

As Re-reported by the Senate Education Committee

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Sub. S. B. No. 19

Senator Brenner

Cosponsors: Senators Ingram, Huffman, Koehler

To amend sections 3301.0714, 3302.03, 3314.03,
3317.25, 3324.10, and 3326.11; to enact new
section 3313.6032 and sections 3302.131,
3302.132, 3313.6034, 3313.6035, 3319.2214, and
3319.2311; and to repeal section 3313.6032 of
the Revised Code with regard to academic
intervention services at public schools and the
establishment of mathematics improvement and
intervention plans.

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

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

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

(1) Standards identifying and defining the types of data	21
in the system in accordance with divisions (B) and (C) of this	22
section;	23
(2) Procedures for annually collecting and reporting the	24
data to the department in accordance with division (D) of this	25
section;	26
(3) Procedures for annually compiling the data in	27
accordance with division (G) of this section;	28
(4) Procedures for annually reporting the data to the	29
public in accordance with division (H) of this section;	30
(5) Standards to provide strict safeguards to protect the	31
confidentiality of personally identifiable student data.	32
(B) The guidelines adopted under this section shall	33
require the data maintained in the education management	34
information system to include at least the following:	35
(1) Student participation and performance data, for each	36
grade in each school district as a whole and for each grade in	37
each school building in each school district, that includes:	38
(a) The numbers of students receiving each category of	39
instructional service offered by the school district, such as	40
regular education instruction, vocational education instruction,	41
specialized instruction programs or enrichment instruction that	42
is part of the educational curriculum, instruction for gifted	43
students, instruction for students with disabilities, and	44
remedial instruction. The guidelines shall require instructional	45
services under this division to be divided into discrete	46
categories if an instructional service is limited to a specific	47
subject, a specific type of student, or both, such as regular	48
instructional services in mathematics, remedial reading	49

instructional services, instructional services specifically for 50
students gifted in mathematics or some other subject area, or 51
instructional services for students with a specific type of 52
disability. The categories of instructional services required by 53
the guidelines under this division shall be the same as the 54
categories of instructional services used in determining cost 55
units pursuant to division (C) (3) of this section. 56

(b) The numbers of students receiving support or 57
extracurricular services for each of the support services or 58
extracurricular programs offered by the school district, such as 59
counseling services, health services, and extracurricular sports 60
and fine arts programs. The categories of services required by 61
the guidelines under this division shall be the same as the 62
categories of services used in determining cost units pursuant 63
to division (C) (4) (a) of this section. 64

(c) Average student grades in each subject in grades nine 65
through twelve; 66

(d) Academic achievement levels as assessed under sections 67
3301.0710, 3301.0711, and 3301.0712 of the Revised Code; 68

(e) The number of students designated as having a 69
disabling condition pursuant to division (C) (1) of section 70
3301.0711 of the Revised Code; 71

(f) The numbers of students reported to the department 72
pursuant to division (C) (2) of section 3301.0711 of the Revised 73
Code; 74

(g) Attendance rates and the average daily attendance for 75
the year. For purposes of this division, a student shall be 76
counted as present for any field trip that is approved by the 77
school administration. 78

(h) Expulsion rates;	79
(i) Suspension rates;	80
(j) Dropout rates;	81
(k) Rates of retention in grade;	82
(l) For pupils in grades nine through twelve, the average number of carnegie units, as calculated in accordance with the director's rules;	83 84 85
(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;	86 87 88 89 90
(n) Results of diagnostic assessments described in division (A) (1) of section 3301.0715 of the Revised Code;	91 92
(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;	93 94 95
(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;	96 97 98
(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;	99 100 101 102
(r) The number of students enrolled in all-day kindergarten, as defined in section 3321.05 of the Revised Code.	103 104
(2) Personnel and classroom enrollment data for each	105

school district, including: 106

(a) The total numbers of licensed employees and 107
nonlicensed employees and the numbers of full-time equivalent 108
licensed employees and nonlicensed employees providing each 109
category of instructional service, instructional support 110
service, and administrative support service used pursuant to 111
division (C) (3) of this section. The guidelines adopted under 112
this section shall require these categories of data to be 113
maintained for the school district as a whole and, wherever 114
applicable, for each grade in the school district as a whole, 115
for each school building as a whole, and for each grade in each 116
school building. 117

(b) The total number of employees and the number of full- 118
time equivalent employees providing each category of service 119
used pursuant to divisions (C) (4) (a) and (b) of this section, 120
and the total numbers of licensed employees and nonlicensed 121
employees and the numbers of full-time equivalent licensed 122
employees and nonlicensed employees providing each category used 123
pursuant to division (C) (4) (c) of this section. The guidelines 124
adopted under this section shall require these categories of 125
data to be maintained for the school district as a whole and, 126
wherever applicable, for each grade in the school district as a 127
whole, for each school building as a whole, and for each grade 128
in each school building. 129

(c) The total number of regular classroom teachers 130
teaching classes of regular education and the average number of 131
pupils enrolled in each such class, in each of grades 132
kindergarten through five in the district as a whole and in each 133
school building in the school district. 134

(d) The number of lead teachers employed by each school 135

district and each school building. 136

(3) (a) Student demographic data for each school district, 137
including information regarding the gender ratio of the school 138
district's pupils, the racial make-up of the school district's 139
pupils, the number of English learners in the district, and an 140
appropriate measure of the number of the school district's 141
pupils who reside in economically disadvantaged households. The 142
demographic data shall be collected in a manner to allow 143
correlation with data collected under division (B) (1) of this 144
section. Categories for data collected pursuant to division (B) 145
(3) of this section shall conform, where appropriate, to 146
standard practices of agencies of the federal government. 147

(b) With respect to each student entering kindergarten, 148
whether the student previously participated in a public 149
preschool program, a private preschool program, or a head start 150
program, and the number of years the student participated in 151
each of these programs. 152

(4) (a) The core curriculum and instructional materials 153
being used for English language arts in each of grades pre- 154
kindergarten to five; 155

(b) The reading intervention programs being used in each 156
of grades pre-kindergarten to twelve. 157

~~+(5) (a) The core curriculum and instructional materials~~ 158
~~being used for mathematics in each of grades kindergarten to~~ 159
~~twelve;~~ 160

~~(b) The mathematics intervention programs being used in~~ 161
~~each of grades kindergarten to twelve.~~ 162

(6) Any data required to be collected pursuant to federal 163
law. 164

(C) The education management information system shall 165
include cost accounting data for each district as a whole and 166
for each school building in each school district. The guidelines 167
adopted under this section shall require the cost data for each 168
school district to be maintained in a system of mutually 169
exclusive cost units and shall require all of the costs of each 170
school district to be divided among the cost units. The 171
guidelines shall require the system of mutually exclusive cost 172
units to include at least the following: 173

(1) Administrative costs for the school district as a 174
whole. The guidelines shall require the cost units under this 175
division (C) (1) to be designed so that each of them may be 176
compiled and reported in terms of average expenditure per pupil 177
in enrolled ADM in the school district, as determined pursuant 178
to section 3317.03 of the Revised Code. 179

(2) Administrative costs for each school building in the 180
school district. The guidelines shall require the cost units 181
under this division (C) (2) to be designed so that each of them 182
may be compiled and reported in terms of average expenditure per 183
full-time equivalent pupil receiving instructional or support 184
services in each building. 185

(3) Instructional services costs for each category of 186
instructional service provided directly to students and required 187
by guidelines adopted pursuant to division (B) (1) (a) of this 188
section. The guidelines shall require the cost units under 189
division (C) (3) of this section to be designed so that each of 190
them may be compiled and reported in terms of average 191
expenditure per pupil receiving the service in the school 192
district as a whole and average expenditure per pupil receiving 193
the service in each building in the school district and in terms 194

of a total cost for each category of service and, as a breakdown 195
of the total cost, a cost for each of the following components: 196

