

As Recommended to the Senate Education Committee

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Sub. S. B. No. 19

Senator Brenner

Cosponsor: Senator Ingram

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

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

Section 1. That sections 3301.0714, 3302.03, 3313.6032, 9
3314.03, 3317.25, 3324.10, and 3326.11 be amended and sections 10
3302.131, 3302.132, 3313.6034, 3313.6035, 3319.2214, and 11
3319.2311 of the Revised Code be enacted to read as follows: 12

Sec. 3301.0714. (A) The department of education and 13
workforce shall adopt rules for a statewide education management 14
information system. The rules shall require the department to 15
establish guidelines for the establishment and maintenance of 16
the system in accordance with this section and the rules adopted 17
under this section. The guidelines shall include: 18

(1) Standards identifying and defining the types of data 19

in the system in accordance with divisions (B) and (C) of this section; 20
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(2) Procedures for annually collecting and reporting the data to the department in accordance with division (D) of this section; 22
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(3) Procedures for annually compiling the data in accordance with division (G) of this section; 25
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(4) Procedures for annually reporting the data to the public in accordance with division (H) of this section; 27
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(5) Standards to provide strict safeguards to protect the confidentiality of personally identifiable student data. 29
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(B) The guidelines adopted under this section shall require the data maintained in the education management information system to include at least the following: 31
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(1) Student participation and performance data, for each grade in each school district as a whole and for each grade in each school building in each school district, that includes: 34
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(a) The numbers of students receiving each category of instructional service offered by the school district, such as regular education instruction, vocational education instruction, specialized instruction programs or enrichment instruction that is part of the educational curriculum, instruction for gifted students, instruction for students with disabilities, and remedial instruction. The guidelines shall require instructional services under this division to be divided into discrete categories if an instructional service is limited to a specific subject, a specific type of student, or both, such as regular instructional services in mathematics, remedial reading instructional services, instructional services specifically for 37
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students gifted in mathematics or some other subject area, or 49
instructional services for students with a specific type of 50
disability. The categories of instructional services required by 51
the guidelines under this division shall be the same as the 52
categories of instructional services used in determining cost 53
units pursuant to division (C) (3) of this section. 54

(b) The numbers of students receiving support or 55
extracurricular services for each of the support services or 56
extracurricular programs offered by the school district, such as 57
counseling services, health services, and extracurricular sports 58
and fine arts programs. The categories of services required by 59
the guidelines under this division shall be the same as the 60
categories of services used in determining cost units pursuant 61
to division (C) (4) (a) of this section. 62

(c) Average student grades in each subject in grades nine 63
through twelve; 64

(d) Academic achievement levels as assessed under sections 65
3301.0710, 3301.0711, and 3301.0712 of the Revised Code; 66

(e) The number of students designated as having a 67
disabling condition pursuant to division (C) (1) of section 68
3301.0711 of the Revised Code; 69

(f) The numbers of students reported to the department 70
pursuant to division (C) (2) of section 3301.0711 of the Revised 71
Code; 72

(g) Attendance rates and the average daily attendance for 73
the year. For purposes of this division, a student shall be 74
counted as present for any field trip that is approved by the 75
school administration. 76

(h) Expulsion rates; 77

(i) Suspension rates;	78
(j) Dropout rates;	79
(k) Rates of retention in grade;	80
(l) For pupils in grades nine through twelve, the average number of carnegie units, as calculated in accordance with the director's rules;	81 82 83
(m) Graduation rates, to be calculated in a manner specified by the department that reflects the rate at which students who were in the ninth grade three years prior to the current year complete school and that is consistent with nationally accepted reporting requirements;	84 85 86 87 88
(n) Results of diagnostic assessments described in division (A) (1) of section 3301.0715 of the Revised Code;	89 90
(o) The number of students earning each state diploma seal included in the system prescribed under division (A) of section 3313.6114 of the Revised Code;	91 92 93
(p) The number of students demonstrating competency for graduation using each option described in divisions (B) (1) (a) to (d) of section 3313.618 of the Revised Code;	94 95 96
(q) The number of students completing each foundational and supporting option as part of the demonstration of competency for graduation pursuant to division (B) (1) (b) of section 3313.618 of the Revised Code;	97 98 99 100
(r) The number of students enrolled in all-day kindergarten, as defined in section 3321.05 of the Revised Code.	101 102
(2) Personnel and classroom enrollment data for each school district, including:	103 104

(a) The total numbers of licensed employees and 105
nonlicensed employees and the numbers of full-time equivalent 106
licensed employees and nonlicensed employees providing each 107
category of instructional service, instructional support 108
service, and administrative support service used pursuant to 109
division (C) (3) of this section. The guidelines adopted under 110
this section shall require these categories of data to be 111
maintained for the school district as a whole and, wherever 112
applicable, for each grade in the school district as a whole, 113
for each school building as a whole, and for each grade in each 114
school building. 115

(b) The total number of employees and the number of full- 116
time equivalent employees providing each category of service 117
used pursuant to divisions (C) (4) (a) and (b) of this section, 118
and the total numbers of licensed employees and nonlicensed 119
employees and the numbers of full-time equivalent licensed 120
employees and nonlicensed employees providing each category used 121
pursuant to division (C) (4) (c) of this section. The guidelines 122
adopted under this section shall require these categories of 123
data to be maintained for the school district as a whole and, 124
wherever applicable, for each grade in the school district as a 125
whole, for each school building as a whole, and for each grade 126
in each school building. 127

(c) The total number of regular classroom teachers 128
teaching classes of regular education and the average number of 129
pupils enrolled in each such class, in each of grades 130
kindergarten through five in the district as a whole and in each 131
school building in the school district. 132

(d) The number of lead teachers employed by each school 133
district and each school building. 134

(3) (a) Student demographic data for each school district, 135
including information regarding the gender ratio of the school 136
district's pupils, the racial make-up of the school district's 137
pupils, the number of English learners in the district, and an 138
appropriate measure of the number of the school district's 139
pupils who reside in economically disadvantaged households. The 140
demographic data shall be collected in a manner to allow 141
correlation with data collected under division (B) (1) of this 142
section. Categories for data collected pursuant to division (B) 143
(3) of this section shall conform, where appropriate, to 144
standard practices of agencies of the federal government. 145

(b) With respect to each student entering kindergarten, 146
whether the student previously participated in a public 147
preschool program, a private preschool program, or a head start 148
program, and the number of years the student participated in 149
each of these programs. 150

(4) (a) The core curriculum and instructional materials 151
being used for English language arts in each of grades pre- 152
kindergarten to five; 153

(b) The reading intervention programs being used in each 154
of grades pre-kindergarten to twelve. 155

~~+(5)~~ (5) (a) The core curriculum and instructional materials 156
being used for mathematics in each of grades kindergarten to 157
five; 158

(b) The mathematics intervention programs being used in 159
each of grades kindergarten to twelve. 160

(6) Any data required to be collected pursuant to federal 161
law. 162

(C) The education management information system shall 163

include cost accounting data for each district as a whole and 164
for each school building in each school district. The guidelines 165
adopted under this section shall require the cost data for each 166
school district to be maintained in a system of mutually 167
exclusive cost units and shall require all of the costs of each 168
school district to be divided among the cost units. The 169
guidelines shall require the system of mutually exclusive cost 170
units to include at least the following: 171

(1) Administrative costs for the school district as a 172
whole. The guidelines shall require the cost units under this 173
division (C) (1) to be designed so that each of them may be 174
compiled and reported in terms of average expenditure per pupil 175
in enrolled ADM in the school district, as determined pursuant 176
to section 3317.03 of the Revised Code. 177

(2) Administrative costs for each school building in the 178
school district. The guidelines shall require the cost units 179
under this division (C) (2) to be designed so that each of them 180
may be compiled and reported in terms of average expenditure per 181
full-time equivalent pupil receiving instructional or support 182
services in each building. 183

(3) Instructional services costs for each category of 184
instructional service provided directly to students and required 185
by guidelines adopted pursuant to division (B) (1) (a) of this 186
section. The guidelines shall require the cost units under 187
division (C) (3) of this section to be designed so that each of 188
them may be compiled and reported in terms of average 189
expenditure per pupil receiving the service in the school 190
district as a whole and average expenditure per pupil receiving 191
the service in each building in the school district and in terms 192
of a total cost for each category of service and, as a breakdown 193

of the total cost, a cost for each of the following components:	194
(a) The cost of each instructional services category	195
required by guidelines adopted under division (B) (1) (a) of this	196
section that is provided directly to students by a classroom	197
teacher;	198
(b) The cost of the instructional support services, such	199
as services provided by a speech-language pathologist, classroom	200
aide, multimedia aide, or librarian, provided directly to	201
students in conjunction with each instructional services	202
category;	203
(c) The cost of the administrative support services	204
related to each instructional services category, such as the	205
cost of personnel that develop the curriculum for the	206
instructional services category and the cost of personnel	207
supervising or coordinating the delivery of the instructional	208
services category.	209
(4) Support or extracurricular services costs for each	210
category of service directly provided to students and required	211
by guidelines adopted pursuant to division (B) (1) (b) of this	212
section. The guidelines shall require the cost units under	213
division (C) (4) of this section to be designed so that each of	214
them may be compiled and reported in terms of average	215
expenditure per pupil receiving the service in the school	216
district as a whole and average expenditure per pupil receiving	217
the service in each building in the school district and in terms	218
of a total cost for each category of service and, as a breakdown	219
of the total cost, a cost for each of the following components:	220
(a) The cost of each support or extracurricular services	221
category required by guidelines adopted under division (B) (1) (b)	222

of this section that is provided directly to students by a 223
licensed employee, such as services provided by a guidance 224
counselor or any services provided by a licensed employee under 225
a supplemental contract; 226

(b) The cost of each such services category provided 227
directly to students by a nonlicensed employee, such as 228
janitorial services, cafeteria services, or services of a sports 229
trainer; 230

(c) The cost of the administrative services related to 231
each services category in division (C) (4) (a) or (b) of this 232
section, such as the cost of any licensed or nonlicensed 233
employees that develop, supervise, coordinate, or otherwise are 234
involved in administering or aiding the delivery of each 235
services category. 236

(D) (1) The guidelines adopted under this section shall 237
require school districts to collect information about individual 238
students, staff members, or both in connection with any data 239
required by division (B) or (C) of this section or other 240
reporting requirements established in the Revised Code. The 241
guidelines may also require school districts to report 242
information about individual staff members in connection with 243
any data required by division (B) or (C) of this section or 244
other reporting requirements established in the Revised Code. 245
The guidelines shall not authorize school districts to request 246
social security numbers of individual students. The guidelines 247
shall prohibit the reporting under this section of a student's 248
name, address, and social security number to the department. The 249
guidelines shall also prohibit the reporting under this section 250
of any personally identifiable information about any student, 251
except for the purpose of assigning the data verification code 252

required by division (D) (2) of this section, to any other person 253
unless such person is employed by the school district or the 254
information technology center operated under section 3301.075 of 255
the Revised Code and is authorized by the district or technology 256
center to have access to such information or is employed by an 257
entity with which the department contracts for the scoring or 258
the development of state assessments. The guidelines may require 259
school districts to provide the social security numbers of 260
individual staff members and the county of residence for a 261
student. Nothing in this section prohibits the department from 262
providing a student's county of residence to the department of 263
taxation to facilitate the distribution of tax revenue. 264

(2) (a) The guidelines shall provide for each school 265
district or community school to assign a data verification code 266
that is unique on a statewide basis over time to each student 267
whose initial Ohio enrollment is in that district or school and 268
to report all required individual student data for that student 269
utilizing such code. The guidelines shall also provide for 270
assigning data verification codes to all students enrolled in 271
districts or community schools on the effective date of the 272
guidelines established under this section. The assignment of 273
data verification codes for other entities, as described in 274
division (D) (2) (d) of this section, the use of those codes, and 275
the reporting and use of associated individual student data 276
shall be coordinated by the department of education and 277
workforce in accordance with state and federal law. 278

School districts shall report individual student data to 279
the department through the information technology centers 280
utilizing the code. The entities described in division (D) (2) (d) 281
of this section shall report individual student data to the 282
department in the manner prescribed by the department. 283

(b) (i) Except as provided in sections 3301.941, 3310.11, 284
3310.42, 3310.63, 3313.978, 3317.20, and 5747.057 of the Revised 285
Code, and in division (D) (2) (b) (ii) of this section, at no time 286
shall the department have access to information that would 287
enable any data verification code to be matched to personally 288
identifiable student data. 289

(ii) For the purpose of making per-pupil payments to 290
community schools under section 3317.022 of the Revised Code, 291
the department shall have access to information that would 292
enable any data verification code to be matched to personally 293
identifiable student data. 294

(c) Each school district and community school shall ensure 295
that the data verification code is included in the student's 296
records reported to any subsequent school district, community 297
school, or state institution of higher education, as defined in 298
section 3345.011 of the Revised Code, in which the student 299
enrolls. Any such subsequent district or school shall utilize 300
the same identifier in its reporting of data under this section. 301

(d) (i) The director of any state agency that administers a 302
publicly funded program providing services to children who are 303
younger than compulsory school age, as defined in section 304
3321.01 of the Revised Code, including the directors of health, 305
job and family services, mental health and addiction services, 306
children and youth, and developmental disabilities, shall 307
request and receive, pursuant to sections 3301.0723 and 5180.33 308
of the Revised Code, a data verification code for a child who is 309
receiving those services. 310

(ii) The director of developmental disabilities, director 311
of health, director of job and family services, director of 312
children and youth, director of mental health and addiction 313

services, medicaid director, executive director of the 314
commission on minority health, executive director of the 315
opportunities for Ohioans with disabilities agency, or director 316
of education and workforce, on behalf of a program that receives 317
public funds and provides services to children who are younger 318
than compulsory school age, may request and receive, pursuant to 319
section 3301.0723 of the Revised Code, a data verification code 320
for a child who is receiving services from the program. 321

