b) Meets standards; 2099

(c) Does not meet standards. 2100

(2) The department's rules shall establish all of the 2101
following: 2102

(a) Performance levels and benchmarks for the indicators 2103
described in divisions (C) (1) to (3) of this section; 2104

(b) Both of the following: 2105

(i) Performance levels and benchmarks for the indicator 2106
described in division (C) (4) of this section; 2107

(ii) Standards for awarding a community school ~~described~~ 2108
~~in division (B) (1) of section 3314.35 of the Revised Code that~~ 2109
primarily serves students enrolled in a dropout prevention and 2110
recovery program an overall designation, which shall be 2111
calculated as follows: 2112

(I) Thirty per cent of the score shall be based on the 2113
indicators described in division (C) (1) of this section that are 2114

applicable to the school year for which the overall designation
is granted.

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

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

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

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

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

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

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

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

~~(c) The statewide average for the graduation rates and
assessment passage rates described in divisions (C) (1) (a) to (c)
and (C) (2) of this section;~~ 2143
2144
2145

~~(d) Annual measurable objectives described in division (C)
(3) of this section.~~ 2146
2147

~~(2) For the 2013-2014 school year, the department shall
issue a report card including the following performance measures
for each community school described in division (B) (1) of
section 3314.35 of the Revised Code:~~ 2148
2149
2150
2151

~~(a) The graduation rates described in divisions (C) (1) (a)
to (d) of this section, including a performance rating as
described in divisions (D) (1) (a) to (c) of this section;~~ 2152
2153
2154

~~(b) The percentage of twelfth-grade students and other
students who have attained a designated passing score on high-
school achievement assessments as described in division (C) (2)
of this section, including a performance rating as described in
divisions (D) (1) (a) to (c) of this section;~~ 2155
2156
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~~(c) Annual measurable objectives described in division (C)
(3) of this section, including a performance rating as described
in divisions (D) (1) (a) to (c) of this section;~~ 2160
2161
2162

~~(d) Both of the following without an assigned rating:~~ 2163

~~(i) Growth in annual student achievement in reading and
mathematics described in division (C) (4) of this section, if
available;~~ 2164
2165
2166

~~(ii) Student outcome data, including postsecondary credit
earned, nationally recognized career or technical certification,
military enlistment, job placement, and attendance rate.~~ 2167
2168
2169

~~(3) (E) Beginning with the 2014-2015 school year, and~~ 2170

annually thereafter, the department shall issue a report card 2171
for each community school ~~described in division (B) (1) of~~ 2172
~~section 3314.35 of the Revised Code~~ that primarily serves 2173
students enrolled in a dropout prevention and recovery program 2174
that includes all of the following performance measures, 2175
including a performance rating for each measure as described in 2176
divisions (D) (1) (a) to (c) of this section: 2177

~~(a)~~ (1) The graduation rates as described in division (C) 2178
(1) of this section; 2179

~~(b)~~ (2) The percentage of twelfth-grade students and other 2180
students who have attained a designated passing score on high 2181
school achievement assessments as described in division (C) (2) 2182
of this section; 2183

~~(c)~~ (3) Annual measurable objectives described in division 2184
(C) (3) of this section, including a performance rating as 2185
described in divisions (D) (1) (a) to (c) of this section; 2186

~~(d)~~ (4) Growth in annual student achievement in reading and 2187
mathematics as described in division (C) (4) of this section; 2188

~~(e)~~ (5) An overall performance designation for the school 2189
calculated under rules adopted under division (D) (2) of this 2190
section. 2191

The department shall also include student outcome data, 2192
including postsecondary credit earned, nationally recognized 2193
career or technical certification, military enlistment, job 2194
placement, attendance rate, and progress on closing achievement 2195
gaps for each school. This information shall not be included in 2196
the calculation of a school's performance rating. 2197

(F) Not later than the thirty-first day of July of each 2198
year, the department shall submit preliminary report card data 2199

for overall academic performance for each performance measure 2200
prescribed in division ~~(E) (3)~~ (E) of this section for each 2201
community school to which this section applies. 2202

(G) For the purposes of prescribing performance levels and 2203
benchmarks under division (D) of this section, the department 2204
shall gather and analyze data from prior school years for each 2205
community school ~~described in division (B) (1) of section 3314.35~~ 2206
~~of the Revised Code~~ that primarily serves students enrolled in a 2207
dropout prevention and recovery program. Each such school shall 2208
cooperate with the department. The department shall consult with 2209
stakeholder groups in performing its duties under this division. 2210

(H) The department shall review the performance levels and 2211
benchmarks for performance indicators in the report card issued 2212
under this section and may revise them based on the data 2213
collected under division (G) of this section. 2214

~~(I) For the purposes of division (F) of section 3314.351~~ 2215
~~of the Revised Code, the department shall recalculate the~~ 2216
~~ratings for each school under division (E) (3) of this section~~ 2217
~~for the 2017-2018 school year and calculate the ratings under~~ 2218
~~that division for the 2018-2019 school year using the indicators~~ 2219
~~prescribed by division (C) of this section, as it exists on and~~ 2220
~~after July 18, 2019.~~ 2221

Sec. 3314.0211. (A) No community school to which either of 2222
the following applies shall be eligible to merge with one or 2223
more other community schools under this section: 2224

(1) The school has met the performance criteria ~~for~~ 2225
~~required closure~~ specified in division (A) of section 3314.35 ~~or~~ 2226
~~division (A) of section 3314.351 of the Revised Code~~ for at 2227
least one of the two most recent school years. 2228