(a) The cost of each instructional services category 197
required by guidelines adopted under division (B) (1) (a) of this 198
section that is provided directly to students by a classroom 199
teacher; 200

(b) The cost of the instructional support services, such 201
as services provided by a speech-language pathologist, classroom 202
aide, multimedia aide, or librarian, provided directly to 203
students in conjunction with each instructional services 204
category; 205

(c) The cost of the administrative support services 206
related to each instructional services category, such as the 207
cost of personnel that develop the curriculum for the 208
instructional services category and the cost of personnel 209
supervising or coordinating the delivery of the instructional 210
services category. 211

(4) Support or extracurricular services costs for each 212
category of service directly provided to students and required 213
by guidelines adopted pursuant to division (B) (1) (b) of this 214
section. The guidelines shall require the cost units under 215
division (C) (4) of this section to be designed so that each of 216
them may be compiled and reported in terms of average 217
expenditure per pupil receiving the service in the school 218
district as a whole and average expenditure per pupil receiving 219
the service in each building in the school district and in terms 220
of a total cost for each category of service and, as a breakdown 221
of the total cost, a cost for each of the following components: 222

(a) The cost of each support or extracurricular services 223

category required by guidelines adopted under division (B) (1) (b) 224
of this section that is provided directly to students by a 225
licensed employee, such as services provided by a guidance 226
counselor or any services provided by a licensed employee under 227
a supplemental contract; 228

(b) The cost of each such services category provided 229
directly to students by a nonlicensed employee, such as 230
janitorial services, cafeteria services, or services of a sports 231
trainer; 232

(c) The cost of the administrative services related to 233
each services category in division (C) (4) (a) or (b) of this 234
section, such as the cost of any licensed or nonlicensed 235
employees that develop, supervise, coordinate, or otherwise are 236
involved in administering or aiding the delivery of each 237
services category. 238

(D) (1) The guidelines adopted under this section shall 239
require school districts to collect information about individual 240
students, staff members, or both in connection with any data 241
required by division (B) or (C) of this section or other 242
reporting requirements established in the Revised Code. The 243
guidelines may also require school districts to report 244
information about individual staff members in connection with 245
any data required by division (B) or (C) of this section or 246
other reporting requirements established in the Revised Code. 247
The guidelines shall not authorize school districts to request 248
social security numbers of individual students. The guidelines 249
shall prohibit the reporting under this section of a student's 250
name, address, and social security number to the department. The 251
guidelines shall also prohibit the reporting under this section 252
of any personally identifiable information about any student, 253

except for the purpose of assigning the data verification code 254
required by division (D) (2) of this section, to any other person 255
unless such person is employed by the school district or the 256
information technology center operated under section 3301.075 of 257
the Revised Code and is authorized by the district or technology 258
center to have access to such information or is employed by an 259
entity with which the department contracts for the scoring or 260
the development of state assessments. The guidelines may require 261
school districts to provide the social security numbers of 262
individual staff members and the county of residence for a 263
student. Nothing in this section prohibits the department from 264
providing a student's county of residence to the department of 265
taxation to facilitate the distribution of tax revenue. 266

(2) (a) The guidelines shall provide for each school 267
district or community school to assign a data verification code 268
that is unique on a statewide basis over time to each student 269
whose initial Ohio enrollment is in that district or school and 270
to report all required individual student data for that student 271
utilizing such code. The guidelines shall also provide for 272
assigning data verification codes to all students enrolled in 273
districts or community schools on the effective date of the 274
guidelines established under this section. The assignment of 275
data verification codes for other entities, as described in 276
division (D) (2) (d) of this section, the use of those codes, and 277
the reporting and use of associated individual student data 278
shall be coordinated by the department of education and 279
workforce in accordance with state and federal law. 280

School districts shall report individual student data to 281
the department through the information technology centers 282
utilizing the code. The entities described in division (D) (2) (d) 283
of this section shall report individual student data to the 284

department in the manner prescribed by the department. 285

(b) (i) Except as provided in sections 3301.941, 3310.11, 286
3310.42, 3310.63, 3313.978, 3317.20, and 5747.057 of the Revised 287
Code, and in division (D) (2) (b) (ii) of this section, at no time 288
shall the department have access to information that would 289
enable any data verification code to be matched to personally 290
identifiable student data. 291

(ii) For the purpose of making per-pupil payments to 292
community schools under section 3317.022 of the Revised Code, 293
the department shall have access to information that would 294
enable any data verification code to be matched to personally 295
identifiable student data. 296

(c) Each school district and community school shall ensure 297
that the data verification code is included in the student's 298
records reported to any subsequent school district, community 299
school, or state institution of higher education, as defined in 300
section 3345.011 of the Revised Code, in which the student 301
enrolls. Any such subsequent district or school shall utilize 302
the same identifier in its reporting of data under this section. 303

(d) (i) The director of any state agency that administers a 304
publicly funded program providing services to children who are 305
younger than compulsory school age, as defined in section 306
3321.01 of the Revised Code, including the directors of health, 307
job and family services, mental health and addiction services, 308
children and youth, and developmental disabilities, shall 309
request and receive, pursuant to sections 3301.0723 and 5180.33 310
of the Revised Code, a data verification code for a child who is 311
receiving those services. 312

(ii) The director of developmental disabilities, director 313

of health, director of job and family services, director of 314
children and youth, director of mental health and addiction 315
services, medicaid director, executive director of the 316
commission on minority health, executive director of the 317
opportunities for Ohioans with disabilities agency, or director 318
of education and workforce, on behalf of a program that receives 319
public funds and provides services to children who are younger 320
than compulsory school age, may request and receive, pursuant to 321
section 3301.0723 of the Revised Code, a data verification code 322
for a child who is receiving services from the program. 323

(E) The guidelines adopted under this section may require 324
school districts to collect and report data, information, or 325
reports other than that described in divisions (A), (B), and (C) 326
of this section for the purpose of complying with other 327
reporting requirements established in the Revised Code. The 328
other data, information, or reports may be maintained in the 329
education management information system but are not required to 330
be compiled as part of the profile formats required under 331
division (G) of this section or the annual statewide report 332
required under division (H) of this section. 333

(F) The board of education of each school district shall 334
annually collect and report to the department, in accordance 335
with the guidelines established by the department, the data 336
required pursuant to this section. A school district may collect 337
and report these data notwithstanding section 2151.357 or 338
3319.321 of the Revised Code. 339

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

district as a whole and each school building within each 344
district and shall compile the data in accordance with these 345
formats. These profile formats shall: 346

(1) Include all of the data gathered under this section in 347
a manner that facilitates comparison among school districts and 348
among school buildings within each school district; 349

(2) Present the data on academic achievement levels as 350
assessed by the testing of student achievement maintained 351
pursuant to division (B)(1)(d) of this section. 352

(H)(1) The department shall, in accordance with the 353
procedures it adopts, annually prepare a statewide report for 354
all school districts and the general public that includes the 355
profile of each of the school districts developed pursuant to 356
division (G) of this section. Copies of the report shall be sent 357
to each school district. 358

(2) The department shall, in accordance with the 359
procedures it adopts, annually prepare an individual report for 360
each school district and the general public that includes the 361
profiles of each of the school buildings in that school district 362
developed pursuant to division (G) of this section. 363

(I) Any data that is collected or maintained pursuant to 364
this section and that identifies an individual pupil is not a 365
public record for the purposes of section 149.43 of the Revised 366
Code. 367