(E) The guidelines adopted under this section may require 322
school districts to collect and report data, information, or 323
reports other than that described in divisions (A), (B), and (C) 324
of this section for the purpose of complying with other 325
reporting requirements established in the Revised Code. The 326
other data, information, or reports may be maintained in the 327
education management information system but are not required to 328
be compiled as part of the profile formats required under 329
division (G) of this section or the annual statewide report 330
required under division (H) of this section. 331

(F) The board of education of each school district shall 332
annually collect and report to the department, in accordance 333
with the guidelines established by the department, the data 334
required pursuant to this section. A school district may collect 335
and report these data notwithstanding section 2151.357 or 336
3319.321 of the Revised Code. 337

(G) The department shall, in accordance with the 338
procedures it adopts, annually compile the data reported by each 339
school district pursuant to division (D) of this section. The 340
department shall design formats for profiling each school 341
district as a whole and each school building within each 342
district and shall compile the data in accordance with these 343

formats. These profile formats shall: 344

(1) Include all of the data gathered under this section in 345
a manner that facilitates comparison among school districts and 346
among school buildings within each school district; 347

(2) Present the data on academic achievement levels as 348
assessed by the testing of student achievement maintained 349
pursuant to division (B) (1) (d) of this section. 350

(H) (1) The department shall, in accordance with the 351
procedures it adopts, annually prepare a statewide report for 352
all school districts and the general public that includes the 353
profile of each of the school districts developed pursuant to 354
division (G) of this section. Copies of the report shall be sent 355
to each school district. 356

(2) The department shall, in accordance with the 357
procedures it adopts, annually prepare an individual report for 358
each school district and the general public that includes the 359
profiles of each of the school buildings in that school district 360
developed pursuant to division (G) of this section. 361

(I) Any data that is collected or maintained pursuant to 362
this section and that identifies an individual pupil is not a 363
public record for the purposes of section 149.43 of the Revised 364
Code. 365

(J) As used in this section: 366

(1) "School district" means any city, local, exempted 367
village, or joint vocational school district and, in accordance 368
with section 3314.17 of the Revised Code, any community school. 369
As used in division (L) of this section, "school district" also 370
includes any educational service center or other educational 371
entity required to submit data using the system established 372

under this section. 373

(2) "Cost" means any expenditure for operating expenses 374
made by a school district excluding any expenditures for debt 375
retirement except for payments made to any commercial lending 376
institution for any loan approved pursuant to section 3313.483 377
of the Revised Code. 378

(K) Any person who removes data from the information 379
system established under this section for the purpose of 380
releasing it to any person not entitled under law to have access 381
to such information is subject to section 2913.42 of the Revised 382
Code prohibiting tampering with data. 383

(L) (1) In accordance with division (L) (2) of this section 384
and the rules adopted under division (L) (10) of this section, 385
the department may sanction any school district that reports 386
incomplete or inaccurate data, reports data that does not 387
conform to data requirements and descriptions published by the 388
department, fails to report data in a timely manner, or 389
otherwise does not make a good faith effort to report data as 390
required by this section. 391

(2) If the department decides to sanction a school 392
district under this division, the department shall take the 393
following sequential actions: 394

(a) Notify the district in writing that the department has 395
determined that data has not been reported as required under 396
this section and require the district to review its data 397
submission and submit corrected data by a deadline established 398
by the department. The department also may require the district 399
to develop a corrective action plan, which shall include 400
provisions for the district to provide mandatory staff training 401

on data reporting procedures. 402

(b) Withhold up to ten per cent of the total amount of 403
state funds due to the district for the current fiscal year and, 404
if not previously required under division (L) (2) (a) of this 405
section, require the district to develop a corrective action 406
plan in accordance with that division; 407

(c) Withhold an additional amount of up to twenty per cent 408
of the total amount of state funds due to the district for the 409
current fiscal year; 410

(d) Direct department staff or an outside entity to 411
investigate the district's data reporting practices and make 412
recommendations for subsequent actions. The recommendations may 413
include one or more of the following actions: 414

(i) Arrange for an audit of the district's data reporting 415
practices by department staff or an outside entity; 416

(ii) Conduct a site visit and evaluation of the district; 417

(iii) Withhold an additional amount of up to thirty per 418
cent of the total amount of state funds due to the district for 419
the current fiscal year; 420

(iv) Continue monitoring the district's data reporting; 421

(v) Assign department staff to supervise the district's 422
data management system; 423

(vi) Conduct an investigation to determine whether to 424
suspend or revoke the license of any district employee in 425
accordance with division (N) of this section; 426

(vii) If the district is issued a report card under 427
section 3302.03 of the Revised Code, indicate on the report card 428

that the district has been sanctioned for failing to report data 429
as required by this section; 430

(viii) If the district is issued a report card under 431
section 3302.03 of the Revised Code and incomplete or inaccurate 432
data submitted by the district likely caused the district to 433
receive a higher performance rating than it deserved under that 434
section, issue a revised report card for the district; 435

(ix) Any other action designed to correct the district's 436
data reporting problems. 437

(3) Any time the department takes an action against a 438
school district under division (L)(2) of this section, the 439
department shall make a report of the circumstances that 440
prompted the action. The department shall send a copy of the 441
report to the district superintendent or chief administrator and 442
maintain a copy of the report in its files. 443

(4) If any action taken under division (L)(2) of this 444
section resolves a school district's data reporting problems to 445
the department's satisfaction, the department shall not take any 446
further actions described by that division. If the department 447
withheld funds from the district under that division, the 448
department may release those funds to the district, except that 449
if the department withheld funding under division (L)(2)(c) of 450
this section, the department shall not release the funds 451
withheld under division (L)(2)(b) of this section and, if the 452
department withheld funding under division (L)(2)(d) of this 453
section, the department shall not release the funds withheld 454
under division (L)(2)(b) or (c) of this section. 455

(5) Notwithstanding anything in this section to the 456
contrary, the department may use its own staff or an outside 457

entity to conduct an audit of a school district's data reporting 458
practices any time the department has reason to believe the 459
district has not made a good faith effort to report data as 460
required by this section. If any audit conducted by an outside 461
entity under division (L) (2) (d) (i) or (5) of this section 462
confirms that a district has not made a good faith effort to 463
report data as required by this section, the district shall 464
reimburse the department for the full cost of the audit. The 465
department may withhold state funds due to the district for this 466
purpose. 467

(6) Prior to issuing a revised report card for a school 468
district under division (L) (2) (d) (viii) of this section, the 469
department may hold a hearing to provide the district with an 470
opportunity to demonstrate that it made a good faith effort to 471
report data as required by this section. The hearing shall be 472
conducted by a referee appointed by the department. Based on the 473
information provided in the hearing, the referee shall recommend 474
whether the department should issue a revised report card for 475
the district. If the referee affirms the department's contention 476
that the district did not make a good faith effort to report 477
data as required by this section, the district shall bear the 478
full cost of conducting the hearing and of issuing any revised 479
report card. 480

(7) If the department determines that any inaccurate data 481
reported under this section caused a school district to receive 482
excess state funds in any fiscal year, the district shall 483
reimburse the department an amount equal to the excess funds, in 484
accordance with a payment schedule determined by the department. 485
The department may withhold state funds due to the district for 486
this purpose. 487

(8) Any school district that has funds withheld under 488
division (L) (2) of this section may appeal the withholding in 489
accordance with Chapter 119. of the Revised Code. 490

(9) In all cases of a disagreement between the department 491
and a school district regarding the appropriateness of an action 492
taken under division (L) (2) of this section, the burden of proof 493
shall be on the district to demonstrate that it made a good 494
faith effort to report data as required by this section. 495

(10) The director of education and workforce shall adopt 496
rules under Chapter 119. of the Revised Code to implement 497
division (L) of this section. 498

(M) No information technology center or school district 499
shall acquire, change, or update its student administration 500
software package to manage and report data required to be 501
reported to the department unless it converts to a student 502
software package that is certified by the department. 503

(N) The state board of education, in accordance with 504
sections 3319.31 and 3319.311 of the Revised Code, may suspend 505
or revoke a license as defined under division (A) of section 506
3319.31 of the Revised Code that has been issued to any school 507
district employee found to have willfully reported erroneous, 508
inaccurate, or incomplete data to the education management 509
information system. 510

(O) No person shall release or maintain any information 511
about any student in violation of this section. Whoever violates 512
this division is guilty of a misdemeanor of the fourth degree. 513

(P) If the department cannot compile any of the 514
information required by division (I) of section 3302.03 of the 515
Revised Code based upon the data collected under this section, 516

the department shall develop a plan and a reasonable timeline 517
for the collection of any data necessary to comply with that 518
division. 519

Sec. 3302.03. Not later than the thirty-first day of July 520
of each year, the department of education and workforce shall 521
submit preliminary report card data for overall academic 522
performance and for each separate performance measure for each 523
school district, and each school building, in accordance with 524
this section. 525

Annually, not later than the fifteenth day of September or 526
the preceding Friday when that day falls on a Saturday or 527
Sunday, the department shall assign a letter grade or 528
performance rating for overall academic performance and for each 529
separate performance measure for each school district, and each 530
school building in a district, in accordance with this section. 531
The department shall adopt rules pursuant to Chapter 119. of the 532
Revised Code to implement this section. The department's rules 533
shall establish performance criteria for each letter grade or 534
performance rating and prescribe a method by which the 535
department assigns each letter grade or performance rating. For 536
a school building to which any of the performance measures do 537
not apply, due to grade levels served by the building, the 538
department shall designate the performance measures that are 539
applicable to the building and that must be calculated 540
separately and used to calculate the building's overall grade or 541
performance rating. The department shall issue annual report 542
cards reflecting the performance of each school district, each 543
building within each district, and for the state as a whole 544
using the performance measures and letter grade or performance 545
rating system described in this section. The department shall 546
include on the report card for each district and each building 547

within each district the most recent two-year trend data in 548
student achievement for each subject and each grade. 549

(A) (1) For the 2012-2013 school year, the department shall 550
issue grades as described in division (F) of this section for 551
each of the following performance measures: 552

(a) Annual measurable objectives; 553

(b) Performance index score for a school district or 554
building. Grades shall be awarded as a percentage of the total 555
possible points on the performance index system as adopted by 556
the department. In adopting benchmarks for assigning letter 557
grades under division (A) (1) (b) of this section, the department 558
shall designate ninety per cent or higher for an "A," at least 559
seventy per cent but not more than eighty per cent for a "C," 560
and less than fifty per cent for an "F." 561

(c) The extent to which the school district or building 562
meets each of the applicable performance indicators established 563
by the department under section 3302.02 of the Revised Code and 564
the percentage of applicable performance indicators that have 565
been achieved. In adopting benchmarks for assigning letter 566
grades under division (A) (1) (c) of this section, the department 567
shall designate ninety per cent or higher for an "A." 568

(d) The four- and five-year adjusted cohort graduation 569
rates. 570

In adopting benchmarks for assigning letter grades under 571
division (A) (1) (d), (B) (1) (d), or (C) (1) (d) of this section, the 572
department shall designate a four-year adjusted cohort 573
graduation rate of ninety-three per cent or higher for an "A" 574
and a five-year cohort graduation rate of ninety-five per cent 575
or higher for an "A." 576

(e) The overall score under the value-added progress 577
dimension of a school district or building, for which the 578
department shall use up to three years of value-added data as 579
available. The letter grade assigned for this growth measure 580
shall be as follows: 581

(i) A score that is at least one standard error of measure 582
above the mean score shall be designated as an "A." 583

(ii) A score that is less than one standard error of 584
measure above but greater than one standard error of measure 585
below the mean score shall be designated as a "B." 586

(iii) A score that is less than or equal to one standard 587
error of measure below the mean score but greater than two 588
standard errors of measure below the mean score shall be 589
designated as a "C." 590

(iv) A score that is less than or equal to two standard 591
errors of measure below the mean score but is greater than three 592
standard errors of measure below the mean score shall be 593
designated as a "D." 594

(v) A score that is less than or equal to three standard 595
errors of measure below the mean score shall be designated as an 596
"F." 597

Whenever the value-added progress dimension is used as a 598
graded performance measure in this division and divisions (B) 599
and (C) of this section, whether as an overall measure or as a 600
measure of separate subgroups, the grades for the measure shall 601
be calculated in the same manner as prescribed in division (A) 602
(1) (e) of this section. 603

(f) The value-added progress dimension score for a school 604
district or building disaggregated for each of the following 605

subgroups: students identified as gifted, students with 606
disabilities, and students whose performance places them in the 607
lowest quintile for achievement on a statewide basis. Each 608
subgroup shall be a separate graded measure. 609

(2) The department shall adopt a resolution describing the 610
performance measures, benchmarks, and grading system for the 611
2012-2013 school year and shall adopt rules in accordance with 612
Chapter 119. of the Revised Code that prescribe the methods by 613
which the performance measures under division (A) (1) of this 614
section shall be assessed and assigned a letter grade, including 615
performance benchmarks for each letter grade. 616

At least forty-five days prior to the department's 617
adoption of rules to prescribe the methods by which the 618
performance measures under division (A) (1) of this section shall 619
be assessed and assigned a letter grade, the department shall 620
conduct a public presentation before the standing committees of 621
the house of representatives and the senate that consider 622
education legislation describing such methods, including 623
performance benchmarks. 624

(3) There shall not be an overall letter grade for a 625
school district or building for the 2012-2013 school year. 626

(B) (1) For the 2013-2014 school year, the department shall 627
issue grades as described in division (F) of this section for 628
each of the following performance measures: 629