(2) The school has been notified of the sponsor's intent 2229
to terminate or not renew the school's contract pursuant to 2230
section 3314.07 of the Revised Code. 2231

(B) Two or more community schools may merge upon the 2232
adoption of a resolution by the governing authority of each 2233
school involved in the merger. Any merger shall take effect on 2234
the first day of July of the year specified in the resolution. 2235

(C) Not less than sixty days prior to the effective date 2236
of a merger under division (B) of this section, each community 2237
school involved in the merger shall do both of the following: 2238

(1) Provide a copy of the resolution to the school's 2239
sponsor; 2240

(2) Notify the department of education and workforce of 2241
all of the following: 2242

(a) The impending merger; 2243

(b) The effective date of the merger; 2244

(c) The school that will be designated as the surviving 2245
school in accordance with section 1702.41 of the Revised Code; 2246

(d) The entity that will sponsor the surviving school. 2247

(D) Notwithstanding anything to the contrary in the 2248
Revised Code, the governing authority of the surviving community 2249
school shall enter into a new contract with the school's sponsor 2250
under section 3314.03 of the Revised Code. 2251

(E) No sponsor shall do either of the following: 2252

(1) Assign the sponsor's existing contract with a merging 2253
community school to the sponsor of the surviving community 2254
school; 2255

(2) Assume an existing contract from the sponsor of a 2256
community school involved in a merger under division (B) of this 2257
section. 2258

Division (E) of this section shall not apply to the office 2259
of Ohio school sponsorship established under section 3314.029 of 2260
the Revised Code. 2261

(F) (1) The department shall issue a report card under 2262
section 3302.03 or 3314.017 of the Revised Code for the 2263
surviving community school. 2264

(2) Notwithstanding anything to the contrary in division 2265
(A) of section 3314.012 of the Revised Code, all report card 2266
ratings associated with the surviving school, whether issued 2267
before or after the merger, shall be used for purposes of 2268
section 3314.35 ~~or 3314.351~~ of the Revised Code and any other 2269
matter that is based on report card ratings or measures. 2270

(G) Nothing in this section shall exempt a community 2271
school from closure under section 3314.35 ~~or 3314.351~~ of the 2272
Revised Code. 2273

Sec. 3314.03. A copy of every contract entered into under 2274
this section shall be filed with the director of education and 2275
workforce. The department of education and workforce shall make 2276
available on its web site a copy of every approved, executed 2277
contract filed with the director under this section. 2278

(A) Each contract entered into between a sponsor and the 2279
governing authority of a community school shall specify the 2280
following: 2281

(1) That the school shall be established as either of the 2282
following: 2283

(a) A nonprofit corporation established under Chapter	2284
1702. of the Revised Code, if established prior to April 8,	2285
2003;	2286
(b) A public benefit corporation established under Chapter	2287
1702. of the Revised Code, if established after April 8, 2003.	2288
(2) The education program of the school, including the	2289
school's mission, the characteristics of the students the school	2290
is expected to attract, the ages and grades of students, and the	2291
focus of the curriculum;	2292
(3) The academic goals to be achieved and the method of	2293
measurement that will be used to determine progress toward those	2294
goals, which shall include the statewide achievement	2295
assessments;	2296
(4) Performance standards, including but not limited to	2297
all applicable report card measures set forth in section 3302.03	2298
or 3314.017 of the Revised Code, by which the success of the	2299
school will be evaluated by the sponsor;	2300
(5) The admission standards of section 3314.06 of the	2301
Revised Code and, if applicable, section 3314.061 of the Revised	2302
Code;	2303
(6) (a) Dismissal procedures;	2304
(b) A requirement that the governing authority adopt an	2305
attendance policy that includes a procedure for automatically	2306
withdrawing a student from the school if the student without a	2307
legitimate excuse fails to participate in seventy-two	2308
consecutive hours of the learning opportunities offered to the	2309
student.	2310
(7) The ways by which the school will achieve racial and	2311

ethnic balance reflective of the community it serves; 2312

(8) Requirements for financial audits by the auditor of 2313
state. The contract shall require financial records of the 2314
school to be maintained in the same manner as are financial 2315
records of school districts, pursuant to rules of the auditor of 2316
state. Audits shall be conducted in accordance with section 2317
117.10 of the Revised Code. 2318

(9) An addendum to the contract outlining the facilities 2319
to be used that contains at least the following information: 2320

(a) A detailed description of each facility used for 2321
instructional purposes; 2322

(b) The annual costs associated with leasing each facility 2323
that are paid by or on behalf of the school; 2324

(c) The annual mortgage principal and interest payments 2325
that are paid by the school; 2326

(d) The name of the lender or landlord, identified as 2327
such, and the lender's or landlord's relationship to the 2328
operator, if any. 2329

(10) Qualifications of employees, including both of the 2330
following: 2331

(a) A requirement that the school's classroom teachers be 2332
licensed in accordance with sections 3319.22 to 3319.31 of the 2333
Revised Code, except that a community school may engage 2334
noncertificated persons to teach up to twelve hours or forty 2335
hours per week pursuant to section 3319.301 of the Revised Code; 2336

(b) A prohibition against the school employing an 2337
individual described in section 3314.104 of the Revised Code in 2338
any position. 2339

(11) That the school will comply with the following requirements: 2340
2341

(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. 2342
2343
2344

(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the school. 2345
2346
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(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. 2348
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(d) The school will comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 3313.721, 3313.753, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3319.614, 3320.01, 3320.02, 3320.03, 3320.04, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., 2352
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and 4167. of the Revised Code as if it were a school district 2370
and will comply with section 3301.0714 of the Revised Code in 2371
the manner specified in section 3314.17 of the Revised Code. 2372