(J) As used in this section: 368

(1) "School district" means any city, local, exempted 369
village, or joint vocational school district and, in accordance 370
with section 3314.17 of the Revised Code, any community school. 371
As used in division (L) of this section, "school district" also 372

includes any educational service center or other educational 373
entity required to submit data using the system established 374
under this section. 375

(2) "Cost" means any expenditure for operating expenses 376
made by a school district excluding any expenditures for debt 377
retirement except for payments made to any commercial lending 378
institution for any loan approved pursuant to section 3313.483 379
of the Revised Code. 380

(K) Any person who removes data from the information 381
system established under this section for the purpose of 382
releasing it to any person not entitled under law to have access 383
to such information is subject to section 2913.42 of the Revised 384
Code prohibiting tampering with data. 385

(L) (1) In accordance with division (L) (2) of this section 386
and the rules adopted under division (L) (10) of this section, 387
the department may sanction any school district that reports 388
incomplete or inaccurate data, reports data that does not 389
conform to data requirements and descriptions published by the 390
department, fails to report data in a timely manner, or 391
otherwise does not make a good faith effort to report data as 392
required by this section. 393

(2) If the department decides to sanction a school 394
district under this division, the department shall take the 395
following sequential actions: 396

(a) Notify the district in writing that the department has 397
determined that data has not been reported as required under 398
this section and require the district to review its data 399
submission and submit corrected data by a deadline established 400
by the department. The department also may require the district 401

to develop a corrective action plan, which shall include 402
provisions for the district to provide mandatory staff training 403
on data reporting procedures. 404

(b) Withhold up to ten per cent of the total amount of 405
state funds due to the district for the current fiscal year and, 406
if not previously required under division (L) (2) (a) of this 407
section, require the district to develop a corrective action 408
plan in accordance with that division; 409

(c) Withhold an additional amount of up to twenty per cent 410
of the total amount of state funds due to the district for the 411
current fiscal year; 412

(d) Direct department staff or an outside entity to 413
investigate the district's data reporting practices and make 414
recommendations for subsequent actions. The recommendations may 415
include one or more of the following actions: 416

(i) Arrange for an audit of the district's data reporting 417
practices by department staff or an outside entity; 418

(ii) Conduct a site visit and evaluation of the district; 419

(iii) Withhold an additional amount of up to thirty per 420
cent of the total amount of state funds due to the district for 421
the current fiscal year; 422

(iv) Continue monitoring the district's data reporting; 423

(v) Assign department staff to supervise the district's 424
data management system; 425

(vi) Conduct an investigation to determine whether to 426
suspend or revoke the license of any district employee in 427
accordance with division (N) of this section; 428

(vii) If the district is issued a report card under 429
section 3302.03 of the Revised Code, indicate on the report card 430
that the district has been sanctioned for failing to report data 431
as required by this section; 432

(viii) If the district is issued a report card under 433
section 3302.03 of the Revised Code and incomplete or inaccurate 434
data submitted by the district likely caused the district to 435
receive a higher performance rating than it deserved under that 436
section, issue a revised report card for the district; 437

(ix) Any other action designed to correct the district's 438
data reporting problems. 439

(3) Any time the department takes an action against a 440
school district under division (L)(2) of this section, the 441
department shall make a report of the circumstances that 442
prompted the action. The department shall send a copy of the 443
report to the district superintendent or chief administrator and 444
maintain a copy of the report in its files. 445

(4) If any action taken under division (L)(2) of this 446
section resolves a school district's data reporting problems to 447
the department's satisfaction, the department shall not take any 448
further actions described by that division. If the department 449
withheld funds from the district under that division, the 450
department may release those funds to the district, except that 451
if the department withheld funding under division (L)(2)(c) of 452
this section, the department shall not release the funds 453
withheld under division (L)(2)(b) of this section and, if the 454
department withheld funding under division (L)(2)(d) of this 455
section, the department shall not release the funds withheld 456
under division (L)(2)(b) or (c) of this section. 457

(5) Notwithstanding anything in this section to the 458
contrary, the department may use its own staff or an outside 459
entity to conduct an audit of a school district's data reporting 460
practices any time the department has reason to believe the 461
district has not made a good faith effort to report data as 462
required by this section. If any audit conducted by an outside 463
entity under division (L) (2) (d) (i) or (5) of this section 464
confirms that a district has not made a good faith effort to 465
report data as required by this section, the district shall 466
reimburse the department for the full cost of the audit. The 467
department may withhold state funds due to the district for this 468
purpose. 469

(6) Prior to issuing a revised report card for a school 470
district under division (L) (2) (d) (viii) of this section, the 471
department may hold a hearing to provide the district with an 472
opportunity to demonstrate that it made a good faith effort to 473
report data as required by this section. The hearing shall be 474
conducted by a referee appointed by the department. Based on the 475
information provided in the hearing, the referee shall recommend 476
whether the department should issue a revised report card for 477
the district. If the referee affirms the department's contention 478
that the district did not make a good faith effort to report 479
data as required by this section, the district shall bear the 480
full cost of conducting the hearing and of issuing any revised 481
report card. 482

(7) If the department determines that any inaccurate data 483
reported under this section caused a school district to receive 484
excess state funds in any fiscal year, the district shall 485
reimburse the department an amount equal to the excess funds, in 486
accordance with a payment schedule determined by the department. 487
The department may withhold state funds due to the district for 488

this purpose. 489

(8) Any school district that has funds withheld under 490
division (L) (2) of this section may appeal the withholding in 491
accordance with Chapter 119. of the Revised Code. 492

(9) In all cases of a disagreement between the department 493
and a school district regarding the appropriateness of an action 494
taken under division (L) (2) of this section, the burden of proof 495
shall be on the district to demonstrate that it made a good 496
faith effort to report data as required by this section. 497

(10) The director of education and workforce shall adopt 498
rules under Chapter 119. of the Revised Code to implement 499
division (L) of this section. 500

(M) No information technology center or school district 501
shall acquire, change, or update its student administration 502
software package to manage and report data required to be 503
reported to the department unless it converts to a student 504
software package that is certified by the department. 505

(N) The state board of education, in accordance with 506
sections 3319.31 and 3319.311 of the Revised Code, may suspend 507
or revoke a license as defined under division (A) of section 508
3319.31 of the Revised Code that has been issued to any school 509
district employee found to have willfully reported erroneous, 510
inaccurate, or incomplete data to the education management 511
information system. 512

(O) No person shall release or maintain any information 513
about any student in violation of this section. Whoever violates 514
this division is guilty of a misdemeanor of the fourth degree. 515

(P) If the department cannot compile any of the 516
information required by division (I) of section 3302.03 of the 517

Revised Code based upon the data collected under this section, 518
the department shall develop a plan and a reasonable timeline 519
for the collection of any data necessary to comply with that 520
division. 521

Sec. 3302.03. Not later than the thirty-first day of July 522
of each year, the department of education and workforce shall 523
submit preliminary report card data for overall academic 524
performance and for each separate performance measure for each 525
school district, and each school building, in accordance with 526
this section. 527

Annually, not later than the fifteenth day of September or 528
the preceding Friday when that day falls on a Saturday or 529
Sunday, the department shall assign a letter grade or 530
performance rating for overall academic performance and for each 531
separate performance measure for each school district, and each 532
school building in a district, in accordance with this section. 533
The department shall adopt rules pursuant to Chapter 119. of the 534
Revised Code to implement this section. The department's rules 535
shall establish performance criteria for each letter grade or 536
performance rating and prescribe a method by which the 537
department assigns each letter grade or performance rating. For 538
a school building to which any of the performance measures do 539
not apply, due to grade levels served by the building, the 540
department shall designate the performance measures that are 541
applicable to the building and that must be calculated 542
separately and used to calculate the building's overall grade or 543
performance rating. The department shall issue annual report 544
cards reflecting the performance of each school district, each 545
building within each district, and for the state as a whole 546
using the performance measures and letter grade or performance 547
rating system described in this section. The department shall 548

include on the report card for each district and each building 549
within each district the most recent two-year trend data in 550
student achievement for each subject and each grade. 551