(a) Annual measurable objectives; 630

(b) Performance index score for a school district or 631
building. Grades shall be awarded as a percentage of the total 632
possible points on the performance index system as created by 633
the department. In adopting benchmarks for assigning letter 634

grades under division (B) (1) (b) of this section, the department 635
shall designate ninety per cent or higher for an "A," at least 636
seventy per cent but not more than eighty per cent for a "C," 637
and less than fifty per cent for an "F." 638

(c) The extent to which the school district or building 639
meets each of the applicable performance indicators established 640
by the department under section 3302.03 of the Revised Code and 641
the percentage of applicable performance indicators that have 642
been achieved. In adopting benchmarks for assigning letter 643
grades under division (B) (1) (c) of this section, the department 644
shall designate ninety per cent or higher for an "A." 645

(d) The four- and five-year adjusted cohort graduation 646
rates; 647

(e) The overall score under the value-added progress 648
dimension of a school district or building, for which the 649
department shall use up to three years of value-added data as 650
available. 651

(f) The value-added progress dimension score for a school 652
district or building disaggregated for each of the following 653
subgroups: students identified as gifted in superior cognitive 654
ability and specific academic ability fields under Chapter 3324. 655
of the Revised Code, students with disabilities, and students 656
whose performance places them in the lowest quintile for 657
achievement on a statewide basis. Each subgroup shall be a 658
separate graded measure. 659

(g) Whether a school district or building is making 660
progress in improving literacy in grades kindergarten through 661
three, as determined using a method prescribed by the 662
department. The department shall adopt rules to prescribe 663

benchmarks and standards for assigning grades to districts and 664
buildings for purposes of division (B) (1) (g) of this section. In 665
adopting benchmarks for assigning letter grades under divisions 666
(B) (1) (g) and (C) (1) (g) of this section, the department shall 667
determine progress made based on the reduction in the total 668
percentage of students scoring below grade level, or below 669
proficient, compared from year to year on the reading diagnostic 670
assessments administered under section 3301.0715 of the Revised 671
Code and the third grade English language arts assessment under 672
section 3301.0710 of the Revised Code, as applicable. The 673
department shall designate for a "C" grade a value that is not 674
lower than the statewide average value for this measure. No 675
grade shall be issued under divisions (B) (1) (g) and (C) (1) (g) of 676
this section for a district or building in which less than five 677
per cent of students have scored below grade level on the 678
diagnostic assessment administered to students in kindergarten 679
under division (B) (1) of section 3313.608 of the Revised Code. 680

(h) For a high mobility school district or building, an 681
additional value-added progress dimension score. For this 682
measure, the department shall use value-added data from the most 683
recent school year available and shall use assessment scores for 684
only those students to whom the district or building has 685
administered the assessments prescribed by section 3301.0710 of 686
the Revised Code for each of the two most recent consecutive 687
school years. 688

As used in this division, "high mobility school district 689
or building" means a school district or building where at least 690
twenty-five per cent of its total enrollment is made up of 691
students who have attended that school district or building for 692
less than one year. 693

(2) In addition to the graded measures in division (B) (1) 694
of this section, the department shall include on a school 695
district's or building's report card all of the following 696
without an assigned letter grade: 697

(a) The percentage of students enrolled in a district or 698
building participating in advanced placement classes and the 699
percentage of those students who received a score of three or 700
better on advanced placement examinations; 701

(b) The number of a district's or building's students who 702
have earned at least three college credits through dual 703
enrollment or advanced standing programs, such as the post- 704
secondary enrollment options program under Chapter 3365. of the 705
Revised Code and state-approved career-technical courses offered 706
through dual enrollment or statewide articulation, that appear 707
on a student's transcript or other official document, either of 708
which is issued by the institution of higher education from 709
which the student earned the college credit. The credits earned 710
that are reported under divisions (B) (2) (b) and (C) (2) (c) of 711
this section shall not include any that are remedial or 712
developmental and shall include those that count toward the 713
curriculum requirements established for completion of a degree. 714

(c) The percentage of students enrolled in a district or 715
building who have taken a national standardized test used for 716
college admission determinations and the percentage of those 717
students who are determined to be remediation-free in accordance 718
with standards adopted under division (F) of section 3345.061 of 719
the Revised Code; 720

(d) The percentage of the district's or the building's 721
students who receive industry-recognized credentials as approved 722
under section 3313.6113 of the Revised Code. 723

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

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

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

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

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

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

(a) Annual measurable objectives. For the 2017-2018 school year, the department shall not include any subgroup data in the annual measurable objectives that includes data from fewer than twenty-five students. For the 2018-2019 school year, the department shall not include any subgroup data in the annual measurable objectives that includes data from fewer than twenty students. Beginning with the 2019-2020 school year, the department shall not include any subgroup data in the annual measurable objectives that includes data from fewer than fifteen students.

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

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

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

(e) The overall score under the value-added progress dimension, or another measure of student academic progress if adopted by the department, of a school district or building, for

which the department shall use up to three years of value-added 783
data as available. 784

In adopting benchmarks for assigning letter grades for 785
overall score on value-added progress dimension under division 786
(C) (1) (e) of this section, the department shall prohibit the 787
assigning of a grade of "A" for that measure unless the 788
district's or building's grade assigned for value-added progress 789
dimension for all subgroups under division (C) (1) (f) of this 790
section is a "C" or higher. 791

For the metric prescribed by division (C) (1) (e) of this 792
section, the department may adopt a student academic progress 793
measure to be used instead of the value-added progress 794
dimension. If the department adopts such a measure, it also 795
shall prescribe a method for assigning letter grades for the new 796
measure that is comparable to the method prescribed in division 797
(A) (1) (e) of this section. 798

(f) The value-added progress dimension score of a school 799
district or building disaggregated for each of the following 800
subgroups: students identified as gifted in superior cognitive 801
ability and specific academic ability fields under Chapter 3324. 802
of the Revised Code, students with disabilities, and students 803
whose performance places them in the lowest quintile for 804
achievement on a statewide basis, as determined by a method 805
prescribed by the department. Each subgroup shall be a separate 806
graded measure. 807

The department may adopt student academic progress 808
measures to be used instead of the value-added progress 809
dimension. If the department adopts such measures, it also shall 810
prescribe a method for assigning letter grades for the new 811
measures that is comparable to the method prescribed in division 812

(A) (1) (e) of this section. 813

(g) Whether a school district or building is making 814
progress in improving literacy in grades kindergarten through 815
three, as determined using a method prescribed by the 816
department. The department shall adopt rules to prescribe 817
benchmarks and standards for assigning grades to a district or 818
building for purposes of division (C) (1) (g) of this section. The 819
department shall designate for a "C" grade a value that is not 820
lower than the statewide average value for this measure. No 821
grade shall be issued under division (C) (1) (g) of this section 822
for a district or building in which less than five per cent of 823
students have scored below grade level on the kindergarten 824
diagnostic assessment under division (B) (1) of section 3313.608 825
of the Revised Code. 826

(h) For a high mobility school district or building, an 827
additional value-added progress dimension score. For this 828
measure, the department shall use value-added data from the most 829
recent school year available and shall use assessment scores for 830
only those students to whom the district or building has 831
administered the assessments prescribed by section 3301.0710 of 832
the Revised Code for each of the two most recent consecutive 833
school years. 834

As used in this division, "high mobility school district 835
or building" means a school district or building where at least 836
twenty-five per cent of its total enrollment is made up of 837
students who have attended that school district or building for 838
less than one year. 839

(2) In addition to the graded measures in division (C) (1) 840
of this section, the department shall include on a school 841
district's or building's report card all of the following 842

without an assigned letter grade: 843

(a) The percentage of students enrolled in a district or 844
building who have taken a national standardized test used for 845
college admission determinations and the percentage of those 846
students who are determined to be remediation-free in accordance 847
with the standards adopted under division (F) of section 848
3345.061 of the Revised Code; 849

(b) The percentage of students enrolled in a district or 850
building participating in advanced placement classes and the 851
percentage of those students who received a score of three or 852
better on advanced placement examinations; 853

(c) The percentage of a district's or building's students 854
who have earned at least three college credits through advanced 855
standing programs, such as the college credit plus program under 856
Chapter 3365. of the Revised Code and state-approved career- 857
technical courses offered through dual enrollment or statewide 858
articulation, that appear on a student's college transcript 859
issued by the institution of higher education from which the 860
student earned the college credit. The credits earned that are 861
reported under divisions (B) (2) (b) and (C) (2) (c) of this section 862
shall not include any that are remedial or developmental and 863
shall include those that count toward the curriculum 864
requirements established for completion of a degree. 865

(d) The percentage of the district's or building's 866
students who receive an honor's diploma under division (B) of 867
section 3313.61 of the Revised Code; 868

(e) The percentage of the district's or building's 869
students who receive industry-recognized credentials as approved 870
under section 3313.6113 of the Revised Code; 871

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

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

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

(3) The department shall adopt rules pursuant to Chapter 119. of the Revised Code that establish a method to assign an overall grade for a school district or school building for the 2017-2018 school year and each school year thereafter. The rules shall group the performance measures in divisions (C) (1) and (2) of this section into the following components:

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

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

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

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

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

section; 900

(f) Prepared for success, which shall include the 901
performance measures in divisions (C)(2)(a), (b), (c), (d), (e), 902
and (f) of this section. The department shall develop a method 903
to determine a grade for the component in division (C)(3)(f) of 904
this section using the performance measures in divisions (C)(2) 905
(a), (b), (c), (d), (e), and (f) of this section. When 906
available, the department may incorporate the performance 907
measure under division (C)(2)(g) of this section into the 908
component under division (C)(3)(f) of this section. When 909
determining the overall grade for the prepared for success 910
component prescribed by division (C)(3)(f) of this section, no 911
individual student shall be counted in more than one performance 912
measure. However, if a student qualifies for more than one 913
performance measure in the component, the department may, in its 914
method to determine a grade for the component, specify an 915
additional weight for such a student that is not greater than or 916
equal to 1.0. In determining the overall score under division 917
(C)(3)(f) of this section, the department shall ensure that the 918
pool of students included in the performance measures aggregated 919
under that division are all of the students included in the 920
four- and five-year adjusted graduation cohort. 921

In the rules adopted under division (C)(3) of this 922
section, the department shall adopt a method for determining a 923
grade for each component in divisions (C)(3)(a) to (f) of this 924
section. The department also shall establish a method to assign 925
an overall grade of "A," "B," "C," "D," or "F" using the grades 926
assigned for each component. The method the department adopts 927
for assigning an overall grade shall give equal weight to the 928
components in divisions (C)(3)(b) and (c) of this section. 929

At least forty-five days prior to the department's 930
adoption of rules to prescribe the methods for calculating the 931
overall grade for the report card, as required by this division, 932
the department shall conduct a public presentation before the 933
standing committees of the house of representatives and the 934
senate that consider education legislation describing the format 935
for the report card, weights that will be assigned to the 936
components of the overall grade, and the method for calculating 937
the overall grade. 938

(D) For the 2021-2022 school year and each school year 939
thereafter, all of the following apply: 940

(1) The department shall include on a school district's or 941
building's report card all of the following performance measures 942
without an assigned performance rating: 943

(a) Whether the district or building meets the gifted 944
performance indicator under division (A) (2) of section 3302.02 945
of the Revised Code and the extent to which the district or 946
building meets gifted indicator performance benchmarks; 947

(b) The extent to which the district or building meets the 948
chronic absenteeism indicator under division (A) (3) of section 949
3302.02 of the Revised Code; 950

(c) Performance index score percentage for a district or 951
building, which shall be calculated by dividing the district's 952
or building's performance index score according to the 953
performance index system created by the department by the 954
maximum performance index score for a district or building. The 955
maximum performance index score shall be as follows: 956

(i) For a building, the average of the highest two per 957
cent of performance index scores achieved by a building for the 958

school year for which a report card is issued; 959

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

(d) The overall score under the value-added progress 963
dimension of a district or building, for which the department 964
shall use three consecutive years of value-added data. In using 965
three years of value-added data to calculate the measure 966
prescribed under division (D) (1) (d) of this section, the 967
department shall assign a weight of fifty per cent to the most 968
recent year's data and a weight of twenty-five per cent to the 969
data of each of the other years. However, if three consecutive 970
years of value-added data is not available, the department shall 971
use prior years of value-added data to calculate the measure, as 972
follows: 973

(i) If two consecutive years of value-added data is not 974
available, the department shall use one year of value-added data 975
to calculate the measure. 976

(ii) If two consecutive years of value-added data is 977
available, the department shall use two consecutive years of 978
value-added data to calculate the measure. In using two years of 979
value-added data to calculate the measure, the department shall 980
assign a weight of sixty-seven per cent to the most recent 981
year's data and a weight of thirty-three per cent to the data of 982
the other year. 983

(e) The four-year adjusted cohort graduation rate. 984

(f) The five-year adjusted cohort graduation rate. 985

(g) The percentage of students in the district or building 986
who score proficient or higher on the reading segment of the 987

third grade English language arts assessment under section 988
3301.0710 of the Revised Code. 989

To the extent possible, the department shall include the 990
results of the summer administration of the third grade reading 991
assessment under section 3301.0710 of the Revised Code in the 992
performance measures prescribed under divisions (D) (1) (g) and 993
(h) of this section. 994

(h) Whether a district or building is making progress in 995
improving literacy in grades kindergarten through three, as 996
determined using a method prescribed by the department. The 997
method shall determine progress made based on the reduction in 998
the total percentage of students scoring below grade level, or 999
below proficient, compared from year to year on the reading 1000
segments of the diagnostic assessments administered under 1001
division (A) (1) of section 3301.0715 of the Revised Code and the 1002
third grade English language arts assessment under section 1003
3301.0710 of the Revised Code, as applicable. The method shall 1004
not include a deduction for students who did not pass the third 1005
grade English language arts assessment under section 3301.0710 1006
of the Revised Code and were not on a reading improvement and 1007
monitoring plan. 1008