(e) The school shall comply with Chapter 102. and section 2373
2921.42 of the Revised Code. 2374

(f) The school will comply with sections 3313.61, 2375
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 2376
Revised Code, except that for students who enter ninth grade for 2377
the first time before July 1, 2010, the requirement in sections 2378
3313.61 and 3313.611 of the Revised Code that a person must 2379
successfully complete the curriculum in any high school prior to 2380
receiving a high school diploma may be met by completing the 2381
curriculum adopted by the governing authority of the community 2382
school rather than the curriculum specified in Title XXXIII of 2383
the Revised Code or any rules of the department. Beginning with 2384
students who enter ninth grade for the first time on or after 2385
July 1, 2010, the requirement in sections 3313.61 and 3313.611 2386
of the Revised Code that a person must successfully complete the 2387
curriculum of a high school prior to receiving a high school 2388
diploma shall be met by completing the requirements prescribed 2389
in section 3313.6027 and division (C) of section 3313.603 of the 2390
Revised Code, unless the person qualifies under division (D) or 2391
(F) of that section. Each school shall comply with the plan for 2392
awarding high school credit based on demonstration of subject 2393
area competency, and beginning with the 2017-2018 school year, 2394
with the updated plan that permits students enrolled in seventh 2395
and eighth grade to meet curriculum requirements based on 2396
subject area competency adopted by the department under 2397
divisions (J) (1) and (2) of section 3313.603 of the Revised 2398
Code. Beginning with the 2018-2019 school year, the school shall 2399
comply with the framework for granting units of high school 2400

credit to students who demonstrate subject area competency 2401
through work-based learning experiences, internships, or 2402
cooperative education developed by the department under division 2403
(J) (3) of section 3313.603 of the Revised Code. 2404

(g) The school governing authority will submit within four 2405
months after the end of each school year a report of its 2406
activities and progress in meeting the goals and standards of 2407
divisions (A) (3) and (4) of this section and its financial 2408
status to the sponsor and the parents of all students enrolled 2409
in the school. 2410

(h) The school, unless it is an internet- or computer- 2411
based community school, will comply with section 3313.801 of the 2412
Revised Code as if it were a school district. 2413

(i) If the school is the recipient of moneys from a grant 2414
awarded under the federal race to the top program, Division (A), 2415
Title XIV, Sections 14005 and 14006 of the "American Recovery 2416
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 2417
the school will pay teachers based upon performance in 2418
accordance with section 3317.141 and will comply with section 2419
3319.111 of the Revised Code as if it were a school district. 2420

(j) If the school operates a preschool program that is 2421
licensed by the department under sections 3301.52 to 3301.59 of 2422
the Revised Code, the school shall comply with sections 3301.50 2423
to 3301.59 of the Revised Code and the minimum standards for 2424
preschool programs prescribed in rules adopted by the department 2425
of children and youth under section 3301.53 of the Revised Code. 2426

(k) The school will comply with sections 3313.6021 and 2427
3313.6023 of the Revised Code as if it were a school district 2428
unless it is either of the following: 2429

- (i) An internet- or computer-based community school; 2430
- (ii) A community school in which a majority of the 2431
enrolled students are children with disabilities ~~as described in~~ 2432
~~division (B) (2) of section 3314.35 of the Revised Code~~receiving 2433
special education and related services in accordance with 2434
Chapter 3323. of the Revised Code. 2435
- (1) The school will comply with section 3321.191 of the 2436
Revised Code, unless it is an internet- or computer-based 2437
community school that is subject to section 3314.261 of the 2438
Revised Code. 2439
- (12) Arrangements for providing health and other benefits 2440
to employees; 2441
- (13) The length of the contract, which shall begin at the 2442
beginning of an academic year. No contract shall exceed five 2443
years unless such contract has been renewed pursuant to division 2444
(E) of this section. 2445
- (14) The governing authority of the school, which shall be 2446
responsible for carrying out the provisions of the contract; 2447
- (15) A financial plan detailing an estimated school budget 2448
for each year of the period of the contract and specifying the 2449
total estimated per pupil expenditure amount for each such year. 2450
- (16) Requirements and procedures regarding the disposition 2451
of employees of the school in the event the contract is 2452
terminated or not renewed pursuant to section 3314.07 of the 2453
Revised Code; 2454
- (17) Whether the school is to be created by converting all 2455
or part of an existing public school or educational service 2456
center building or is to be a new start-up school, and if it is 2457

a converted public school or service center building, 2458
specification of any duties or responsibilities of an employer 2459
that the board of education or service center governing board 2460
that operated the school or building before conversion is 2461
delegating to the governing authority of the community school 2462
with respect to all or any specified group of employees provided 2463
the delegation is not prohibited by a collective bargaining 2464
agreement applicable to such employees; 2465

(18) Provisions establishing procedures for resolving 2466
disputes or differences of opinion between the sponsor and the 2467
governing authority of the community school; 2468

(19) A provision requiring the governing authority to 2469
adopt a policy regarding the admission of students who reside 2470
outside the district in which the school is located. That policy 2471
shall comply with the admissions procedures specified in 2472
sections 3314.06 and 3314.061 of the Revised Code and, at the 2473
sole discretion of the authority, shall do one of the following: 2474

(a) Prohibit the enrollment of students who reside outside 2475
the district in which the school is located; 2476