(A) (1) For the 2012-2013 school year, the department shall 552
issue grades as described in division (F) of this section for 553
each of the following performance measures: 554

(a) Annual measurable objectives; 555

(b) Performance index score for a school district or 556
building. Grades shall be awarded as a percentage of the total 557
possible points on the performance index system as adopted by 558
the department. In adopting benchmarks for assigning letter 559
grades under division (A) (1) (b) of this section, the department 560
shall designate ninety per cent or higher for an "A," at least 561
seventy per cent but not more than eighty per cent for a "C," 562
and less than fifty per cent for an "F." 563

(c) The extent to which the school district or building 564
meets each of the applicable performance indicators established 565
by the department under section 3302.02 of the Revised Code and 566
the percentage of applicable performance indicators that have 567
been achieved. In adopting benchmarks for assigning letter 568
grades under division (A) (1) (c) of this section, the department 569
shall designate ninety per cent or higher for an "A." 570

(d) The four- and five-year adjusted cohort graduation 571
rates. 572

In adopting benchmarks for assigning letter grades under 573
division (A) (1) (d), (B) (1) (d), or (C) (1) (d) of this section, the 574
department shall designate a four-year adjusted cohort 575
graduation rate of ninety-three per cent or higher for an "A" 576
and a five-year cohort graduation rate of ninety-five per cent 577

or higher for an "A." 578

(e) The overall score under the value-added progress 579
dimension of a school district or building, for which the 580
department shall use up to three years of value-added data as 581
available. The letter grade assigned for this growth measure 582
shall be as follows: 583

(i) A score that is at least one standard error of measure 584
above the mean score shall be designated as an "A." 585

(ii) A score that is less than one standard error of 586
measure above but greater than one standard error of measure 587
below the mean score shall be designated as a "B." 588

(iii) A score that is less than or equal to one standard 589
error of measure below the mean score but greater than two 590
standard errors of measure below the mean score shall be 591
designated as a "C." 592

(iv) A score that is less than or equal to two standard 593
errors of measure below the mean score but is greater than three 594
standard errors of measure below the mean score shall be 595
designated as a "D." 596

(v) A score that is less than or equal to three standard 597
errors of measure below the mean score shall be designated as an 598
"F." 599

Whenever the value-added progress dimension is used as a 600
graded performance measure in this division and divisions (B) 601
and (C) of this section, whether as an overall measure or as a 602
measure of separate subgroups, the grades for the measure shall 603
be calculated in the same manner as prescribed in division (A) 604
(1) (e) of this section. 605

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

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

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

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

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

(a) Annual measurable objectives;

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

possible points on the performance index system as created by 635
the department. In adopting benchmarks for assigning letter 636
grades under division (B) (1) (b) of this section, the department 637
shall designate ninety per cent or higher for an "A," at least 638
seventy per cent but not more than eighty per cent for a "C," 639
and less than fifty per cent for an "F." 640

(c) The extent to which the school district or building 641
meets each of the applicable performance indicators established 642
by the department under section 3302.03 of the Revised Code and 643
the percentage of applicable performance indicators that have 644
been achieved. In adopting benchmarks for assigning letter 645
grades under division (B) (1) (c) of this section, the department 646
shall designate ninety per cent or higher for an "A." 647

(d) The four- and five-year adjusted cohort graduation 648
rates; 649

(e) The overall score under the value-added progress 650
dimension of a school district or building, for which the 651
department shall use up to three years of value-added data as 652
available. 653

(f) The value-added progress dimension score for a school 654
district or building disaggregated for each of the following 655
subgroups: students identified as gifted in superior cognitive 656
ability and specific academic ability fields under Chapter 3324. 657
of the Revised Code, students with disabilities, and students 658
whose performance places them in the lowest quintile for 659
achievement on a statewide basis. Each subgroup shall be a 660
separate graded measure. 661

(g) Whether a school district or building is making 662
progress in improving literacy in grades kindergarten through 663

three, as determined using a method prescribed by the 664
department. The department shall adopt rules to prescribe 665
benchmarks and standards for assigning grades to districts and 666
buildings for purposes of division (B) (1) (g) of this section. In 667
adopting benchmarks for assigning letter grades under divisions 668
(B) (1) (g) and (C) (1) (g) of this section, the department shall 669
determine progress made based on the reduction in the total 670
percentage of students scoring below grade level, or below 671
proficient, compared from year to year on the reading diagnostic 672
assessments administered under section 3301.0715 of the Revised 673
Code and the third grade English language arts assessment under 674
section 3301.0710 of the Revised Code, as applicable. The 675
department shall designate for a "C" grade a value that is not 676
lower than the statewide average value for this measure. No 677
grade shall be issued under divisions (B) (1) (g) and (C) (1) (g) of 678
this section for a district or building in which less than five 679
per cent of students have scored below grade level on the 680
diagnostic assessment administered to students in kindergarten 681
under division (B) (1) of section 3313.608 of the Revised Code. 682

(h) For a high mobility school district or building, an 683
additional value-added progress dimension score. For this 684
measure, the department shall use value-added data from the most 685
recent school year available and shall use assessment scores for 686
only those students to whom the district or building has 687
administered the assessments prescribed by section 3301.0710 of 688
the Revised Code for each of the two most recent consecutive 689
school years. 690

As used in this division, "high mobility school district 691
or building" means a school district or building where at least 692
twenty-five per cent of its total enrollment is made up of 693
students who have attended that school district or building for 694

less than one year. 695

(2) In addition to the graded measures in division (B) (1) 696
of this section, the department shall include on a school 697
district's or building's report card all of the following 698
without an assigned letter grade: 699

(a) The percentage of students enrolled in a district or 700
building participating in advanced placement classes and the 701
percentage of those students who received a score of three or 702
better on advanced placement examinations; 703

(b) The number of a district's or building's students who 704
have earned at least three college credits through dual 705
enrollment or advanced standing programs, such as the post- 706
secondary enrollment options program under Chapter 3365. of the 707
Revised Code and state-approved career-technical courses offered 708
through dual enrollment or statewide articulation, that appear 709
on a student's transcript or other official document, either of 710
which is issued by the institution of higher education from 711
which the student earned the college credit. The credits earned 712
that are reported under divisions (B) (2) (b) and (C) (2) (c) of 713
this section shall not include any that are remedial or 714
developmental and shall include those that count toward the 715
curriculum requirements established for completion of a degree. 716

(c) The percentage of students enrolled in a district or 717
building who have taken a national standardized test used for 718
college admission determinations and the percentage of those 719
students who are determined to be remediation-free in accordance 720
with standards adopted under division (F) of section 3345.061 of 721
the Revised Code; 722

(d) The percentage of the district's or the building's 723

students who receive industry-recognized credentials as approved 724
under section 3313.6113 of the Revised Code. 725

(e) The percentage of students enrolled in a district or 726
building who are participating in an international baccalaureate 727
program and the percentage of those students who receive a score 728
of four or better on the international baccalaureate 729
examinations. 730

(f) The percentage of the district's or building's 731
students who receive an honors diploma under division (B) of 732
section 3313.61 of the Revised Code. 733

(3) The department shall adopt rules in accordance with 734
Chapter 119. of the Revised Code that prescribe the methods by 735
which the performance measures under divisions (B) (1) (f) and (B) 736
(1) (g) of this section will be assessed and assigned a letter 737
grade, including performance benchmarks for each grade. 738