The performance measure prescribed under division (D) (1) 1009
(h) of this section shall not be included on the report card of 1010
a district or building in which less than ten per cent of 1011
students have scored below grade level on the diagnostic 1012
assessment administered to students in kindergarten under 1013
division (B) (1) of section 3313.608 of the Revised Code. 1014

(i) The percentage of students in a district or building 1015
who are promoted to the fourth grade based on the student's 1016
score on the third grade English language arts assessment under 1017

division (A) (3) of section 3301.0710 of the Revised Code or 1018
demonstrate competency on an alternative assessment under 1019
division (A) (2) (c) of section 3313.608 of the Revised Code; 1020

(j) A post-secondary readiness measure. This measure shall 1021
be calculated by dividing the number of students included in the 1022
four-year adjusted graduation rate cohort who demonstrate post- 1023
secondary readiness by the total number of students included in 1024
the denominator of the four-year adjusted graduation rate 1025
cohort. Demonstration of post-secondary readiness shall include 1026
a student doing any of the following: 1027

(i) Attaining a remediation-free score, in accordance with 1028
standards adopted under division (F) of section 3345.061 of the 1029
Revised Code, on a nationally standardized assessment prescribed 1030
under division (B) (1) of section 3301.0712 of the Revised Code; 1031

(ii) Attaining required scores on three or more advanced 1032
placement, college-level examination program, or international 1033
baccalaureate examinations. The required score for an advanced 1034
placement examination shall be a three or better. The required 1035
score for a college-level examination program examination shall 1036
be a passing score, as determined by the department. The 1037
required score for an international baccalaureate examination 1038
shall be a four or better. A student may satisfy this condition 1039
with any combination of advanced placement, college-level 1040
examination program, or international baccalaureate 1041
examinations. 1042

(iii) Earning at least twelve college credits through 1043
advanced standing programs, such as the college credit plus 1044
program under Chapter 3365. of the Revised Code, an early 1045
college high school program under section 3313.6013 of the 1046
Revised Code, and state-approved career-technical courses 1047

offered through dual enrollment or statewide articulation, that 1048
appear on a student's college transcript issued by the 1049
institution of higher education from which the student earned 1050
the college credit. Earned credits reported under division (D) 1051
(1)(j)(iii) of this section shall include credits that count 1052
toward the curriculum requirements established for completion of 1053
a degree, but shall not include any remedial or developmental 1054
credits. 1055

(iv) Meeting the additional criteria for an honors diploma 1056
under division (B) of section 3313.61 of the Revised Code; 1057

(v) Earning an industry-recognized credential or license 1058
issued by a state agency or board for practice in a vocation 1059
that requires an examination for issuance of that license 1060
approved under section 3313.6113 of the Revised Code; 1061

(vi) Satisfying any of the following conditions: 1062

(I) Completing a pre-apprenticeship aligned with options 1063
established under section 3313.904 of the Revised Code in the 1064
student's chosen career field; 1065

(II) Completing an apprenticeship registered with the 1066
apprenticeship council established under section 4139.02 of the 1067
Revised Code in the student's chosen career field; 1068

(III) Providing evidence of acceptance into an 1069
apprenticeship program after high school that is restricted to 1070
participants eighteen years of age or older. 1071

(vii) Earning a cumulative score of proficient or higher 1072
on three or more state technical assessments aligned with 1073
section 3313.903 of the Revised Code in a single career pathway; 1074

(viii) Earning an OhioMeansJobs-readiness seal established 1075

under section 3313.6112 of the Revised Code and completing two 1076
hundred fifty hours of an internship or other work-based 1077
learning experience that is either: 1078

(I) Approved by the business advisory council established 1079
under section 3313.82 of the Revised Code that represents the 1080
student's district; or 1081

(II) Aligned to the career-technical education pathway 1082
approved by the department in which the student is enrolled. 1083

(ix) Providing evidence that the student has enlisted in a 1084
branch of the armed services of the United States as defined in 1085
section 5910.01 of the Revised Code. 1086

A student who satisfies more than one of the conditions 1087
prescribed under this division shall be counted as one student 1088
for the purposes of calculating the measure prescribed under 1089
division (D) (1) (j) of this section. 1090

(k) The reading and math curricula used in each school 1091
building and whether the curriculum is designated as high- 1092
quality by the department under section 3313.6035 of the Revised 1093
Code. The department shall report the information required under 1094
this division in a form and manner determined by the department. 1095

(2) In addition to the performance measures under division 1096
(D) (1) of this section, the department shall report on a 1097
district's or building's report card all of the following data 1098
without an assigned performance rating: 1099

(a) The applicable performance indicators established by 1100
the department under division (A) (1) of section 3302.02 of the 1101
Revised Code; 1102

(b) The overall score under the value-added progress 1103

dimension of a district or building for the most recent school 1104
year; 1105

(c) A composite of the overall scores under the value- 1106
added progress dimension of a district or building for the 1107
previous three school years or, if only two years of value-added 1108
data are available, for the previous two years; 1109

(d) The percentage of students included in the four- and 1110
five-year adjusted cohort graduation rates of a district or 1111
building who did not receive a high school diploma under section 1112
3313.61 or 3325.08 of the Revised Code. To the extent possible, 1113
the department shall disaggregate that data according to the 1114
following categories: 1115

(i) Students who are still enrolled in the district or 1116
building and receiving general education services; 1117

(ii) Students with an individualized education program, as 1118
defined in section 3323.01 of the Revised Code, who satisfied 1119
the conditions for a high school diploma under section 3313.61 1120
or 3325.08 of the Revised Code, but opted not to receive a 1121
diploma and are still receiving education services; 1122

(iii) Students with an individualized education program 1123
who have not yet satisfied conditions for a high school diploma 1124
under section 3313.61 or 3325.08 of the Revised Code and who are 1125
still receiving education services; 1126

(iv) Students who are no longer enrolled in any district 1127
or building; 1128

(v) Students who, upon enrollment in the district or 1129
building for the first time, had completed fewer units of high 1130
school instruction required under section 3313.603 of the 1131
Revised Code than other students in the four- or five-year 1132

adjusted cohort graduation rate. 1133

The department may disaggregate the data prescribed under 1134
division (D) (2) (d) of this section according to other categories 1135
that the department determines are appropriate. 1136

(e) Post-graduate outcomes for students who were enrolled 1137
in a district or building and received a high school diploma 1138
under section 3313.61 or 3325.08 of the Revised Code in the 1139
school year prior to the school year for which the report card 1140
is issued, including the percentage of students who: 1141

(i) Enrolled in a post-secondary educational institution. 1142
To the extent possible, the department shall disaggregate that 1143
data according to whether the student enrolled in a four-year 1144
institution of higher education, a two-year institution of 1145
higher education, an Ohio technical center that provides adult 1146
technical education services and is recognized by the chancellor 1147
of higher education, or another type of post-secondary 1148
educational institution. 1149

(ii) Entered an apprenticeship program registered with the 1150
apprenticeship council established under Chapter 4139. of the 1151
Revised Code. The department may include other job training 1152
programs with similar rigor and outcomes. 1153

(iii) Attained gainful employment, as determined by the 1154
department; 1155

(iv) Enlisted in a branch of the armed forces of the 1156
United States, as defined in section 5910.01 of the Revised 1157
Code. 1158

(f) Whether the school district or building has 1159
implemented a positive behavior intervention and supports 1160
framework in compliance with the requirements of section 3319.46 1161

of the Revised Code, notated with a "yes" or "no"; 1162

(g) The number and percentage of high school seniors in 1163
each school year who completed the free application for federal 1164
student aid; 1165

(h) Beginning with the report card issued under this 1166
section for the 2022-2023 school year, a student opportunity 1167
profile measure that reports data regarding the opportunities 1168
provided to students by a district or building. To the extent 1169
possible, and when appropriate, the data shall be disaggregated 1170
by grade level and subgroup. The measure also shall include data 1171
regarding the statewide average, the average for similar school 1172
districts, and, for a building, the average for the district in 1173
which the building is located. The measure shall include all of 1174
the following data for the district or building: 1175

(i) The average ratio of teachers of record to students in 1176
each grade level in a district or building; 1177

(ii) The average ratio of school counselors to students in 1178
a district or building; 1179

(iii) The average ratio of nurses to students in a 1180
district or building; 1181

(iv) The average ratio of licensed librarians and library 1182
media specialists to students in a district or building; 1183

(v) The average ratio of social workers to students in a 1184
district or building; 1185

(vi) The average ratio of mental health professionals to 1186
students in a district or building; 1187

(vii) The average ratio of paraprofessionals to students 1188
in a district or building; 1189

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

(xix) The percentage of students participating in 1217
enrichment or support programs offered by the district or 1218
building outside of the normal school day; 1219

(xx) The percentage of eligible students participating 1220
each school day in school breakfast programs offered by the 1221
district or building in accordance with section 3313.813 or 1222
3313.818 of the Revised Code; 1223

(xxi) The percentage of students who are transported by a 1224
school bus each school day; 1225

(xxii) The ratio of portable technology devices that 1226
students may take home to the number of students. 1227

The department shall include only opportunity measures at 1228
the building level for which data for buildings is available, as 1229
determined by a school district. 1230

(i) (i) The percentage of students included in the four- 1231
and five-year adjusted cohort graduation rates of the district 1232
or building who completed all of grades nine through twelve 1233
while enrolled in the district or building; 1234

(ii) The four-year adjusted cohort graduation rate for 1235
only those students who were continuously enrolled in the same 1236
district or building for grades nine through twelve. 1237

(j) Whether the district or building provides information 1238
about and promotes the college credit plus program established 1239
under Chapter 3365. of the Revised Code to students in 1240
accordance with section 3365.04 of the Revised Code, notated 1241
with a "yes" or "no"; 1242

(k) The percentage of students in the district or building 1243
to whom both of the following apply: 1244

(i) The students are promoted to fourth grade and not 1245
subject to retention under division (A) (2) of section 3313.608 1246
of the Revised Code. 1247

(ii) The students completed all of the grade levels 1248
offered prior to the fourth grade in the district or building. 1249

(3) Except as provided in division (D) (3) (f) of this 1250
section, the department shall use the method prescribed under 1251
rules adopted under division (D) (4) of this section to assign 1252
performance ratings of "one star," "two stars," "three stars," 1253
"four stars," or "five stars," as described in division (F) of 1254
this section, for a district or building for the individual 1255
components prescribed under division (D) (3) of this section. The 1256
department also shall assign an overall performance rating for a 1257
district or building in accordance with division (D) (3) (g) of 1258
this section. The method shall use the performance measures 1259
prescribed under division (D) (1) of this section to calculate 1260
performance ratings for components. The method may report data 1261
under division (D) (2) of this section with corresponding 1262
components, but shall not use the data to calculate performance 1263
ratings for that component. The performance measures and 1264
reported data shall be grouped together into components as 1265
follows: 1266

(a) Gap closing. In addition to other criteria determined 1267
appropriate by the department, performance ratings for the gap 1268
closing component shall reflect whether each of the following 1269
performance measures are met or not met: 1270

(i) The gifted performance indicator as described in 1271
division (D) (1) (a) of this section; 1272

(ii) The chronic absenteeism indicator as described in 1273

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

(d) Graduation, which shall include the performance 1302
measures in divisions (D) (1) (e) and (f) of this section and the 1303
reported data in divisions (D) (2) (d) and (j) of this section. 1304
The four-year adjusted cohort graduation rate shall be assigned 1305
a weight of sixty per cent and the five-year adjusted cohort 1306
graduation rate shall be assigned a weight of forty per cent. 1307

(e) Early literacy, which shall include the performance 1308
measures in divisions (D) (1) (g), (h), and (i) of this section 1309
and the reported data in division (D) (2) (k) of this section. 1310

If the measure prescribed under division (D) (1) (h) of this 1311
section is included in a report card, performance ratings for 1312
the early literacy component shall give a weight of forty per 1313
cent to the measure prescribed under division (D) (1) (g) of this 1314
section, a weight of thirty-five per cent to the measure 1315
prescribed under division (D) (1) (i) of this section, and a 1316
weight of twenty-five per cent to the measure prescribed under 1317
division (D) (1) (h) of this section. 1318

If the measure prescribed under division (D) (1) (h) of this 1319
section is not included in a report card of a district or 1320
building, performance ratings for the early literacy component 1321
shall give a weight of sixty per cent to the measure prescribed 1322
under division (D) (1) (g) of this section and a weight of forty 1323
per cent to the measure prescribed under division (D) (1) (i) of 1324
this section. 1325

(f) College, career, workforce, and military readiness, 1326
which shall include the performance measure in division (D) (1) 1327
(j) of this section and the reported data in division (D) (2) (e) 1328
of this section. 1329

For the 2021-2022, 2022-2023, and 2023-2024 school years, 1330

the department only shall report the data for, and not assign a performance rating to, the college, career, workforce, and military readiness component. The reported data shall include the percentage of students who demonstrate post-secondary readiness using any of the options described in division (D)(1)(j) of this section.