(b) Permit the enrollment of students who reside in 2477
districts adjacent to the district in which the school is 2478
located; 2479

(c) Permit the enrollment of students who reside in any 2480
other district in the state. 2481

(20) A provision recognizing the authority of the 2482
department to take over the sponsorship of the school in 2483
accordance with the provisions of division (C) of section 2484
3314.015 of the Revised Code; 2485

(21) A provision recognizing the sponsor's authority to 2486

assume the operation of a school under the conditions specified 2487
in division (B) of section 3314.073 of the Revised Code; 2488

(22) A provision recognizing both of the following: 2489

(a) The authority of public health and safety officials to 2490
inspect the facilities of the school and to order the facilities 2491
closed if those officials find that the facilities are not in 2492
compliance with health and safety laws and regulations; 2493

(b) The authority of the department as the community 2494
school oversight body to suspend the operation of the school 2495
under section 3314.072 of the Revised Code if the department has 2496
evidence of conditions or violations of law at the school that 2497
pose an imminent danger to the health and safety of the school's 2498
students and employees and the sponsor refuses to take such 2499
action. 2500

(23) A description of the learning opportunities that will 2501
be offered to students including both classroom-based and non- 2502
classroom-based learning opportunities that is in compliance 2503
with criteria for student participation established by the 2504
department under division (H) (2) of section 3314.08 of the 2505
Revised Code; 2506

(24) The school will comply with sections 3302.04 and 2507
3302.041 of the Revised Code, except that any action required to 2508
be taken by a school district pursuant to those sections shall 2509
be taken by the sponsor of the school. 2510

(25) Beginning in the 2006-2007 school year, the school 2511
will open for operation not later than the thirtieth day of 2512
September each school year, unless the mission of the school as 2513
specified under division (A) (2) of this section is solely to 2514
serve dropouts. In its initial year of operation, if the school 2515

fails to open by the thirtieth day of September, or within one 2516
year after the adoption of the contract pursuant to division (D) 2517
of section 3314.02 of the Revised Code if the mission of the 2518
school is solely to serve dropouts, the contract shall be void. 2519

(26) Whether the school's governing authority is planning 2520
to seek designation for the school as a STEM school equivalent 2521
under section 3326.032 of the Revised Code; 2522

(27) That the school's attendance and participation 2523
policies will be available for public inspection; 2524

(28) That the school's attendance and participation 2525
records shall be made available to the department, auditor of 2526
state, and school's sponsor to the extent permitted under and in 2527
accordance with the "Family Educational Rights and Privacy Act 2528
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 2529
regulations promulgated under that act, and section 3319.321 of 2530
the Revised Code; 2531

(29) If a school operates using the blended learning 2532
model, as defined in section 3301.079 of the Revised Code, all 2533
of the following information: 2534

(a) An indication of what blended learning model or models 2535
will be used; 2536

(b) A description of how student instructional needs will 2537
be determined and documented; 2538

(c) The method to be used for determining competency, 2539
granting credit, and promoting students to a higher grade level; 2540

(d) The school's attendance requirements, including how 2541
the school will document participation in learning 2542
opportunities; 2543

(e) A statement describing how student progress will be	2544
monitored;	2545
(f) A statement describing how private student data will	2546
be protected;	2547
(g) A description of the professional development	2548
activities that will be offered to teachers.	2549
(30) A provision requiring that all moneys the school's	2550
operator loans to the school, including facilities loans or cash	2551
flow assistance, must be accounted for, documented, and bear	2552
interest at a fair market rate;	2553
(31) A provision requiring that, if the governing	2554
authority contracts with an attorney, accountant, or entity	2555
specializing in audits, the attorney, accountant, or entity	2556
shall be independent from the operator with which the school has	2557
contracted.	2558
(32) A provision requiring the governing authority to	2559
adopt an enrollment and attendance policy that requires a	2560
student's parent to notify the community school in which the	2561
student is enrolled when there is a change in the location of	2562
the parent's or student's primary residence.	2563
(33) A provision requiring the governing authority to	2564
adopt a student residence and address verification policy for	2565
students enrolling in or attending the school.	2566
(B) The community school shall also submit to the sponsor	2567
a comprehensive plan for the school. The plan shall specify the	2568
following:	2569
(1) The process by which the governing authority of the	2570
school will be selected in the future;	2571

(2) The management and administration of the school; 2572

(3) If the community school is a currently existing public 2573
school or educational service center building, alternative 2574
arrangements for current public school students who choose not 2575
to attend the converted school and for teachers who choose not 2576
to teach in the school or building after conversion; 2577

(4) The instructional program and educational philosophy 2578
of the school; 2579

(5) Internal financial controls. 2580

When submitting the plan under this division, the school 2581
shall also submit copies of all policies and procedures 2582
regarding internal financial controls adopted by the governing 2583
authority of the school. 2584

(C) A contract entered into under section 3314.02 of the 2585
Revised Code between a sponsor and the governing authority of a 2586
community school may provide for the community school governing 2587
authority to make payments to the sponsor, which is hereby 2588
authorized to receive such payments as set forth in the contract 2589
between the governing authority and the sponsor. The total 2590
amount of such payments for monitoring, oversight, and technical 2591
assistance of the school shall not exceed three per cent of the 2592
total amount of payments for operating expenses that the school 2593
receives from the state. 2594

(D) The contract shall specify the duties of the sponsor 2595
which shall be in accordance with the written agreement entered 2596
into with the department under division (B) of section 3314.015 2597
of the Revised Code and shall include the following: 2598