At least forty-five days prior to the department's 739
adoption of rules to prescribe the methods by which the 740
performance measures under division (B) (1) of this section shall 741
be assessed and assigned a letter grade, the department shall 742
conduct a public presentation before the standing committees of 743
the house of representatives and the senate that consider 744
education legislation describing such methods, including 745
performance benchmarks. 746

(4) There shall not be an overall letter grade for a 747
school district or building for the 2013-2014, 2014-2015, 2015- 748
2016, and 2016-2017 school years. 749

(C) (1) For the 2014-2015, 2015-2016, 2016-2017, 2017-2018, 750
2018-2019, 2019-2020, and 2020-2021 school years, the department 751
shall issue grades as described in division (F) of this section 752

for each of the performance measures prescribed in division (C) 753
(1) of this section. The graded measures are as follows: 754

(a) Annual measurable objectives. For the 2017-2018 school 755
year, the department shall not include any subgroup data in the 756
annual measurable objectives that includes data from fewer than 757
twenty-five students. For the 2018-2019 school year, the 758
department shall not include any subgroup data in the annual 759
measurable objectives that includes data from fewer than twenty 760
students. Beginning with the 2019-2020 school year, the 761
department shall not include any subgroup data in the annual 762
measurable objectives that includes data from fewer than fifteen 763
students. 764

(b) Performance index score for a school district or 765
building. Grades shall be awarded as a percentage of the total 766
possible points on the performance index system as created by 767
the department. In adopting benchmarks for assigning letter 768
grades under division (C) (1) (b) of this section, the department 769
shall designate ninety per cent or higher for an "A," at least 770
seventy per cent but not more than eighty per cent for a "C," 771
and less than fifty per cent for an "F." 772

(c) The extent to which the school district or building 773
meets each of the applicable performance indicators established 774
by the department under section 3302.03 of the Revised Code and 775
the percentage of applicable performance indicators that have 776
been achieved. In adopting benchmarks for assigning letter 777
grades under division (C) (1) (c) of this section, the department 778
shall designate ninety per cent or higher for an "A." 779

(d) The four- and five-year adjusted cohort graduation 780
rates; 781

(e) The overall score under the value-added progress 782
dimension, or another measure of student academic progress if 783
adopted by the department, of a school district or building, for 784
which the department shall use up to three years of value-added 785
data as available. 786

In adopting benchmarks for assigning letter grades for 787
overall score on value-added progress dimension under division 788
(C) (1) (e) of this section, the department shall prohibit the 789
assigning of a grade of "A" for that measure unless the 790
district's or building's grade assigned for value-added progress 791
dimension for all subgroups under division (C) (1) (f) of this 792
section is a "C" or higher. 793

For the metric prescribed by division (C) (1) (e) of this 794
section, the department may adopt a student academic progress 795
measure to be used instead of the value-added progress 796
dimension. If the department adopts such a measure, it also 797
shall prescribe a method for assigning letter grades for the new 798
measure that is comparable to the method prescribed in division 799
(A) (1) (e) of this section. 800

(f) The value-added progress dimension score of a school 801
district or building disaggregated for each of the following 802
subgroups: students identified as gifted in superior cognitive 803
ability and specific academic ability fields under Chapter 3324. 804
of the Revised Code, students with disabilities, and students 805
whose performance places them in the lowest quintile for 806
achievement on a statewide basis, as determined by a method 807
prescribed by the department. Each subgroup shall be a separate 808
graded measure. 809

The department may adopt student academic progress 810
measures to be used instead of the value-added progress 811

dimension. If the department adopts such measures, it also shall 812
prescribe a method for assigning letter grades for the new 813
measures that is comparable to the method prescribed in division 814
(A) (1) (e) of this section. 815

(g) Whether a school district or building is making 816
progress in improving literacy in grades kindergarten through 817
three, as determined using a method prescribed by the 818
department. The department shall adopt rules to prescribe 819
benchmarks and standards for assigning grades to a district or 820
building for purposes of division (C) (1) (g) of this section. The 821
department shall designate for a "C" grade a value that is not 822
lower than the statewide average value for this measure. No 823
grade shall be issued under division (C) (1) (g) of this section 824
for a district or building in which less than five per cent of 825
students have scored below grade level on the kindergarten 826
diagnostic assessment under division (B) (1) of section 3313.608 827
of the Revised Code. 828

(h) For a high mobility school district or building, an 829
additional value-added progress dimension score. For this 830
measure, the department shall use value-added data from the most 831
recent school year available and shall use assessment scores for 832
only those students to whom the district or building has 833
administered the assessments prescribed by section 3301.0710 of 834
the Revised Code for each of the two most recent consecutive 835
school years. 836

As used in this division, "high mobility school district 837
or building" means a school district or building where at least 838
twenty-five per cent of its total enrollment is made up of 839
students who have attended that school district or building for 840
less than one year. 841

(2) In addition to the graded measures in division (C) (1) 842
of this section, the department shall include on a school 843
district's or building's report card all of the following 844
without an assigned letter grade: 845

(a) The percentage of students enrolled in a district or 846
building who have taken a national standardized test used for 847
college admission determinations and the percentage of those 848
students who are determined to be remediation-free in accordance 849
with the standards adopted under division (F) of section 850
3345.061 of the Revised Code; 851

(b) The percentage of students enrolled in a district or 852
building participating in advanced placement classes and the 853
percentage of those students who received a score of three or 854
better on advanced placement examinations; 855

(c) The percentage of a district's or building's students 856
who have earned at least three college credits through advanced 857
standing programs, such as the college credit plus program under 858
Chapter 3365. of the Revised Code and state-approved career- 859
technical courses offered through dual enrollment or statewide 860
articulation, that appear on a student's college transcript 861
issued by the institution of higher education from which the 862
student earned the college credit. The credits earned that are 863
reported under divisions (B) (2) (b) and (C) (2) (c) of this section 864
shall not include any that are remedial or developmental and 865
shall include those that count toward the curriculum 866
requirements established for completion of a degree. 867

(d) The percentage of the district's or building's 868
students who receive an honor's diploma under division (B) of 869
section 3313.61 of the Revised Code; 870

(e) The percentage of the district's or building's 871
students who receive industry-recognized credentials as approved 872
under section 3313.6113 of the Revised Code; 873

(f) The percentage of students enrolled in a district or 874
building who are participating in an international baccalaureate 875
program and the percentage of those students who receive a score 876
of four or better on the international baccalaureate 877
examinations; 878

(g) The results of the college and career-ready 879
assessments administered under division (B)(1) of section 880
3301.0712 of the Revised Code; 881

(h) Whether the school district or building has 882
implemented a positive behavior intervention and supports 883
framework in compliance with the requirements of section 3319.46 884
of the Revised Code, notated as a "yes" or "no" answer. 885

(3) The department shall adopt rules pursuant to Chapter 886
119. of the Revised Code that establish a method to assign an 887
overall grade for a school district or school building for the 888
2017-2018 school year and each school year thereafter. The rules 889
shall group the performance measures in divisions (C)(1) and (2) 890
of this section into the following components: 891

(a) Gap closing, which shall include the performance 892
measure in division (C)(1)(a) of this section; 893

(b) Achievement, which shall include the performance 894
measures in divisions (C)(1)(b) and (c) of this section; 895

(c) Progress, which shall include the performance measures 896
in divisions (C)(1)(e) and (f) of this section; 897

(d) Graduation, which shall include the performance 898

measure in division (C) (1) (d) of this section; 899

(e) Kindergarten through third-grade literacy, which shall 900
include the performance measure in division (C) (1) (g) of this 901
section; 902