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

The department shall submit the rules to the joint committee on agency rule review. The committee shall conduct at least one public hearing on the proposed rules and approve or disapprove the rules. If the committee approves the rules, the department shall adopt the rules in accordance with Chapter 119. of the Revised Code. If the rules are adopted, the department shall assign a performance rating to the college, career,

workforce, and military readiness component under the rules 1362
beginning with the 2024-2025 school year, and for each school 1363
year thereafter. If the committee disapproves the rules, the 1364
component shall be included in the report card only as reported 1365
data for the 2024-2025 school year, and each school year 1366
thereafter. 1367

(g) (i) Except as provided for in division (D) (3) (g) (ii) of 1368
this section, beginning with the 2022-2023 school year, under 1369
the method prescribed under rules adopted in division (D) (4) of 1370
this section, the department shall use the performance ratings 1371
assigned for the components prescribed in divisions (D) (3) (a) to 1372
(e) of this section to determine and assign an overall 1373
performance rating of "one star," "one and one-half stars," "two 1374
stars," "two and one-half stars," "three stars," "three and one- 1375
half stars," "four stars," "four and one-half stars," or "five 1376
stars" for a district or building. The method shall give equal 1377
weight to the components in divisions (D) (3) (b) and (c) of this 1378
section. The method shall give equal weight to the components in 1379
divisions (D) (3) (a), (d), and (e) of this section. The 1380
individual weights of each of the components prescribed in 1381
divisions (D) (3) (a), (d), and (e) of this section shall be equal 1382
to one-half of the weight given to the component prescribed in 1383
division (D) (3) (b) of this section. 1384

(ii) If the joint committee on agency rule review approves 1385
the department's rules regarding the college, career, workforce, 1386
and military readiness component as described in division (D) (3) 1387
(f) of this section, for the 2024-2025 school year, and each 1388
school year thereafter, the department's method shall use the 1389
components in divisions (D) (3) (a), (b), (c), (d), (e), and (f) 1390
of this section to calculate the overall performance rating. The 1391
method shall give equal weight to the components in divisions 1392

(D) (3) (b) and (c) of this section. The method shall give equal 1393
weight to the components prescribed in divisions (D) (3) (a), (d), 1394
(e), and (f) of this section. The individual weights of each of 1395
the components prescribed in divisions (D) (3) (a), (d), (e), and 1396
(f) of this section shall be equal to one-half the weight given 1397
to the component prescribed in division (D) (3) (b) of this 1398
section. 1399

If the joint committee on agency rule review disapproves 1400
the department's rules regarding the college, career, workforce, 1401
and military readiness component as described in division (D) (3) 1402
(f) of this section, division (D) (3) (g) (ii) of this section does 1403
not apply. 1404

(4) (a) The department shall adopt rules in accordance with 1405
Chapter 119. of the Revised Code to establish the performance 1406
criteria, benchmarks, and rating system necessary to implement 1407
divisions (D) and (F) of this section, including the method for 1408
the department to assign performance ratings under division (D) 1409
(3) of this section. 1410

(b) In establishing the performance criteria, benchmarks, 1411
and rating system, the department shall consult with stakeholder 1412
groups and advocates that represent parents, community members, 1413
students, business leaders, and educators from different school 1414
typology regions. The department shall use data from prior 1415
school years and simulations to ensure that there is meaningful 1416
differentiation among districts and buildings across all 1417
performance ratings and that, except as permitted in division 1418
(D) (3) (f) of this section, more than half of all districts or 1419
buildings do not earn the same performance rating in any 1420
component or overall performance rating. 1421

(c) The department shall adopt the rules prescribed by 1422

division (D) (4) of this section not later than March 31, 2022. 1423
However, the department shall notify districts and buildings of 1424
the changes to the report card prescribed in law not later than 1425
one week after September 30, 2021. 1426

(d) Prior to adopting or updating rules under division (D) 1427
(4) of this section, the director of education and workforce and 1428
the department shall conduct a public presentation before the 1429
standing committees of the house of representatives and the 1430
senate that consider primary and secondary education legislation 1431
describing the format for the report card and the performance 1432
criteria, benchmarks, and rating system, including the method to 1433
assign performance ratings under division (D) (3) of this 1434
section. 1435

(E) The department may develop a measure of student 1436
academic progress for high school students using only data from 1437
assessments in English language arts and mathematics. If the 1438
department develops this measure, each school district and 1439
applicable school building shall be assigned a separate letter 1440
grade for it not sooner than the 2017-2018 school year. The 1441
district's or building's grade for that measure shall not be 1442
included in determining the district's or building's overall 1443
letter grade. 1444

(F) (1) The letter grades assigned to a school district or 1445
building under this section shall be as follows: 1446

(a) "A" for a district or school making excellent 1447
progress; 1448

(b) "B" for a district or school making above average 1449
progress; 1450

(c) "C" for a district or school making average progress; 1451

(d) "D" for a district or school making below average progress; 1452
1453

(e) "F" for a district or school failing to meet minimum progress. 1454
1455

(2) For the overall performance rating under division (D) 1456
(3) of this section, the department shall include a descriptor 1457
for each performance rating as follows: 1458

(a) "Significantly exceeds state standards" for a performance rating of five stars; 1459
1460

(b) "Exceeds state standards" for a performance rating of four stars or four and one-half stars; 1461
1462

(c) "Meets state standards" for a performance rating of three stars or three and one-half stars; 1463
1464

(d) "Needs support to meet state standards" for a performance rating of two stars or two and one-half stars; 1465
1466

(e) "Needs significant support to meet state standards" for a performance rating of one star or one and one-half stars. 1467
1468

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

(4) Each report card issued under this section shall	1480
include all of the following:	1481
(a) A graphic that depicts the performance ratings of a	1482
district or school on a color scale. The color associated with a	1483
performance rating of three stars shall be green and the color	1484
associated with a performance rating of one star shall be red.	1485
(b) An arrow graphic that shows data trends for	1486
performance ratings for school districts or buildings. The	1487
department shall determine the data to be used for this graphic,	1488
which shall include at least the three most recent years of	1489
data.	1490
(c) A description regarding the weights that are assigned	1491
to each component and used to determine an overall performance	1492
rating, as prescribed under division (D)(3)(g) of this section,	1493
which shall be included in the presentation of the overall	1494
performance rating on each report card.	1495
(G) When reporting data on student achievement and	1496
progress, the department shall disaggregate that data according	1497
to the following categories:	1498
(1) Performance of students by grade-level;	1499
(2) Performance of students by race and ethnic group;	1500
(3) Performance of students by gender;	1501
(4) Performance of students grouped by those who have been	1502
enrolled in a district or school for three or more years;	1503
(5) Performance of students grouped by those who have been	1504
enrolled in a district or school for more than one year and less	1505
than three years;	1506

(6) Performance of students grouped by those who have been	1507
enrolled in a district or school for one year or less;	1508
(7) Performance of students grouped by those who are	1509
economically disadvantaged;	1510
(8) Performance of students grouped by those who are	1511
enrolled in a conversion community school established under	1512
Chapter 3314. of the Revised Code;	1513
(9) Performance of students grouped by those who are	1514
classified as English learners;	1515
(10) Performance of students grouped by those who have	1516
disabilities;	1517
(11) Performance of students grouped by those who are	1518
classified as migrants;	1519
(12) Performance of students grouped by those who are	1520
identified as gifted in superior cognitive ability and the	1521
specific academic ability fields of reading and math pursuant to	1522
Chapter 3324. of the Revised Code. In disaggregating specific	1523
academic ability fields for gifted students, the department	1524
shall use data for those students with specific academic ability	1525
in math and reading. If any other academic field is assessed,	1526
the department shall also include data for students with	1527
specific academic ability in that field as well.	1528
(13) Performance of students grouped by those who perform	1529
in the lowest quintile for achievement on a statewide basis, as	1530
determined by a method prescribed by the department.	1531
The department may disaggregate data on student	1532
performance according to other categories that the department	1533
determines are appropriate. To the extent possible, the	1534

department shall disaggregate data on student performance 1535
according to any combinations of two or more of the categories 1536
listed in divisions (G) (1) to (13) of this section that it deems 1537
relevant. 1538

In reporting data pursuant to division (G) of this 1539
section, the department shall not include in the report cards 1540
any data statistical in nature that is statistically unreliable 1541
or that could result in the identification of individual 1542
students. For this purpose, the department shall not report 1543
student performance data for any group identified in division 1544
(G) of this section that contains less than ten students. If the 1545
department does not report student performance data for a group 1546
because it contains less than ten students, the department shall 1547
indicate on the report card that is why data was not reported. 1548

(H) The department may include with the report cards any 1549
additional education and fiscal performance data it deems 1550
valuable. 1551

(I) The department shall include on each report card a 1552
list of additional information collected by the department that 1553
is available regarding the district or building for which the 1554
report card is issued. When available, such additional 1555
information shall include student mobility data disaggregated by 1556
race and socioeconomic status, college enrollment data, and the 1557
reports prepared under section 3302.031 of the Revised Code. 1558

The department shall maintain a site on the world wide 1559
web. The report card shall include the address of the site and 1560
shall specify that such additional information is available to 1561
the public at that site. The department shall also provide a 1562
copy of each item on the list to the superintendent of each 1563
school district. The district superintendent shall provide a 1564

copy of any item on the list to anyone who requests it. 1565

(J) (1) (a) Except as provided in division (J) (1) (b) of this 1566
section, for any district that sponsors a conversion community 1567
school under Chapter 3314. of the Revised Code, the department 1568
shall combine data regarding the academic performance of 1569
students enrolled in the community school with comparable data 1570
from the schools of the district for the purpose of determining 1571
the performance of the district as a whole on the report card 1572
issued for the district under this section or section 3302.033 1573
of the Revised Code. 1574

(b) The department shall not combine data from any 1575
conversion community school that a district sponsors if the 1576
conversion community school is a dropout prevention and recovery 1577
community school, as defined in section 3314.02 of the Revised 1578
Code. The department shall include as an addendum to the 1579
district's report card the ratings and performance measures that 1580
are required under section 3314.017 of the Revised Code for any 1581
community school to which division (J) (1) (b) of this section 1582
applies. This addendum shall include, at a minimum, the data 1583
specified in divisions (C) (1) (a), (C) (2), and (C) (3) of section 1584
3314.017 of the Revised Code. 1585

(2) Any district that leases a building to a community 1586
school located in the district or that enters into an agreement 1587
with a community school located in the district whereby the 1588
district and the school endorse each other's programs may elect 1589
to have data regarding the academic performance of students 1590
enrolled in the community school combined with comparable data 1591
from the schools of the district for the purpose of determining 1592
the performance of the district as a whole on the district 1593
report card. Any district that so elects shall annually file a 1594

copy of the lease or agreement with the department. 1595

(3) Any municipal school district, as defined in section 1596
3311.71 of the Revised Code, that sponsors a community school 1597
located within the district's territory, or that enters into an 1598
agreement with a community school located within the district's 1599
territory whereby the district and the community school endorse 1600
each other's programs, may exercise either or both of the 1601
following elections: 1602

(a) To have data regarding the academic performance of 1603
students enrolled in that community school combined with 1604
comparable data from the schools of the district for the purpose 1605
of determining the performance of the district as a whole on the 1606
district's report card; 1607

(b) To have the number of students attending that 1608
community school noted separately on the district's report card. 1609

The election authorized under division (J) (3) (a) of this 1610
section is subject to approval by the governing authority of the 1611
community school. 1612

Any municipal school district that exercises an election 1613
to combine or include data under division (J) (3) of this 1614
section, by the first day of October of each year, shall file 1615
with the department documentation indicating eligibility for 1616
that election, as required by the department. 1617

(K) The department shall include on each report card the 1618
percentage of teachers in the district or building who are 1619
properly certified or licensed teachers, as defined in section 1620
3319.074 of the Revised Code, and a comparison of that 1621
percentage with the percentages of such teachers in similar 1622
districts and buildings. 1623

(L) (1) In calculating English language arts, mathematics, 1624
science, American history, or American government assessment 1625
passage rates used to determine school district or building 1626
performance under this section, the department shall include all 1627
students taking an assessment with accommodation or to whom an 1628
alternate assessment is administered pursuant to division (C) (1) 1629
or (3) of section 3301.0711 of the Revised Code and all students 1630
who take substitute examinations approved under division (B) (4) 1631
of section 3301.0712 of the Revised Code in the subject areas of 1632
science, American history and American government. 1633

(2) In calculating performance index scores, rates of 1634
achievement on the performance indicators established by the 1635
department under section 3302.02 of the Revised Code, and annual 1636
measurable objectives for determining adequate yearly progress 1637
for school districts and buildings under this section, the 1638
department shall do all of the following: 1639

(a) Include for each district or building only those 1640
students who are included in the ADM certified for the first 1641
full school week of October and are continuously enrolled in the 1642
district or building through the time of the spring 1643
administration of any assessment prescribed by division (A) (1) 1644
or (B) (1) of section 3301.0710 or division (B) of section 1645
3301.0712 of the Revised Code that is administered to the 1646
student's grade level; 1647

(b) Include cumulative totals from both the fall and 1648
spring administrations of the third grade English language arts 1649
achievement assessment and, to the extent possible, the summer 1650
administration of that assessment; 1651

(c) Include for each district or building any English 1652
learner in accordance with the department's plan, as approved by 1653

the United States secretary of education, to comply with the 1654
"Elementary and Secondary Education Act of 1965," 20 U.S.C. 6311 1655
to 6339. 1656

As used in this section, "English learner" has the same 1657
meaning as in section 3301.0731 of the Revised Code. 1658

(M) Beginning with the 2015-2016 school year and at least 1659
once every three years thereafter, the department shall review 1660
and may adjust the benchmarks for assigning letter grades or 1661
performance ratings to the performance measures and components 1662
prescribed under divisions (C) (3), (D), and (E) of this section. 1663

Sec. 3302.131. (A) Beginning with the 2026-2027 school 1664
year and each school year thereafter, each school district or 1665
community school in which fifty-one per cent or less of the 1666
district's or school's students who took the third grade 1667
mathematics assessment prescribed under section 3301.0710 of the 1668
Revised Code for that school year attained at least a proficient 1669
score on that assessment shall establish and submit to the 1670
department of education and workforce a mathematics achievement 1671
improvement plan. Each district or school required to establish 1672
an achievement improvement plan under this division shall use 1673
curriculum from the list established by the department under 1674
section 3313.6035 of the Revised Code. 1675