(1) Monitor the community school's compliance with all 2599
laws applicable to the school and with the terms of the 2600

contract; 2601

(2) Monitor and evaluate the academic and fiscal 2602
performance and the organization and operation of the community 2603
school on at least an annual basis; 2604

(3) Provide technical assistance to the community school 2605
in complying with laws applicable to the school and terms of the 2606
contract; 2607

(4) Take steps to intervene in the school's operation to 2608
correct problems in the school's overall performance, declare 2609
the school to be on probationary status pursuant to section 2610
3314.073 of the Revised Code, suspend the operation of the 2611
school pursuant to section 3314.072 of the Revised Code, or 2612
terminate the contract of the school pursuant to section 3314.07 2613
of the Revised Code as determined necessary by the sponsor; 2614

(5) Have in place a plan of action to be undertaken in the 2615
event the community school experiences financial difficulties or 2616
closes prior to the end of a school year. 2617

(E) Upon the expiration of a contract entered into under 2618
this section, the sponsor of a community school may, with the 2619
approval of the governing authority of the school, renew that 2620
contract for a period of time determined by the sponsor, but not 2621
ending earlier than the end of any school year, if the sponsor 2622
finds that the school's compliance with applicable laws and 2623
terms of the contract and the school's progress in meeting the 2624
academic goals prescribed in the contract have been 2625
satisfactory. Any contract that is renewed under this division 2626
remains subject to the provisions of sections 3314.07, 3314.072, 2627
and 3314.073 of the Revised Code. 2628

(F) If a community school fails to open for operation 2629

within one year after the contract entered into under this 2630
section is adopted pursuant to division (D) of section 3314.02 2631
of the Revised Code or permanently closes prior to the 2632
expiration of the contract, the contract shall be void and the 2633
school shall not enter into a contract with any other sponsor. A 2634
school shall not be considered permanently closed because the 2635
operations of the school have been suspended pursuant to section 2636
3314.072 of the Revised Code. 2637

Sec. 3314.05. (A) The contract between the community 2638
school and the sponsor shall specify the facilities to be used 2639
for the community school and the method of acquisition. Except 2640
as provided in divisions (B) (3) and (4) of this section, no 2641
community school shall be established in more than one school 2642
district under the same contract. 2643

(B) Division (B) of this section shall not apply to 2644
internet- or computer-based community schools. 2645

(1) A community school may be located in multiple 2646
facilities under the same contract only if the limitations on 2647
availability of space prohibit serving all the grade levels 2648
specified in the contract in a single facility or division (B) 2649
(2), (3), or (4) of this section applies to the school. The 2650
school shall not offer the same grade level classrooms in more 2651
than one facility. 2652

(2) A community school may be located in multiple 2653
facilities under the same contract and, notwithstanding division 2654
(B) (1) of this section, may assign students in the same grade 2655
level to multiple facilities, as long as all of the following 2656
apply: 2657

(a) The governing authority has entered into and maintains 2658

a contract with an operator of the type described in division 2659
(A) (8) (b) of section 3314.02 of the Revised Code. 2660

(b) The contract with that operator qualified the school 2661
to be established pursuant to division (A) of former section 2662
3314.016 of the Revised Code. 2663

(c) The school's rating under section 3302.03 of the 2664
Revised Code does not fall below ~~a combination of any of the~~ 2665
~~following for two or more consecutive years:—~~ 2666

~~(i) A rating of "in need of continuous improvement" under~~ 2667
~~section 3302.03 of the Revised Code, as that section existed~~ 2668
~~prior to March 22, 2013;—~~ 2669

~~(ii) For the 2012-2013, 2013-2014, 2014-2015, and 2015-~~ 2670
~~2016 school years, a rating of "C" for both the performance~~ 2671
~~index score under division (A) (1) (b) or (B) (1) (b) and the value-~~ 2672
~~added dimension under division (A) (1) (c) or (B) (1) (c) of section~~ 2673
~~3302.03 of the Revised Code; or if the building serves only~~ 2674
~~grades ten through twelve, the building received a grade of "C"~~ 2675
~~for the performance index score under division (A) (1) (b) or (B)~~ 2676
~~(1) (b) of section 3302.03 of the Revised Code;—~~ 2677

~~(iii) For the 2016-2017, 2017-2018, 2018-2019, 2019-2020,~~ 2678
~~2020-2021 school years, an overall grade of "C" under division~~ 2679
~~(C) (3) of section 3302.03 of the Revised Code or an overall~~ 2680
~~performance designation of "meets standards" under division (E)~~ 2681
~~(3) (e) of section 3314.017 of the Revised Code;—~~ 2682

~~(iv) For the 2021-2022 school year and any school year~~ 2683
~~thereafter, an overall performance rating of three stars under~~ 2684
~~division (D) (3) of section 3302.03 of the Revised Code or an~~ 2685
~~overall performance designation of "meets standards" under~~ 2686
~~division ~~(E) (3) (e)~~ (E) (5) of section 3314.017 of the Revised~~ 2687

Code. 2688

(3) On and after September 30, 2021, a new start-up 2689
community school may be established in two school districts 2690
under the same contract regardless of the proposed location of 2691
either district if both of the following apply: 2692

(a) The school operates not more than one facility in each 2693
school district and, in accordance with division (B) (1) of this 2694
section, the school does not offer the same grade level 2695
classrooms in both facilities; and 2696

(b) Transportation between the two facilities does not 2697
require more than thirty minutes of direct travel time as 2698
measured by school bus. 2699

(4) A community school may be located in multiple 2700
facilities under the same contract and, notwithstanding division 2701
(B) (1) of this section, may assign students in the same grade 2702
level to multiple facilities, as long as both of the following 2703
apply: 2704