(f) Prepared for success, which shall include the 903
performance measures in divisions (C) (2) (a), (b), (c), (d), (e), 904
and (f) of this section. The department shall develop a method 905
to determine a grade for the component in division (C) (3) (f) of 906
this section using the performance measures in divisions (C) (2) 907
(a), (b), (c), (d), (e), and (f) of this section. When 908
available, the department may incorporate the performance 909
measure under division (C) (2) (g) of this section into the 910
component under division (C) (3) (f) of this section. When 911
determining the overall grade for the prepared for success 912
component prescribed by division (C) (3) (f) of this section, no 913
individual student shall be counted in more than one performance 914
measure. However, if a student qualifies for more than one 915
performance measure in the component, the department may, in its 916
method to determine a grade for the component, specify an 917
additional weight for such a student that is not greater than or 918
equal to 1.0. In determining the overall score under division 919
(C) (3) (f) of this section, the department shall ensure that the 920
pool of students included in the performance measures aggregated 921
under that division are all of the students included in the 922
four- and five-year adjusted graduation cohort. 923

In the rules adopted under division (C) (3) of this 924
section, the department shall adopt a method for determining a 925
grade for each component in divisions (C) (3) (a) to (f) of this 926
section. The department also shall establish a method to assign 927
an overall grade of "A," "B," "C," "D," or "F" using the grades 928

assigned for each component. The method the department adopts 929
for assigning an overall grade shall give equal weight to the 930
components in divisions (C) (3) (b) and (c) of this section. 931

At least forty-five days prior to the department's 932
adoption of rules to prescribe the methods for calculating the 933
overall grade for the report card, as required by this division, 934
the department shall conduct a public presentation before the 935
standing committees of the house of representatives and the 936
senate that consider education legislation describing the format 937
for the report card, weights that will be assigned to the 938
components of the overall grade, and the method for calculating 939
the overall grade. 940

(D) For the 2021-2022 school year and each school year 941
thereafter, all of the following apply: 942

(1) The department shall include on a school district's or 943
building's report card all of the following performance measures 944
without an assigned performance rating: 945

(a) Whether the district or building meets the gifted 946
performance indicator under division (A) (2) of section 3302.02 947
of the Revised Code and the extent to which the district or 948
building meets gifted indicator performance benchmarks; 949

(b) The extent to which the district or building meets the 950
chronic absenteeism indicator under division (A) (3) of section 951
3302.02 of the Revised Code; 952

(c) Performance index score percentage for a district or 953
building, which shall be calculated by dividing the district's 954
or building's performance index score according to the 955
performance index system created by the department by the 956
maximum performance index score for a district or building. The 957

maximum performance index score shall be as follows: 958

(i) For a building, the average of the highest two per 959
cent of performance index scores achieved by a building for the 960
school year for which a report card is issued; 961

(ii) For a district, the average of the highest two per 962
cent of performance index scores achieved by a district for the 963
school year for which a report card is issued. 964

(d) The overall score under the value-added progress 965
dimension of a district or building, for which the department 966
shall use three consecutive years of value-added data. In using 967
three years of value-added data to calculate the measure 968
prescribed under division (D) (1) (d) of this section, the 969
department shall assign a weight of fifty per cent to the most 970
recent year's data and a weight of twenty-five per cent to the 971
data of each of the other years. However, if three consecutive 972
years of value-added data is not available, the department shall 973
use prior years of value-added data to calculate the measure, as 974
follows: 975

(i) If two consecutive years of value-added data is not 976
available, the department shall use one year of value-added data 977
to calculate the measure. 978

(ii) If two consecutive years of value-added data is 979
available, the department shall use two consecutive years of 980
value-added data to calculate the measure. In using two years of 981
value-added data to calculate the measure, the department shall 982
assign a weight of sixty-seven per cent to the most recent 983
year's data and a weight of thirty-three per cent to the data of 984
the other year. 985

(e) The four-year adjusted cohort graduation rate. 986

(f) The five-year adjusted cohort graduation rate.	987
(g) The percentage of students in the district or building	988
who score proficient or higher on the reading segment of the	989
third grade English language arts assessment under section	990
3301.0710 of the Revised Code.	991
To the extent possible, the department shall include the	992
results of the summer administration of the third grade reading	993
assessment under section 3301.0710 of the Revised Code in the	994
performance measures prescribed under divisions (D) (1) (g) and	995
(h) of this section.	996
(h) Whether a district or building is making progress in	997
improving literacy in grades kindergarten through three, as	998
determined using a method prescribed by the department. The	999
method shall determine progress made based on the reduction in	1000
the total percentage of students scoring below grade level, or	1001
below proficient, compared from year to year on the reading	1002
segments of the diagnostic assessments administered under	1003
division (A) (1) of section 3301.0715 of the Revised Code and the	1004
third grade English language arts assessment under section	1005
3301.0710 of the Revised Code, as applicable. The method shall	1006
not include a deduction for students who did not pass the third	1007
grade English language arts assessment under section 3301.0710	1008
of the Revised Code and were not on a reading improvement and	1009
monitoring plan.	1010
The performance measure prescribed under division (D) (1)	1011
(h) of this section shall not be included on the report card of	1012
a district or building in which less than ten per cent of	1013
students have scored below grade level on the diagnostic	1014
assessment administered to students in kindergarten under	1015
division (B) (1) of section 3313.608 of the Revised Code.	1016

(i) The percentage of students in a district or building 1017
who are promoted to the fourth grade based on the student's 1018
score on the third grade English language arts assessment under 1019
division (A) (3) of section 3301.0710 of the Revised Code or 1020
demonstrate competency on an alternative assessment under 1021
division (A) (2) (c) of section 3313.608 of the Revised Code; 1022

(j) A post-secondary readiness measure. This measure shall 1023
be calculated by dividing the number of students included in the 1024
four-year adjusted graduation rate cohort who demonstrate post- 1025
secondary readiness by the total number of students included in 1026
the denominator of the four-year adjusted graduation rate 1027
cohort. Demonstration of post-secondary readiness shall include 1028
a student doing any of the following: 1029

(i) Attaining a remediation-free score, in accordance with 1030
standards adopted under division (F) of section 3345.061 of the 1031
Revised Code, on a nationally standardized assessment prescribed 1032
under division (B) (1) of section 3301.0712 of the Revised Code; 1033

(ii) Attaining required scores on three or more advanced 1034
placement, college-level examination program, or international 1035
baccalaureate examinations. The required score for an advanced 1036
placement examination shall be a three or better. The required 1037
score for a college-level examination program examination shall 1038
be a passing score, as determined by the department. The 1039
required score for an international baccalaureate examination 1040
shall be a four or better. A student may satisfy this condition 1041
with any combination of advanced placement, college-level 1042
examination program, or international baccalaureate 1043
examinations. 1044

(iii) Earning at least twelve college credits through 1045
advanced standing programs, such as the college credit plus 1046

program under Chapter 3365. of the Revised Code, an early 1047
college high school program under section 3313.6013 of the 1048
Revised Code, and state-approved career-technical courses 1049
offered through dual enrollment or statewide articulation, that 1050
appear on a student's college transcript issued by the 1051
institution of higher education from which the student earned 1052
the college credit. Earned credits reported under division (D) 1053
(1)(j)(iii) of this section shall include credits that count 1054
toward the curriculum requirements established for completion of 1055
a degree, but shall not include any remedial or developmental 1056
credits. 1057

(iv) Meeting the additional criteria for an honors diploma 1058
under division (B) of section 3313.61 of the Revised Code; 1059

(v) Earning an industry-recognized credential or license 1060
issued by a state agency or board for practice in a vocation 1061
that requires an examination for issuance of that license 1062
approved under section 3313.6113 of the Revised Code; 1063