(B) The department shall establish guidelines prescribing 1676
the content of and deadlines for mathematics achievement 1677
improvement plans required under division (A) of this section. 1678
The guidelines shall prescribe that each plan include, at a 1679
minimum, an analysis of relevant student performance data, 1680
measurable student performance goals, strategies to meet 1681
specific student needs, a staffing and professional development 1682
plan, and instructional strategies for improving student 1683

performance. The department also shall establish guidelines 1684
regarding the implementation of the mathematics achievement 1685
improvement plans. 1686

(C) Beginning with the 2026-2027 school year and each 1687
school year thereafter, any school district or community school 1688
to which this section applies is no longer required to submit an 1689
improvement plan pursuant to division (A) of this section when 1690
not less than fifty-one per cent of the district's students who 1691
took the third grade mathematics assessment prescribed under 1692
section 3301.0710 of the Revised Code for that school year 1693
attained at least a proficient score on that assessment. 1694

(D) The department shall post in a prominent location on 1695
its web site all plans submitted and all guidelines developed 1696
pursuant to this section. 1697

(E) The department shall develop a student academic 1698
intervention template specific to mathematics and post it on its 1699
publicly accessible web site. Each district or school to which 1700
this section applies shall include the intervention template in 1701
its mathematics achievement improvement plan. 1702

Sec. 3302.132. (A) Beginning with the 2026-2027 school 1703
year and each school year thereafter, for each student required 1704
to be provided mathematics intervention services under section 1705
3313.6034 of the Revised Code, the district shall develop a 1706
mathematics improvement and monitoring plan within sixty days 1707
after receiving the student's results on the third grade 1708
mathematics assessment prescribed under section 3301.0710 of the 1709
Revised Code. The district shall involve the student's parent or 1710
guardian and classroom teacher in developing the plan. The plan 1711
shall include all of the following: 1712

<u>(1) Identification of the student's specific mathematics</u>	1713
<u>deficiencies;</u>	1714
<u>(2) A description of the additional instructional services</u>	1715
<u>and support that will be provided to the student to remediate</u>	1716
<u>the identified mathematics deficiencies;</u>	1717
<u>(3) Opportunities for the student's parent or guardian to</u>	1718
<u>be involved in the instructional services and support described</u>	1719
<u>in division (A) (2) of this section;</u>	1720
<u>(4) A process for monitoring the extent to which the</u>	1721
<u>student receives the instructional services and support</u>	1722
<u>described in division (A) (2) of this section;</u>	1723
<u>(5) A mathematics curriculum during regular school hours</u>	1724
<u>that does all of the following:</u>	1725
<u>(a) Assists students in mathematics at grade level;</u>	1726
<u>(b) Provides scientifically based and reliable assessment;</u>	1727
<u>(c) Provides initial and ongoing analysis of each</u>	1728
<u>student's progress.</u>	1729
<u>(6) High-dosage tutoring opportunities aligned with the</u>	1730
<u>student's classroom instruction through a state-approved vendor</u>	1731
<u>on the list of high-quality tutoring vendors under section</u>	1732
<u>3301.136 of the Revised Code or a locally approved opportunity</u>	1733
<u>that aligns with high-dosage tutoring best practices. High-</u>	1734
<u>dosage tutoring opportunities shall include instruction time</u>	1735
<u>delivered at least three days per week, or at least fifty hours</u>	1736
<u>over thirty-six weeks. High-dosage tutoring may be incorporated</u>	1737
<u>into a student's regular classroom instruction.</u>	1738
<u>(B) (1) The district shall continue to implement the plan</u>	1739
<u>developed under division (A) of this section until the student</u>	1740

achieves the required level of skill in mathematics for the 1741
student's current grade level. 1742

(2) The district shall report any information requested by 1743
the department of education and workforce about the mathematics 1744
improvement and monitoring plans developed under this section in 1745
the manner required by the department. 1746

Sec. 3313.6032. (A) As used in this section, ~~"advanced-~~ 1747
~~learning opportunities in mathematics" or "advanced :~~ 1748

(1) "Advanced mathematics course" means learning- 1749
~~opportunities or~~ a course that provides academic content or 1750
rigor that exceeds the standard mathematics curriculum for the 1751
student's grade level, including a mathematics course that is 1752
two grade levels above the student's current grade level, as 1753
determined by the district. 1754

(2) "Advanced learning opportunities in mathematics" means 1755
services or curricula modifications in mathematics, provided 1756
either in person or utilizing electronic means, which provide 1757
additional rigor or challenge, and may include the following: 1758

(a) Differentiated instruction in which the depth, 1759
breadth, complexity, pacing, and acceleration is tailored to the 1760
student's particular needs and readiness; 1761

(b) Interdisciplinary work. 1762

(B) ~~Except Beginning July 1, 2027, except as otherwise~~ 1763
provided in division ~~(C)~~ (D) of this section, each city, local, 1764
exempted village, and joint-vocational school district shall 1765
~~provide~~ do all of the following: 1766

(1) Provide each student in grades three through five that 1767
achieves an advanced level of skill on a mathematics achievement 1768

assessment as prescribed under section 3301.0710 ~~or end-of-~~ 1769
~~course examination under section 3301.0712~~ of the Revised Code 1770
with advanced learning opportunities in mathematics including 1771
advanced mathematics courses in the following school year; 1772

(2) Enroll each sixth-grade student who achieves an 1773
advanced level of skill on a mathematics achievement assessment 1774
as prescribed under section 3301.0710 of the Revised Code in an 1775
advanced mathematics course in the following school year; 1776

(3) Enroll each seventh-grade or eighth-grade student that 1777
achieves an advanced level of skill on a mathematics achievement 1778
assessment as prescribed under section 3301.0710 of the Revised 1779
Code in Algebra I in the following school year. If a student has 1780
already completed Algebra I, a school district shall enroll that 1781
student in another advanced mathematics course. 1782

Each student shall take any corresponding required 1783
achievement assessment or end-of-course examination for any 1784
mathematics course the student takes as a result of enrollment 1785
in an advanced mathematics course under those sections this 1786
section. 1787

~~(C)(1) No (C) A~~ school district ~~is subject to division (B)~~ 1788
~~of this section if it that~~ does not offer ~~the advanced learning~~ 1789
~~opportunities in mathematics or~~ an advanced mathematics course 1790
for the grade level in which the student is enrolled for the 1791
next school year shall provide advanced learning opportunities 1792
in mathematics to any student who would have otherwise been 1793
placed in an advanced mathematics course. 1794

~~(2)(D)~~ Each school district shall notify the parent or 1795
guardian of a student who qualifies for advanced learning 1796
opportunities in mathematics under ~~division (B) of this section~~ 1797

of that determination. The parent or guardian of any such 1798
student may submit a written request for that student to not 1799
receive the advanced learning opportunities in mathematics or to 1800
not be enrolled in the advanced mathematics course. In which 1801
case, the district shall not be required to provide that student 1802
with advanced mathematics instruction under division (B) of this 1803
section. 1804

(E) Each school district may enroll in an advanced 1805
mathematics course or advanced learning opportunities in 1806
mathematics any student that the district has determined meets 1807
district requirements for such a course or would benefit from 1808
those opportunities. 1809

Sec. 3313.6034. (A) As used in this section: 1810

(1) "Qualifying student" means a student who demonstrates 1811
a limited level of skill on an achievement assessment prescribed 1812
under section 3301.0710 or an end-of-course examination 1813
prescribed under section 3301.0712 of the Revised Code in 1814
mathematics or English language arts, or both, or who 1815
demonstrates a level of skill that is below grade level or below 1816
proficient on a mathematics diagnostic assessment. "Qualifying 1817
student" does not include a student that has an individualized 1818
education program developed under Chapter 3323. of the Revised 1819
Code that includes services related to a traumatic brain injury 1820
or a student that attends a dropout prevention and recovery 1821
community school, as defined in section 3314.02 of the Revised 1822
Code. 1823

(2) "Tutoring supports" means high-dosage tutoring 1824
opportunities aligned with the student's classroom instruction 1825
through a state-approved vendor on the list of high-quality 1826
tutoring vendors under section 3301.136 of the Revised Code or a 1827

locally approved opportunity that aligns with high-dosage 1828
tutoring best practices. High-dosage tutoring opportunities 1829
shall include instruction time delivered at least three days per 1830
week, or at least fifty hours over thirty-six weeks. High-dosage 1831
tutoring may be incorporated into a student's regular classroom 1832
instruction. 1833

To the extent practicable, districts and schools shall 1834
endeavor to provide each of a student's tutoring supports with 1835
the same tutor. 1836

(3) "Integrated student supports" means an evidence-based 1837
approach whereby schools intentionally and systematically 1838
leverage and coordinate resources and relationships available in 1839
the school and the surrounding community to address 1840
comprehensive student strengths, interests, and needs. 1841

(B) Each school district, community school established 1842
pursuant to Chapter 3314., and STEM school established pursuant 1843
to Chapter 3326. of the Revised Code shall provide evidence- 1844
based academic intervention services, free of cost, to each 1845
qualifying student. The district or school shall provide those 1846
services directly, through a contracted vendor, or as a 1847
combination of both options. A district or school annually shall 1848
notify the department of education and workforce, through the 1849
education management information system established under 1850
section 3301.0714 of the Revised Code, of all of the following: 1851

(1) The number of qualifying students enrolled in the 1852
district or school; 1853

(2) The number of qualifying students receiving academic 1854
intervention services in mathematics, English language arts, or 1855
both; 1856

(3) The number of qualifying students receiving academic 1857
intervention services from the district or school directly, 1858
through a vendor, or a combination of both options. 1859

(C) (1) Academic intervention services provided to a 1860
student under this section may encompass a variety of evidence- 1861
based supports, including tutoring supports, additional 1862
instruction time, an extended school calendar, participation in 1863
a learning support program, or any other academically centered 1864
support service that the district or school determines will 1865
improve the student's academic performance. Intervention 1866
services may also be offered in combination with integrated 1867
student supports. 1868

(2) All academic intervention services provided to a 1869
qualifying student under this section shall align with the 1870
academic instruction the student receives. Intervention services 1871
shall be in addition to and not a replacement for existing 1872
academic instruction and other services provided to students. 1873
All academic intervention services in English language arts 1874
shall align with the science of reading as defined in section 1875
3313.6028 of the Revised Code. 1876

(D) A district or school shall ensure that academic 1877
intervention services provided to a qualifying student under 1878
division (C) of this section do not supplant the student's core 1879
academic instructional time. 1880

(E) (1) A district or school shall notify the parent or 1881
guardian of a qualifying student that the student will receive 1882
academic intervention services prior to providing services to 1883
the student. Notification shall include a description of which 1884
intervention or interventions the qualifying student will 1885
receive and who will provide services to the student. 1886

(2) The district or school periodically shall update the 1887
parent or guardian on the academic intervention services 1888
provided to the qualifying student and shall provide resources 1889
and recommendations for ways the parent or guardian may assist 1890
the qualifying student. 1891

(F) (1) Beginning with the 2026-2027 school year, and each 1892
school year thereafter, the department randomly shall identify 1893
and select individual schools operated by a school district, 1894
community schools, and STEM schools for a review of their 1895
academic intervention services for qualifying students under 1896
this section. The department shall not select more than five per 1897
cent of all schools to review each year. No school shall be 1898
selected for review more than once every three years. The review 1899
shall include, at a minimum, a document review, interviews with 1900
applicable school staff, and observations of interventions. 1901

The review shall assess all of the following: 1902

(a) Whether qualifying students receive academic 1903
intervention services in accordance with division (B) of this 1904
section; 1905

(b) The types and methods of academic intervention 1906
services that qualifying students receive; 1907

(c) The quality of the academic intervention services 1908
provided by the school or the contracted vendor. To determine 1909
quality, the department may consider the length and duration of 1910
the intervention, specific programs and curriculum being used, 1911
the credentials and training of intervention providers, and data 1912
regarding qualifying student progress. 1913

(2) The department shall provide a report to the school 1914
containing its review of the school's academic intervention 1915

services not later than seventy-five days after the department 1916
completes the review. Each report shall include an assessment of 1917
the efficacy of the academic intervention services provided to 1918
qualifying students, along with any recommendations the 1919
department considers necessary. The school shall post a copy of 1920
the report on its web site and shall make the report available 1921
upon request to any person. The department shall include a 1922
review completed under this division as part of the student 1923
opportunity profile on the state report card under section 1924
3302.03 of the Revised Code. 1925

(3) The department may contract with an organization that 1926
has documented expertise in supporting school improvement and 1927
academic intervention services to help with conducting its 1928
review under division (F) of this section. 1929

(G) (1) A student is no longer a qualifying student under 1930
this section when the student achieves a level of skill higher 1931
than limited on a statewide assessment or diagnostic assessment 1932
prescribed under sections 3301.079, 3301.0710, 3301.0712, and 1933
3301.0715 of the Revised Code, in mathematics or English 1934
language arts, taken for the grade level in which the student is 1935
enrolled. 1936

(2) If a qualifying student receiving academic 1937
intervention services in both mathematics and English language 1938
arts demonstrates a skill greater than limited under this 1939
section in one, but not both, subject areas, the student shall 1940
continue to receive academic intervention services for the 1941
subject area in which the student continues to demonstrate a 1942
limited level of skill. 1943

(3) Any student in any of grades nine through twelve who 1944
fails to demonstrate a level of skill greater than limited on an 1945

end-of-course examination in mathematics or English language 1946
arts, or both, as prescribed under section 3301.0712 of the 1947
Revised Code, and is not required to retake the examination, 1948
continues to qualify for intervention services under this 1949
section. For such a student, the district or school shall align 1950
intervention services with the student's selected graduation 1951
pathway prescribed under section 3313.618 of the Revised Code. 1952