(a) The facilities are all located in the same county or 2705
in any county adjacent to the county in which the community 2706
school's primary facility is located. 2707

(b) Either of the following conditions are satisfied: 2708

(i) The community school is sponsored by a board of 2709
education of a city, local, or exempted village school district 2710
having territory in the same county where the facilities of the 2711
community school are located or in any county adjacent to the 2712
county in which the community school's primary facility is 2713
located; 2714

(ii) The community school is managed by an operator. 2715

In the case of a community school to which division (B) (4) 2716
of this section applies and that maintains facilities in more 2717
than one school district, the school's governing authority shall 2718
designate one of those districts to be considered the school's 2719
primary location and the district in which the school is located 2720
for the purposes of division (A) (19) of section 3314.03 and 2721
divisions (C) and (H) of section 3314.06 of the Revised Code and 2722
for all other purposes of this chapter and shall notify the 2723
department of that designation. 2724

(5) Any facility used for a community school shall meet 2725
all health and safety standards established by law for school 2726
buildings. 2727

(C) In the case where a community school is proposed to be 2728
located in a facility owned by a school district or educational 2729
service center, the facility may not be used for such community 2730
school unless the district or service center board owning the 2731
facility enters into an agreement for the community school to 2732
utilize the facility. Use of the facility may be under any terms 2733
and conditions agreed to by the district or service center board 2734
and the school. 2735

(D) Two or more separate community schools may be located 2736
in the same facility. 2737

(E) In the case of a community school that is located in 2738
multiple facilities, beginning July 1, 2012, the department 2739
shall assign a unique identification number to the school and to 2740
each facility maintained by the school. Each number shall be 2741
used for identification purposes only. Nothing in this division 2742
shall be construed to require the department to calculate the 2743
amount of funds paid under this chapter, or to compute any data 2744
required for the report cards issued under section 3314.012 of 2745

the Revised Code, for each facility separately. The department 2746
shall make all such calculations or computations for the school 2747
as a whole. 2748

(F) (1) In the case of a community school that exists prior 2749
to September 30, 2021, to which division (B) (3) of this section 2750
applies, if only one of the school districts in which the school 2751
is established was located in a challenged school district prior 2752
to September 30, 2021, that district continues to be considered 2753
the school's primary location and the district in which the 2754
school is located for the purposes of division (A) (19) of 2755
section 3314.03 and divisions (C) and (H) of section 3314.06 of 2756
the Revised Code and for all other purposes of this chapter 2757
unless and until the school's governing authority designates a 2758
different school district as the school's primary location in 2759
accordance with division (F) (2) of this section. If both of the 2760
school districts in which the school is established were 2761
challenged school districts on that date, and the primary 2762
location was already designated by the school's governing 2763
authority pursuant to the requirements of this section as it 2764
existed prior to September 30, 2021, that designation remains 2765
unless and until the school's governing authority designates a 2766
different primary location. 2767

(2) (a) On and after September 30, 2021, when a new start- 2768
up community school is established in two school districts under 2769
the same contract, the school's governing authority shall 2770
designate one of those districts to be considered the school's 2771
primary location and the district in which the school is located 2772
for the purposes of division (A) (19) of section 3314.03 and 2773
divisions (C) and (H) of section 3314.06 of the Revised Code and 2774
for all other purposes of this chapter and shall notify the 2775
department of education and workforce of that designation. 2776

(b) A community school governing authority that elects to 2777
modify a community school's primary location, whether in 2778
accordance with division (F) (1) of this section or otherwise, 2779
shall notify the department of that modification. 2780

Sec. 3314.29. (A) This section applies to any internet- or 2781
computer-based community school that meets all of the following 2782
conditions: 2783

(1) Serves all of grades kindergarten through twelve; 2784
(2) Has an enrollment of at least two thousand students; 2785
(3) Has a sponsor that was not rated ineffective or poor 2786
on its most recent evaluation under section 3314.016 of the 2787
Revised Code. 2788

(B) Beginning with the 2018-2019 school year, the 2789
governing authority of a community school to which this section 2790
applies may adopt a resolution to divide the school into two or 2791
three separate schools as follows: 2792

(1) If the school is divided into two schools, one school 2793
shall serve grades kindergarten through eight and one school 2794
shall serve grades nine through twelve. 2795

(2) If the school is divided into three schools, one 2796
school shall serve grades kindergarten through five, one school 2797
shall serve grades six through eight, and one school shall serve 2798
grades nine through twelve. 2799

(C) The resolution adopted by the governing authority 2800
shall not be effective unless approved by the school's sponsor. 2801
Following approval of the resolution by the sponsor, and by the 2802
fifteenth day of March prior to the school year in which it will 2803
take effect, the governing authority shall file the resolution 2804

with the department of education and workforce. The division of 2805
the schools shall be effective on the first day of July 2806
succeeding the date the resolution is filed with the department. 2807

(D) All of the following shall apply to each new school 2808
created as a result of the resolution authorized by this section 2809
and to the school that is divided as a result of the resolution: 2810

(1) Each school shall have the same governing authority. 2811

(2) The sponsor and governing authority shall enter into a 2812
separate contract under section 3314.03 of the Revised Code for 2813
each school. 2814

(3) No school shall primarily serve students enrolled in a 2815
dropout prevention and recovery program operated by the school. 2816