(vi) Satisfying any of the following conditions: 1064

(I) Completing a pre-apprenticeship aligned with options 1065
established under section 3313.904 of the Revised Code in the 1066
student's chosen career field; 1067

(II) Completing an apprenticeship registered with the 1068
apprenticeship council established under section 4139.02 of the 1069
Revised Code in the student's chosen career field; 1070

(III) Providing evidence of acceptance into an 1071
apprenticeship program after high school that is restricted to 1072
participants eighteen years of age or older. 1073

(vii) Earning a cumulative score of proficient or higher 1074
on three or more state technical assessments aligned with 1075

section 3313.903 of the Revised Code in a single career pathway; 1076

(viii) Earning an OhioMeansJobs-readiness seal established 1077
under section 3313.6112 of the Revised Code and completing two 1078
hundred fifty hours of an internship or other work-based 1079
learning experience that is either: 1080

(I) Approved by the business advisory council established 1081
under section 3313.82 of the Revised Code that represents the 1082
student's district; or 1083

(II) Aligned to the career-technical education pathway 1084
approved by the department in which the student is enrolled. 1085

(ix) Providing evidence that the student has enlisted in a 1086
branch of the armed services of the United States as defined in 1087
section 5910.01 of the Revised Code. 1088

A student who satisfies more than one of the conditions 1089
prescribed under this division shall be counted as one student 1090
for the purposes of calculating the measure prescribed under 1091
division (D) (1) (j) of this section. 1092

(2) In addition to the performance measures under division 1093
(D) (1) of this section, the department shall report on a 1094
district's or building's report card all of the following data 1095
without an assigned performance rating: 1096

(a) The applicable performance indicators established by 1097
the department under division (A) (1) of section 3302.02 of the 1098
Revised Code; 1099

(b) The overall score under the value-added progress 1100
dimension of a district or building for the most recent school 1101
year; 1102

(c) A composite of the overall scores under the value- 1103

added progress dimension of a district or building for the 1104
previous three school years or, if only two years of value-added 1105
data are available, for the previous two years; 1106

(d) The percentage of students included in the four- and 1107
five-year adjusted cohort graduation rates of a district or 1108
building who did not receive a high school diploma under section 1109
3313.61 or 3325.08 of the Revised Code. To the extent possible, 1110
the department shall disaggregate that data according to the 1111
following categories: 1112

(i) Students who are still enrolled in the district or 1113
building and receiving general education services; 1114

(ii) Students with an individualized education program, as 1115
defined in section 3323.01 of the Revised Code, who satisfied 1116
the conditions for a high school diploma under section 3313.61 1117
or 3325.08 of the Revised Code, but opted not to receive a 1118
diploma and are still receiving education services; 1119

(iii) Students with an individualized education program 1120
who have not yet satisfied conditions for a high school diploma 1121
under section 3313.61 or 3325.08 of the Revised Code and who are 1122
still receiving education services; 1123

(iv) Students who are no longer enrolled in any district 1124
or building; 1125

(v) Students who, upon enrollment in the district or 1126
building for the first time, had completed fewer units of high 1127
school instruction required under section 3313.603 of the 1128
Revised Code than other students in the four- or five-year 1129
adjusted cohort graduation rate. 1130

The department may disaggregate the data prescribed under 1131
division (D) (2) (d) of this section according to other categories 1132

that the department determines are appropriate. 1133

(e) Post-graduate outcomes for students who were enrolled 1134
in a district or building and received a high school diploma 1135
under section 3313.61 or 3325.08 of the Revised Code in the 1136
school year prior to the school year for which the report card 1137
is issued, including the percentage of students who: 1138

(i) Enrolled in a post-secondary educational institution. 1139
To the extent possible, the department shall disaggregate that 1140
data according to whether the student enrolled in a four-year 1141
institution of higher education, a two-year institution of 1142
higher education, an Ohio technical center that provides adult 1143
technical education services and is recognized by the chancellor 1144
of higher education, or another type of post-secondary 1145
educational institution. 1146

(ii) Entered an apprenticeship program registered with the 1147
apprenticeship council established under Chapter 4139. of the 1148
Revised Code. The department may include other job training 1149
programs with similar rigor and outcomes. 1150

(iii) Attained gainful employment, as determined by the 1151
department; 1152

(iv) Enlisted in a branch of the armed forces of the 1153
United States, as defined in section 5910.01 of the Revised 1154
Code. 1155

(f) Whether the school district or building has 1156
implemented a positive behavior intervention and supports 1157
framework in compliance with the requirements of section 3319.46 1158
of the Revised Code, notated with a "yes" or "no"; 1159

(g) The number and percentage of high school seniors in 1160
each school year who completed the free application for federal 1161

student aid; 1162

(h) Beginning with the report card issued under this 1163
section for the 2022-2023 school year, a student opportunity 1164
profile measure that reports data regarding the opportunities 1165
provided to students by a district or building. To the extent 1166
possible, and when appropriate, the data shall be disaggregated 1167
by grade level and subgroup. The measure also shall include data 1168
regarding the statewide average, the average for similar school 1169
districts, and, for a building, the average for the district in 1170
which the building is located. The measure shall include all of 1171
the following data for the district or building: 1172

(i) The average ratio of teachers of record to students in 1173
each grade level in a district or building; 1174

(ii) The average ratio of school counselors to students in 1175
a district or building; 1176

(iii) The average ratio of nurses to students in a 1177
district or building; 1178

(iv) The average ratio of licensed librarians and library 1179
media specialists to students in a district or building; 1180

(v) The average ratio of social workers to students in a 1181
district or building; 1182

(vi) The average ratio of mental health professionals to 1183
students in a district or building; 1184

(vii) The average ratio of paraprofessionals to students 1185
in a district or building; 1186

(viii) The percentage of teachers with fewer than three 1187
years of experience teaching in any school; 1188

(ix) The percentage of principals with fewer than three years of experience as a principal in any school;	1189
	1190
(x) The percentage of teachers who are not teaching in the subject or field for which they are certified or licensed;	1191
	1192
(xi) The percentage of kindergarten students who are enrolled in all-day kindergarten, as defined in section 3321.05 of the Revised Code;	1193
	1194
	1195
(xii) The percentage of students enrolled in a performing or visual arts course;	1196
	1197
(xiii) The percentage of students enrolled in a physical education or wellness course;	1198
	1199
(xiv) The percentage of students enrolled in a world language course;	1200
	1201
(xv) The percentage of students in grades seven through twelve who are enrolled in a career-technical education course;	1202
	1203
(xvi) The percentage of students participating in one or more cocurricular activities;	1204
	1205
(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;	1206
	1207
	1208
	1209
(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;	1210
	1211
	1212
	1213
(xix) The percentage of students participating in enrichment or support programs offered by the district or	1214
	1215

building outside of the normal school day; 1216

(xx) The percentage of eligible students participating 1217
each school day in school breakfast programs offered by the 1218
district or building in accordance with section 3313.813 or 1219
3313.818 of the Revised Code; 1220

(xxi) The percentage of students who are transported by a 1221
school bus each school day; 1222

(xxii) The ratio of portable technology devices that 1223
students may take home to the number of students. 1224

The department shall include only opportunity measures at 1225
the building level for which data for buildings is available, as 1226
determined by a school district. 1227

(i) (i) The percentage of students included in the four- 1228
and five-year adjusted cohort graduation rates of the district 1229
or building who completed all of grades nine through twelve 1230
while enrolled in the district or building; 1231

(ii) The four-year adjusted cohort graduation rate for 1232
only those students who were continuously enrolled in the same 1233
district or building for grades nine through twelve. 1234