(H) Nothing in this section prohibits a district or school 1953
from providing academic intervention services to a student who 1954
does not meet the definition of a qualifying student under this 1955
section. 1956

Sec. 3313.6035. Not later than April 15, 2026, the 1957
department of education and workforce shall review core math 1958
curricula and establish a list of high-quality core curriculum 1959
and instructional materials in mathematics, and a list of 1960
evidence-based math intervention programs, that are aligned with 1961
state standards and best practices. Each school district, 1962
community school established under Chapter 3314. of the Revised 1963
Code, and STEM school established under Chapter 3326. of the 1964
Revised Code may use the core curriculum and instructional 1965
materials established by the department or may select different 1966
high-quality core curriculum and instructional materials. 1967

Sec. 3314.03. A copy of every contract entered into under 1968
this section shall be filed with the director of education and 1969
workforce. The department of education and workforce shall make 1970
available on its web site a copy of every approved, executed 1971
contract filed with the director under this section. 1972

(A) Each contract entered into between a sponsor and the 1973
governing authority of a community school shall specify the 1974
following: 1975

- (1) That the school shall be established as either of the following: 1976
1977
- (a) A nonprofit corporation established under Chapter 1978
1702. of the Revised Code, if established prior to April 8, 1979
2003; 1980
- (b) A public benefit corporation established under Chapter 1981
1702. of the Revised Code, if established after April 8, 2003. 1982
- (2) The education program of the school, including the 1983
school's mission and educational philosophy, the characteristics 1984
of the students the school is expected to attract, the ages and 1985
grades of students, and the focus of the curriculum; 1986
- (3) The academic goals to be achieved and the method of 1987
measurement that will be used to determine progress toward those 1988
goals, which shall include the statewide achievement 1989
assessments; 1990
- (4) Performance standards, including but not limited to 1991
all applicable report card measures set forth in section 3302.03 1992
or 3314.017 of the Revised Code, by which the success of the 1993
school will be evaluated by the sponsor; 1994
- (5) The admission standards of section 3314.06 of the 1995
Revised Code and, if applicable, section 3314.061 of the Revised 1996
Code; 1997
- (6) (a) Dismissal procedures; 1998
- (b) A requirement that the governing authority adopt an 1999
attendance policy that includes a procedure for automatically 2000
withdrawing a student from the school if the student without a 2001
legitimate excuse fails to participate in seventy-two 2002
consecutive hours of the learning opportunities offered to the 2003

student. 2004

(7) The ways by which the school will achieve racial and 2005
ethnic balance reflective of the community it serves; 2006

(8) Requirements for financial audits by the auditor of 2007
state. The contract shall require financial records of the 2008
school to be maintained in the same manner as are financial 2009
records of school districts, pursuant to rules of the auditor of 2010
state. Audits shall be conducted in accordance with section 2011
117.10 of the Revised Code. 2012

(9) An addendum to the contract outlining the facilities 2013
to be used that contains at least the following information: 2014

(a) A detailed description of each facility used for 2015
instructional purposes; 2016

(b) The annual costs associated with leasing each facility 2017
that are paid by or on behalf of the school; 2018

(c) The annual mortgage principal and interest payments 2019
that are paid by the school; 2020

(d) The name of the lender or landlord, identified as 2021
such, and the lender's or landlord's relationship to the 2022
operator, if any. 2023

(10) Qualifications of employees, including both of the 2024
following: 2025

(a) A requirement that the school's classroom teachers be 2026
licensed in accordance with sections 3319.22 to 3319.31 of the 2027
Revised Code, except that a community school may engage 2028
noncertificated persons to teach up to twelve hours or forty 2029
hours per week pursuant to section 3319.301 of the Revised Code; 2030

(b) A prohibition against the school employing an 2031
individual described in section 3314.104 of the Revised Code in 2032
any position. 2033

(11) That the school will comply with the following 2034
requirements: 2035

(a) The school will provide learning opportunities to a 2036
minimum of twenty-five students for a minimum of nine hundred 2037
twenty hours per school year. 2038

(b) The governing authority will purchase liability 2039
insurance, or otherwise provide for the potential liability of 2040
the school. 2041

(c) The school will be nonsectarian in its programs, 2042
admission policies, employment practices, and all other 2043
operations, and will not be operated by a sectarian school or 2044
religious institution. 2045

(d) The school will comply with sections 9.90, 9.91, 2046
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 2047
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.24, 3301.948, 2048
3302.037, 3302.131, 3302.132, 3313.472, 3313.473, 3313.474, 2049
3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 2050
3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6020, 3313.6024, 2051
3313.6026, 3313.6028, 3313.6029, 3313.6031, 3313.6032, 2052
3313.6034, 3313.6035, 3313.6036, 3313.643, 3313.648, 3313.6411, 2053
3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 2054
3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 2055
3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 2056
3313.7112, 3313.7117, 3313.721, 3313.753, 3313.80, 3313.814, 2057
3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 3313.89, 2058
3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.2214, 2059

3319.238, 3319.318, 3319.321, 3319.324, 3319.39, 3319.391, 2060
3319.393, 3319.41, 3319.46, 3319.90, 3319.614, 3320.01, 3320.02, 2061
3320.03, 3320.04, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 2062
3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 2063
4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 2064
117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. 2065
of the Revised Code as if it were a school district and will 2066
comply with section 3301.0714 of the Revised Code in the manner 2067
specified in section 3314.17 of the Revised Code. 2068

(e) The school shall comply with Chapter 102. and section 2069
2921.42 of the Revised Code. 2070

(f) The school will comply with sections 3313.61, 2071
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 2072
Revised Code, except that for students who enter ninth grade for 2073
the first time before July 1, 2010, the requirement in sections 2074
3313.61 and 3313.611 of the Revised Code that a person must 2075
successfully complete the curriculum in any high school prior to 2076
receiving a high school diploma may be met by completing the 2077
curriculum adopted by the governing authority of the community 2078
school rather than the curriculum specified in Title XXXIII of 2079
the Revised Code or any rules of the department. Beginning with 2080
students who enter ninth grade for the first time on or after 2081
July 1, 2010, the requirement in sections 3313.61 and 3313.611 2082
of the Revised Code that a person must successfully complete the 2083
curriculum of a high school prior to receiving a high school 2084
diploma shall be met by completing the requirements prescribed 2085
in section 3313.6027 and division (C) of section 3313.603 of the 2086
Revised Code, unless the person qualifies under division (D) or 2087
(F) of that section. Each school shall comply with the plan for 2088
awarding high school credit based on demonstration of subject 2089
area competency, and beginning with the 2017-2018 school year, 2090

with the updated plan that permits students enrolled in seventh 2091
and eighth grade to meet curriculum requirements based on 2092
subject area competency adopted by the department under 2093
divisions (J) (1) and (2) of section 3313.603 of the Revised 2094
Code. Beginning with the 2018-2019 school year, the school shall 2095
comply with the framework for granting units of high school 2096
credit to students who demonstrate subject area competency 2097
through work-based learning experiences, internships, or 2098
cooperative education developed by the department under division 2099
(J) (3) of section 3313.603 of the Revised Code. 2100

(g) The school governing authority will submit within four 2101
months after the end of each school year a report of its 2102
activities and progress in meeting the goals and standards of 2103
divisions (A) (3) and (4) of this section and its financial 2104
status to the sponsor and the parents of all students enrolled 2105
in the school. 2106

(h) The school, unless it is an internet- or computer- 2107
based community school, will comply with section 3313.801 of the 2108
Revised Code as if it were a school district. 2109

(i) If the school is the recipient of moneys from a grant 2110
awarded under the federal race to the top program, Division (A), 2111
Title XIV, Sections 14005 and 14006 of the "American Recovery 2112
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 2113
the school will pay teachers based upon performance in 2114
accordance with section 3317.141 and will comply with section 2115
3319.111 of the Revised Code as if it were a school district. 2116

(j) If the school operates a preschool program that is 2117
licensed by the department under sections 3301.52 to 3301.59 of 2118
the Revised Code, the school shall comply with sections 3301.50 2119
to 3301.59 of the Revised Code and the minimum standards for 2120

preschool programs prescribed in rules adopted by the department 2121
of children and youth under section 3301.53 of the Revised Code. 2122

(k) The school will comply with sections 3313.6021 and 2123
3313.6023 of the Revised Code as if it were a school district 2124
unless it is either of the following: 2125

(i) An internet- or computer-based community school; 2126

(ii) A community school in which a majority of the 2127
enrolled students are children with disabilities as described in 2128
division (B) (2) of section 3314.35 of the Revised Code. 2129

(l) The school will comply with section 3321.191 of the 2130
Revised Code, unless it is an internet- or computer-based 2131
community school that is subject to section 3314.261 of the 2132
Revised Code. 2133

(m) The school will comply with section 3313.7118 of the 2134
Revised Code if it serves elementary school students. 2135

(12) Arrangements for providing health and other benefits 2136
to employees; 2137

(13) The length of the contract, which shall begin at the 2138
beginning of an academic year. No contract shall exceed five 2139
years unless such contract has been renewed pursuant to division 2140
(D) of this section. 2141

(14) The governing authority of the school, which shall be 2142
responsible for carrying out the provisions of the contract; 2143

(15) A financial plan detailing an estimated school budget 2144
for each year of the period of the contract and specifying the 2145
total estimated per pupil expenditure amount for each such year. 2146

(16) Requirements and procedures regarding the disposition 2147

of employees of the school in the event the contract is 2148
terminated or not renewed pursuant to section 3314.07 of the 2149
Revised Code; 2150

(17) Whether the school is to be created by converting all 2151
or part of an existing public school or educational service 2152
center building or is to be a new start-up school, and if it is 2153
a converted public school or service center building, both of 2154
the following: 2155

(a) Specification of any duties or responsibilities of an 2156
employer that the board of education or service center governing 2157
board that operated the school or building before conversion is 2158
delegating to the governing authority of the community school 2159
with respect to all or any specified group of employees provided 2160
the delegation is not prohibited by a collective bargaining 2161
agreement applicable to such employees; 2162

(b) Alternative arrangements for current public school 2163
students who choose not to attend the converted school and for 2164
teachers who choose not to teach in the school or building after 2165
conversion. 2166

(18) Provisions establishing procedures for resolving 2167
disputes or differences of opinion between the sponsor and the 2168
governing authority of the community school; 2169

(19) A provision requiring the governing authority to 2170
adopt a policy regarding the admission of students who reside 2171
outside the district in which the school is located. That policy 2172
shall comply with the admissions procedures specified in 2173
sections 3314.06 and 3314.061 of the Revised Code and, at the 2174
sole discretion of the authority, shall do one of the following: 2175

(a) Prohibit the enrollment of students who reside outside 2176

the district in which the school is located; 2177

(b) Permit the enrollment of students who reside in 2178
districts adjacent to the district in which the school is 2179
located; 2180

(c) Permit the enrollment of students who reside in any 2181
other district in the state. 2182

(20) A provision recognizing the authority of the 2183
department to take over the sponsorship of the school in 2184
accordance with the provisions of division (C) of section 2185
3314.015 of the Revised Code; 2186

(21) A provision recognizing the sponsor's authority to 2187
assume the operation of a school under the conditions specified 2188
in division (B) of section 3314.073 of the Revised Code; 2189

(22) A provision recognizing both of the following: 2190

(a) The authority of public health and safety officials to 2191
inspect the facilities of the school and to order the facilities 2192
closed if those officials find that the facilities are not in 2193
compliance with health and safety laws and regulations; 2194

(b) The authority of the department as the community 2195
school oversight body to suspend the operation of the school 2196
under section 3314.072 of the Revised Code if the department has 2197
evidence of conditions or violations of law at the school that 2198
pose an imminent danger to the health and safety of the school's 2199
students and employees and the sponsor refuses to take such 2200
action. 2201

(23) A description of the learning opportunities that will 2202
be offered to students including both classroom-based and non- 2203
classroom-based learning opportunities that is in compliance 2204

with criteria for student participation established by the 2205
department under division (H) (2) of section 3314.08 of the 2206
Revised Code; 2207

(24) The school will comply with sections 3302.04 and 2208
3302.041 of the Revised Code, except that any action required to 2209
be taken by a school district pursuant to those sections shall 2210
be taken by the sponsor of the school. 2211

(25) Beginning in the 2006-2007 school year, the school 2212
will open for operation not later than the thirtieth day of 2213
September each school year, unless the mission of the school as 2214
specified under division (A) (2) of this section is solely to 2215
serve dropouts. In its initial year of operation, if the school 2216
fails to open by the thirtieth day of September, or within one 2217
year after the adoption of the contract pursuant to division (D) 2218
of section 3314.02 of the Revised Code if the mission of the 2219
school is solely to serve dropouts, the contract shall be void. 2220

(26) Whether the school's governing authority is planning 2221
to seek designation for the school as a STEM school equivalent 2222
under section 3326.032 of the Revised Code; 2223

(27) That the school's attendance and participation 2224
policies will be available for public inspection; 2225

(28) That the school's attendance and participation 2226
records shall be made available to the department, auditor of 2227
state, and school's sponsor to the extent permitted under and in 2228
accordance with the "Family Educational Rights and Privacy Act 2229
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 2230
regulations promulgated under that act, and section 3319.321 of 2231
the Revised Code; 2232

(29) If a school operates using the blended learning 2233

model, as defined in section 3301.079 of the Revised Code, all 2234
of the following information: 2235

(a) An indication of what blended learning model or models 2236
will be used; 2237

(b) A description of how student instructional needs will 2238
be determined and documented; 2239