(4) No school shall be permitted to divide again under 2817
this section. 2818

(5) Notwithstanding anything to the contrary in division 2819
(B) (2) of section 3314.016 of the Revised Code, each school 2820
shall be included in the calculation of the academic performance 2821
component for purposes of rating the schools' sponsor under the 2822
evaluation system prescribed by that section. 2823

(6) Each school shall be subject to the laws contained in 2824
Chapter 3314. of the Revised Code, except as otherwise specified 2825
in this section. 2826

(E) The department shall issue a report card under section 2827
3314.012 of the Revised Code for each new school created as a 2828
result of the resolution authorized by this section and for the 2829
school that is divided as a result of the resolution. For 2830
purposes of the report cards and other reporting requirements 2831
under this chapter, the department shall assign the school that 2832

serves the highest grades the same internal retrieval number 2833
previously used by the school that is divided under this 2834
section. The department shall assign a new internal retrieval 2835
number to each other school resulting from the division. 2836

Notwithstanding division (A) of section 3314.012 of the 2837
Revised Code, the ratings a school receives on its report card 2838
for the first two full school years after the division under 2839
this section shall count toward ~~closure of the school under~~ 2840
required action for poorly performing community schools under 2841
section 3314.35 of the Revised Code and any other matter that is 2842
based on report card ratings or measures. 2843

Sec. 3314.35. (A) This section applies to a community 2844
school that, for the three most recent school years, meets any 2845
combination of the following criteria: 2846

(1) The school meets all of the following criteria: 2847

(a) The school offers a grade level higher than three. 2848

(b) The school has been ranked by the department of 2849
education and workforce according to performance index score in 2850
the bottom five per cent of all ranked school buildings in the 2851
state. 2852

(c) The school has been ranked by the department according 2853
to effect size under the value-added progress dimension in the 2854
bottom ten per cent of all ranked school buildings in the state. 2855

(d) A majority of the students enrolled in the school are 2856
not enrolled in a dropout prevention and recovery program. 2857

(2) The school meets both of the following: 2858

(a) A majority of the students enrolled in the school are 2859
enrolled in a dropout prevention and recovery program. 2860

(b) The school has received a designation of "does not 2861
meet standards," as described in division (D) (1) of section 2862
3314.017 of the Revised Code, on the report card issued under 2863
that section. 2864

(B) The department shall provide notice to any community 2865
school to which this section applies of that fact. The governing 2866
authority of a community school to which this section applies 2867
shall do one of the following at the conclusion of the school 2868
year in which the school first becomes subject to this section: 2869

(1) Permanently close. The sponsor and governing authority 2870
of the school shall comply with all procedures for closing a 2871
community school adopted by the department under division (E) of 2872
section 3314.015 of the Revised Code. The governing authority of 2873
the school shall not enter into a contract with any other 2874
sponsor under section 3314.03 of the Revised Code after the 2875
school closes. 2876

(2) Contract with one of the following entities to operate 2877
the school: 2878

(a) An education management organization or charter 2879
management organization that is approved by the department and 2880
meets at least one of the following conditions: 2881

(i) The organization has experience in improving school 2882
performance; 2883

(ii) The schools managed by the organization have received 2884
an average of at least three stars in the achievement and 2885
progress components under division (D) (3) of section 3302.03 of 2886
the Revised Code on the most recent report card issued by the 2887
department. 2888

(b) A school district that meets both of the following: 2889

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

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

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

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

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

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

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

(C) If the governing authority of a community school subject to this section implements any alternative to closure under division (B) of this section or any combination of alternatives to closure under that division and the school continues to meet the criteria described in division (A) of this

section for the next three consecutive school years, beginning 2919
with the school year in which an alternative to closure is first 2920
implemented, the governing authority shall permanently close the 2921
school pursuant to division (B) (1) of this section. 2922

(D) Nothing in this section or in any other provision of 2923
the Revised Code prohibits the sponsor of a community school 2924
from exercising its option not to renew a contract for any 2925
reason or from terminating a contract prior to its expiration 2926
for any of the reasons set forth in section 3314.07 of the 2927
Revised Code. 2928

(E) The department may adopt rules as necessary to 2929
implement this section. 2930

(F) The department shall not consider report cards issued 2931
prior to the 2024-2025 school year in determining whether a 2932
community school is subject to this section. 2933

Sec. 3314.352. No community school that is permanently 2934
closed under section 3314.35 or former section 3314.351 of the 2935
Revised Code as it existed prior to the effective date of this 2936
amendment may be reopened under another name if any of the 2937
following conditions are true: 2938

(A) The new school has the same sponsor as the closed 2939
school. 2940

(B) The new school has the same chief administrator as the 2941
closed school. 2942

(C) The governing authority of the new school consists of 2943
any of the same members that served on the governing authority 2944
of the closed school during that school's last year of 2945
operation. 2946

(D) Fifty per cent or more of the teaching staff of the 2947
new school consists of the same individuals who were employed as 2948
teachers at the closed school during that school's last year of 2949
operation. 2950

(E) Fifty per cent or more of the administrative staff of 2951
the new school consists of the same individuals who were 2952
employed as administrators at the closed school during that 2953
school's last year of operation. 2954

(F) The performance standards and accountability plan 2955
prescribed by the sponsor contract for the new school, entered 2956
into under section 3314.03 of the Revised Code, are the same as 2957
those for the closed school. 2958

Sec. 3314.353. Each year, the department of education and 2959
workforce shall publish separate lists of the following: 2960

(A) Community schools that have become subject to 2961
~~permanent closure~~ required action for poorly performing 2962
community schools under section 3314.35 ~~or 3314.351~~ of the 2963
Revised Code; 2964

(B) Community schools that are at risk of becoming subject 2965
to ~~permanent closure~~ required action for poorly performing 2966
community schools under section 3314.35 ~~or 3314.351~~ of the 2967
Revised Code if their academic performance, as prescribed in 2968
those sections, does not improve on the next state report cards 2969
issued under section 3302.03 or 3314.017 of the Revised Code. 2970

The department of education and workforce shall not adopt 2971
any rules, enforce any procedures or policies, or otherwise 2972
restrict the establishment or sponsorship of a new start-up 2973
community school based upon whether the school's proposed 2974
location is in a challenged school district. 2975

Sec. 3314.354. Not later than the thirty-first day of July 2976
of each year, the department of education and workforce shall 2977
submit preliminary data on community schools at risk of becoming 2978
subject to ~~permanent closure~~ an action required for poorly 2979
performing community schools under section 3314.35 ~~or 3314.351~~ 2980
of the Revised Code. 2981

Sec. 3326.53. (A) This section applies to a STEM school 2982
that, for the three most recent school years, meets all of the 2983
following criteria: 2984

(1) The STEM school offers a grade level higher than 2985
three; 2986

(2) The STEM school has been ranked by the department of 2987
education and workforce according to performance index score in 2988
the bottom five per cent of all ranked school buildings in the 2989
state; 2990

(3) The STEM school has been ranked by the department 2991
according to effect size under the value-added progress 2992
dimension in the bottom ten per cent of all ranked school 2993
buildings in the state. 2994

(B) The department shall provide notice to any STEM school 2995
to which this section applies of that fact. In the case of a 2996
STEM school to which this section applies, the governing body of 2997
the STEM school shall do one of the following at the conclusion 2998
of the school year in which the STEM school first becomes 2999
subject to this section: 3000

(1) Close the school; 3001

(2) Contract with one of the following entities to operate 3002
the school: 3003

<u>(a) An education management organization or charter</u>	3004
<u>management organization that is approved by the department and</u>	3005
<u>meets at least one of the following conditions:</u>	3006
<u>(i) The organization has experience in improving school</u>	3007
<u>performance;</u>	3008
<u>(ii) The schools managed by the organization have received</u>	3009
<u>an average of at least three stars in the achievement and</u>	3010
<u>progress components under division (D) (3) of section 3302.03 of</u>	3011
<u>the Revised Code on the most recent report card issued by the</u>	3012
<u>department.</u>	3013
<u>(b) A school district that meets both of the following:</u>	3014
<u>(i) The district has received an overall rating of at</u>	3015
<u>least four stars on its most recent report card issued under</u>	3016
<u>section 3302.03 of the Revised Code and has experience improving</u>	3017
<u>school performance, as determined by the department;</u>	3018
<u>(ii) The district does not operate any school building</u>	3019
<u>that is subject to section 3302.12 of the Revised Code.</u>	3020
<u>(c) An educational service center that has experience in</u>	3021
<u>school improvement and meets criteria established by the</u>	3022
<u>department;</u>	3023
<u>(d) A private college as defined in section 3365.01 of the</u>	3024
<u>Revised Code that has experience in school improvement and meets</u>	3025
<u>criteria established by the department;</u>	3026
<u>(e) A state institution of higher education as defined in</u>	3027
<u>section 3345.011 of the Revised Code that has experience in</u>	3028
<u>school improvement and meets criteria established by the</u>	3029
<u>department.</u>	3030
<u>(3) Replace the principal and at least a majority of</u>	3031

licensed staff of the school. Notwithstanding any provision to 3032
the contrary in Chapter 4117. of the Revised Code, this 3033
provision prevails over any conflicting provisions of a 3034
collective bargaining agreement or contract for employment 3035
entered into after the effective date of this section. 3036

(4) Work with a department-approved external service 3037
provider that has expertise in school improvement. 3038

(C) If the governing body of a STEM school subject to this 3039
section implements any alternative to closure under division (B) 3040
of this section or any combination of alternatives to closure 3041
under that division and the school continues to meet the 3042
criteria described in division (A) of this section for the next 3043
three consecutive school years, beginning with the school year 3044
in which an alternative to closure is first implemented, the 3045
governing body shall close the school pursuant to division (B) 3046
(1) of this section. 3047

(D) The department may adopt rules as necessary to 3048
implement this section. 3049

(E) The department shall not consider report cards issued 3050
prior to the 2024-2025 school year in determining whether a STEM 3051
school is subject to this section. 3052

Section 2. That existing sections 3301.0712, 3302.03, 3053
3302.034, 3302.036, 3302.12, 3313.413, 3314.012, 3314.016, 3054
3314.017, 3314.0211, 3314.03, 3314.05, 3314.29, 3314.352, 3055
3314.353, and 3314.354 of the Revised Code are hereby repealed. 3056

Section 3. That sections 3314.35, 3314.351, 3314.355, and 3057
3314.36 of the Revised Code are hereby repealed. 3058

Section 4. Sections 1 to 3 of this act take effect July 1, 3059
2025. 3060

Section 5. Section 3314.03 of the Revised Code is 3061
presented in this act as a composite of the section as amended 3062
by H.B. 214, H.B. 250, and S.B. 168, all of the 135th General 3063
Assembly. The General Assembly, applying the principle stated in 3064
division (B) of section 1.52 of the Revised Code that amendments 3065
are to be harmonized if reasonably capable of simultaneous 3066
operation, finds that the composite is the resulting version of 3067
the section in effect prior to the effective date of the section 3068
as presented in this act. 3069