(c) The method to be used for determining competency, 2240
granting credit, and promoting students to a higher grade level; 2241

(d) The school's attendance requirements, including how 2242
the school will document participation in learning 2243
opportunities; 2244

(e) A statement describing how student progress will be 2245
monitored; 2246

(f) A statement describing how private student data will 2247
be protected; 2248

(g) A description of the professional development 2249
activities that will be offered to teachers. 2250

(30) A provision requiring that all moneys the school's 2251
operator loans to the school, including facilities loans or cash 2252
flow assistance, must be accounted for, documented, and bear 2253
interest at a fair market rate; 2254

(31) A provision requiring that, if the governing 2255
authority contracts with an attorney, accountant, or entity 2256
specializing in audits, the attorney, accountant, or entity 2257
shall be independent from the operator with which the school has 2258
contracted. 2259

(32) A provision requiring the governing authority to 2260

adopt an enrollment and attendance policy that requires a 2261
student's parent to notify the community school in which the 2262
student is enrolled when there is a change in the location of 2263
the parent's or student's primary residence. 2264

(33) A provision requiring the governing authority to 2265
adopt a student residence and address verification policy for 2266
students enrolling in or attending the school. 2267

(34) A provision establishing the process by which the 2268
governing authority of the school will be selected in the 2269
future. 2270

(35) A description of the management and administration of 2271
the school. 2272

(36) A provision requiring the governing authority to 2273
adopt policies and procedures to establish internal financial 2274
controls for the school. 2275

(B) A contract entered into under section 3314.02 of the 2276
Revised Code between a sponsor and the governing authority of a 2277
community school may provide for the community school governing 2278
authority to make payments to the sponsor, which is hereby 2279
authorized to receive such payments as set forth in the contract 2280
between the governing authority and the sponsor. The total 2281
amount of such payments for monitoring, oversight, and technical 2282
assistance of the school shall not exceed three per cent of the 2283
total amount of payments for operating expenses that the school 2284
receives from the state. 2285

(C) The contract shall specify the duties of the sponsor 2286
which shall be in accordance with the written agreement entered 2287
into with the department under division (B) of section 3314.015 2288
of the Revised Code and shall include the following: 2289

(1) Monitor the community school's compliance with all 2290
laws applicable to the school and with the terms of the 2291
contract; 2292

(2) Monitor and evaluate the academic and fiscal 2293
performance and the organization and operation of the community 2294
school on at least an annual basis; 2295

(3) Provide technical assistance to the community school 2296
in complying with laws applicable to the school and terms of the 2297
contract; 2298

(4) Take steps to intervene in the school's operation to 2299
correct problems in the school's overall performance, declare 2300
the school to be on probationary status pursuant to section 2301
3314.073 of the Revised Code, suspend the operation of the 2302
school pursuant to section 3314.072 of the Revised Code, or 2303
terminate the contract of the school pursuant to section 3314.07 2304
of the Revised Code as determined necessary by the sponsor; 2305

(5) Have in place a plan of action to be undertaken in the 2306
event the community school experiences financial difficulties or 2307
closes prior to the end of a school year. 2308

(D) Upon the expiration of a contract entered into under 2309
this section, the sponsor of a community school may, with the 2310
approval of the governing authority of the school, renew that 2311
contract for a period of time determined by the sponsor, but not 2312
ending earlier than the end of any school year, if the sponsor 2313
finds that the school's compliance with applicable laws and 2314
terms of the contract and the school's progress in meeting the 2315
academic goals prescribed in the contract have been 2316
satisfactory. Any contract that is renewed under this division 2317
remains subject to the provisions of sections 3314.07, 3314.072, 2318

and 3314.073 of the Revised Code. 2319

(E) If a community school fails to open for operation 2320
within one year after the contract entered into under this 2321
section is adopted pursuant to division (D) of section 3314.02 2322
of the Revised Code or permanently closes prior to the 2323
expiration of the contract, the contract shall be void and the 2324
school shall not enter into a contract with any other sponsor. A 2325
school shall not be considered permanently closed because the 2326
operations of the school have been suspended pursuant to section 2327
3314.072 of the Revised Code. 2328

Sec. 3317.25. (A) As used in this section, "disadvantaged 2329
pupil impact aid" means the following: 2330

(1) For a city, local, or exempted village school 2331
district, the funds received under division (A) (4) (a) of section 2332
3317.022 of the Revised Code; 2333

(2) For a joint vocational school district, the funds 2334
received under division (A) (3) of section 3317.16 of the Revised 2335
Code; 2336

(3) For a community school established under Chapter 3314. 2337
of the Revised Code, the funds received under division (A) (4) (b) 2338
of section 3317.022 of the Revised Code; 2339

(4) For a STEM school established under Chapter 3326. of 2340
the Revised Code, the funds received under division (A) (4) (b) of 2341
section 3317.022 of the Revised Code. 2342

(B) (1) For fiscal years 2026 and 2027, a city, local, 2343
exempted village, or joint vocational school district, community 2344
school, or STEM school shall spend the disadvantaged pupil 2345
impact aid it receives for any of the following initiatives or a 2346
combination of any of the following initiatives: 2347

(a) Extended school day and school year;	2348
(b) Reading improvement and intervention that is aligned with the science of reading and evidence-based strategies for effective literacy instruction;	2349 2350 2351
(c) Instructional technology or blended learning;	2352
(d) Professional development in the science of reading and evidence-based strategies for effective literacy instruction for teachers of students in kindergarten through third grade;	2353 2354 2355
(e) Dropout prevention;	2356
(f) School safety and security measures;	2357
(g) Community learning centers that address barriers to learning;	2358 2359
(h) Academic interventions for students in any of grades six through twelve;	2360 2361
(i) Employment of an individual who has successfully completed the bright new leaders for Ohio schools program as a principal or an assistant principal under section 3319.272 of the Revised Code;	2362 2363 2364 2365
(j) Mental health services, including telehealth services, community-based behavioral health services, and recovery supports;	2366 2367 2368
(k) Culturally appropriate, evidence-based or evidence- informed prevention services, including youth-led programming and curricula to promote mental health and prevent substance use and suicide, and trauma-informed services;	2369 2370 2371 2372
(l) Services for homeless youth;	2373
(m) Services for child welfare involved youth;	2374

(n) Community liaisons or programs that connect students 2375
to community resources, including behavioral wellness 2376
coordinators and city connects, communities in schools, and 2377
other similar programs; 2378

(o) Physical health care services, including telehealth 2379
services and community-based health services; 2380

(p) Family engagement and support services; 2381

(q) Student services provided prior to or after the 2382
regularly scheduled school day or any time school is not in 2383
session, including mentoring programs; 2384

(r) Professional development on evidence-based strategies 2385
for effective mathematics instruction; 2386

(s) Implementation of high-quality core curriculum in math 2387
identified by the department of education and workforce under 2388
section 3313.6035 of the Revised Code. 2389

(2) For fiscal year 2028 and each fiscal year thereafter, 2390
each city, local, exempted village, and joint vocational school 2391
district, community school, and STEM school shall spend the 2392
disadvantaged pupil impact aid it receives for one or more 2393
initiatives specified by the general assembly. 2394

(C) (1) For fiscal years 2026 and 2027, each city, local, 2395
exempted village, and joint vocational school district, 2396
community school, and STEM school that is subject to the 2397
requirements of this section shall develop a plan for utilizing 2398
the disadvantaged pupil impact aid it receives in coordination 2399
with at least one of the following community partners: 2400

(a) A board of alcohol, drug addiction, and mental health 2401
services established under Chapter 340. of the Revised Code; 2402

(b) An educational service center;	2403
(c) A county board of developmental disabilities;	2404
(d) A community mental health prevention or treatment provider;	2405 2406
(e) A board of health of a city or general health district;	2407 2408
(f) A county department of job and family services;	2409
(g) A nonprofit organization with experience serving children;	2410 2411
(h) A public hospital agency.	2412
(2) For fiscal year 2028 and each fiscal year thereafter, each city, local, exempted village, and joint vocational school district, community school, and STEM school that is subject to the requirements of this section shall develop a plan for utilizing the disadvantaged pupil impact aid it receives in the manner specified by the general assembly, if the general assembly requires city, local, exempted village, and joint vocational school districts, community schools, and STEM schools to develop such a plan.	2413 2414 2415 2416 2417 2418 2419 2420 2421
(D) After the end of each fiscal year, each city, local, exempted village, or joint vocational school district, community school, and STEM school shall submit a report to the department of education and workforce describing the initiative or initiatives on which the district's or school's disadvantaged pupil impact aid were spent during that fiscal year. For fiscal years 2026 and 2027, this report shall be submitted in a manner prescribed by the department and shall also describe the amount of money that was spent on each initiative.	2422 2423 2424 2425 2426 2427 2428 2429 2430

(E) Starting in 2015, the department shall submit a report 2431
of the information it receives under division (C) of this 2432
section to the general assembly not later than the first day of 2433
December of each odd-numbered year in accordance with section 2434
101.68 of the Revised Code. 2435

Sec. 3319.2214. This section applies to each individual 2436
who applies for a new valid educator license under section 2437
3319.22 of the Revised Code with a grade band specification of 2438
grades pre-kindergarten through eight and who may be assigned to 2439
teach mathematics. 2440

The state board of education shall assess whether each 2441
individual to whom this section applies is proficient in 2442
mathematics at the time that individual applies for a license. 2443
The chancellor of higher education, in consultation with the 2444
department of education and workforce, shall define the level of 2445
proficiency at which individuals are prepared to provide high- 2446
quality math instruction. The chancellor and the department 2447
shall collaborate with the state board to set appropriate 2448
benchmarks. Whether that individual is proficient in mathematics 2449
does not affect the state board's duty to issue that applicant a 2450
license. 2451

However, the state board shall certify to each school 2452
district or other school that employs that individual whether 2453
the individual is proficient in mathematics based on the state 2454
board's assessment. If the individual has not demonstrated 2455
proficiency in mathematics, the district or school shall not 2456
assign that individual to teach mathematics. Nevertheless, the 2457
district or school may permit that individual to teach in other 2458
subject areas. 2459

An individual who has not demonstrated proficiency in 2460

mathematics according to the state board's assessment may retake 2461
the assessment. If the individual demonstrates proficiency in 2462
mathematics in the subsequent assessment, the state board shall 2463
certify to each school district or other school that employs the 2464
individual that the individual is proficient in mathematics. In 2465
that case, the district or school may assign the individual to 2466
teach mathematics. 2467

The state board shall adopt rules to implement this 2468
section. 2469

Sec. 3319.2311. The department of education and workforce 2470
shall do both of the following: 2471

(A) Develop a professional development course that focuses 2472
on foundational knowledge in mathematics and integrates life 2473
skills; 2474

(B) Not later than December 31, 2026, develop a pilot 2475
series of professional development programs for school and 2476
regional educational leaders on evidence-based mathematics 2477
instruction. 2478

Sec. 3324.10. (A) The department of education and 2479
workforce shall adopt a model student acceleration policy 2480
addressing recommendations in the former department of 2481
education's 2005 study conducted under the gifted research and 2482
demonstration grant program. The policy shall address, but not 2483
be limited to, whole grade acceleration, subject area 2484
acceleration, and early high school graduation. The policy also 2485
shall include providing advanced learning opportunities in 2486
mathematics under section 3313.6032 of the Revised Code. 2487

(B) The board of education of each city, local, and 2488
exempted village school district shall implement a student 2489

acceleration policy to take effect beginning in the 2006-2007 2490
school year. The policy shall either be the model adopted by the 2491
department under division (A) of this section or a policy 2492
covering similar issues that is adopted by the district board. 2493
If the district board does not adopt the department's model, it 2494
shall submit its policy to the department for review and 2495
approval. The department, upon request, shall provide technical 2496
assistance to the district board in developing the policy. 2497

Sec. 3326.11. Each science, technology, engineering, and 2498
mathematics school established under this chapter and its 2499
governing body shall comply with sections 9.90, 9.91, 109.65, 2500
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 2501
3301.0714, 3301.0715, 3301.0729, 3301.24, 3301.948, 3302.037, 2502
3302.131, 3302.132, 3313.14, 3313.15, 3313.16, 3313.18, 2503
3313.201, 3313.26, 3313.472, 3313.473, 3313.474, 3313.48, 2504
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.5318, 2505
3313.5319, 3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6020, 2506
3313.6021, 3313.6023, 3313.6024, 3313.6026, 3313.6028, 2507
3313.6029, 3313.6031, 3313.6032, 3313.6034, 3313.6035, 2508
3313.6036, 3313.61, 3313.611, 3313.614, 3313.615, 3313.617, 2509
3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411, 3313.6413, 2510
3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 2511
3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 2512
3313.69, 3313.71, 3313.716, 3313.717, 3313.718, 3313.719, 2513
3313.7112, 3313.7117, 3313.7118, 3313.721, 3313.753, 3313.80, 2514
3313.801, 3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 2515
3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 2516
3319.0812, 3319.21, 3319.2214, 3319.238, 3319.318, 3319.32, 2517
3319.321, 3319.324, 3319.35, 3319.39, 3319.391, 3319.393, 2518
3319.41, 3319.45, 3319.46, 3319.90, 3319.614, 3320.01, 3320.02, 2519
3320.03, 3320.04, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 2520

3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 3322.20, 3322.24, 2521
3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 2522
5705.391 and Chapters 102., 117., 1347., 2744., 3307., 3309., 2523
3365., 3742., 4112., 4123., 4141., and 4167. of the Revised Code 2524
as if it were a school district. 2525

Section 2. That existing sections 3301.0714, 3302.03, 2526
3313.6032, 3314.03, 3317.25, 3324.10, and 3326.11 of the Revised 2527
Code are hereby repealed. 2528