(j) Whether the district or building provides information 1235
about and promotes the college credit plus program established 1236
under Chapter 3365. of the Revised Code to students in 1237
accordance with section 3365.04 of the Revised Code, notated 1238
with a "yes" or "no"; 1239

(k) The percentage of students in the district or building 1240
to whom both of the following apply: 1241

(i) The students are promoted to fourth grade and not 1242
subject to retention under division (A) (2) of section 3313.608 1243

of the Revised Code. 1244

(ii) The students completed all of the grade levels 1245
offered prior to the fourth grade in the district or building. 1246

(1) The reading and math curricula used in each school 1247
building and whether the curriculum is designated as high- 1248
quality by the department under section 3313.6035 of the Revised 1249
Code. The department shall report the information required under 1250
this division in a form and manner determined by the department. 1251

(3) Except as provided in division (D) (3) (f) of this 1252
section, the department shall use the method prescribed under 1253
rules adopted under division (D) (4) of this section to assign 1254
performance ratings of "one star," "two stars," "three stars," 1255
"four stars," or "five stars," as described in division (F) of 1256
this section, for a district or building for the individual 1257
components prescribed under division (D) (3) of this section. The 1258
department also shall assign an overall performance rating for a 1259
district or building in accordance with division (D) (3) (g) of 1260
this section. The method shall use the performance measures 1261
prescribed under division (D) (1) of this section to calculate 1262
performance ratings for components. The method may report data 1263
under division (D) (2) of this section with corresponding 1264
components, but shall not use the data to calculate performance 1265
ratings for that component. The performance measures and 1266
reported data shall be grouped together into components as 1267
follows: 1268

(a) Gap closing. In addition to other criteria determined 1269
appropriate by the department, performance ratings for the gap 1270
closing component shall reflect whether each of the following 1271
performance measures are met or not met: 1272

(i) The gifted performance indicator as described in	1273
division (D) (1) (a) of this section;	1274
(ii) The chronic absenteeism indicator as described in	1275
division (D) (1) (b) of this section;	1276
(iii) For English learners, an English language	1277
proficiency improvement indicator established by the department;	1278
(iv) The subgroup graduation targets;	1279
(v) The subgroup achievement targets in both mathematics	1280
and English language arts;	1281
(vi) The subgroup progress targets in both mathematics and	1282
English language arts.	1283
Achievement and progress targets under division (D) (3) (a)	1284
of this section shall be calculated individually, and districts	1285
and buildings shall receive a status of met or not met on each	1286
measure. The department shall not require a subgroup of a	1287
district or building to meet both the achievement and progress	1288
targets at the same time to receive a status of met.	1289
The department shall not include any subgroup data in this	1290
measure that includes data from fewer than fifteen students. Any	1291
penalty for failing to meet the required assessment	1292
participation rate must be partially in proportion to how close	1293
the district or building was to meeting the rate requirement.	1294
(b) Achievement, which shall include the performance	1295
measure in division (D) (1) (c) of this section and the reported	1296
data in division (D) (2) (a) of this section. Performance ratings	1297
for the achievement component shall be awarded as a percentage	1298
of the maximum performance index score described in division (D)	1299
(1) (c) of this section.	1300

(c) Progress, which shall include the performance measure 1301
in division (D) (1) (d) of this section and the reported data in 1302
divisions (D) (2) (b) and (c) of this section; 1303

(d) Graduation, which shall include the performance 1304
measures in divisions (D) (1) (e) and (f) of this section and the 1305
reported data in divisions (D) (2) (d) and (j) of this section. 1306
The four-year adjusted cohort graduation rate shall be assigned 1307
a weight of sixty per cent and the five-year adjusted cohort 1308
graduation rate shall be assigned a weight of forty per cent. 1309

(e) Early literacy, which shall include the performance 1310
measures in divisions (D) (1) (g), (h), and (i) of this section 1311
and the reported data in division (D) (2) (k) of this section. 1312

If the measure prescribed under division (D) (1) (h) of this 1313
section is included in a report card, performance ratings for 1314
the early literacy component shall give a weight of forty per 1315
cent to the measure prescribed under division (D) (1) (g) of this 1316
section, a weight of thirty-five per cent to the measure 1317
prescribed under division (D) (1) (i) of this section, and a 1318
weight of twenty-five per cent to the measure prescribed under 1319
division (D) (1) (h) of this section. 1320

If the measure prescribed under division (D) (1) (h) of this 1321
section is not included in a report card of a district or 1322
building, performance ratings for the early literacy component 1323
shall give a weight of sixty per cent to the measure prescribed 1324
under division (D) (1) (g) of this section and a weight of forty 1325
per cent to the measure prescribed under division (D) (1) (i) of 1326
this section. 1327

(f) College, career, workforce, and military readiness, 1328
which shall include the performance measure in division (D) (1) 1329

(j) of this section and the reported data in division (D) (2) (e) 1330
of this section. 1331

For the 2021-2022, 2022-2023, and 2023-2024 school years, 1332
the department only shall report the data for, and not assign a 1333
performance rating to, the college, career, workforce, and 1334
military readiness component. The reported data shall include 1335
the percentage of students who demonstrate post-secondary 1336
readiness using any of the options described in division (D) (1) 1337
(j) of this section. 1338

The department shall analyze the data included in the 1339
performance measure prescribed in division (D) (1) (j) of this 1340
section for the 2021-2022, 2022-2023, and 2023-2024 school 1341
years. Using that data, the department shall develop and propose 1342
rules for a method to assign a performance rating to the 1343
college, career, workforce, and military readiness component 1344
based on that measure. The method to assign a performance rating 1345
shall not include a tiered structure or per student bonuses. The 1346
rules shall specify that a district or building shall not 1347
receive lower than a performance rating of three stars for the 1348
component if the district's or building's performance on the 1349
component meets or exceeds a level of improvement set by the 1350
department. Notwithstanding division (D) (4) (b) of this section, 1351
more than half of the total districts and buildings may earn a 1352
performance rating of three stars on this component to account 1353
for the districts and buildings that earned a performance rating 1354
of three stars because they met or exceeded the level of 1355
improvement set by the department. 1356

The department shall submit the rules to the joint 1357
committee on agency rule review. The committee shall conduct at 1358
least one public hearing on the proposed rules and approve or 1359

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

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

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

school year thereafter, the department's method shall use the 1391
components in divisions (D)(3)(a), (b), (c), (d), (e), and (f) 1392
of this section to calculate the overall performance rating. The 1393
method shall give equal weight to the components in divisions 1394
(D)(3)(b) and (c) of this section. The method shall give equal 1395
weight to the components prescribed in divisions (D)(3)(a), (d), 1396
(e), and (f) of this section. The individual weights of each of 1397
the components prescribed in divisions (D)(3)(a), (d), (e), and 1398
(f) of this section shall be equal to one-half the weight given 1399
to the component prescribed in division (D)(3)(b) of this 1400
section. 1401

If the joint committee on agency rule review disapproves 1402
the department's rules regarding the college, career, workforce, 1403
and military readiness component as described in division (D)(3) 1404
(f) of this section, division (D)(3)(g)(ii) of this section does 1405
not apply. 1406

(4)(a) The department shall adopt rules in accordance with 1407
Chapter 119. of the Revised Code to establish the performance 1408
criteria, benchmarks, and rating system necessary to implement 1409
divisions (D) and (F) of this section, including the method for 1410
the department to assign performance ratings under division (D) 1411
(3) of this section. 1412

(b) In establishing the performance criteria, benchmarks, 1413
and rating system, the department shall consult with stakeholder 1414
groups and advocates that represent parents, community members, 1415
students, business leaders, and educators from different school 1416
typology regions. The department shall use data from prior 1417
school years and simulations to ensure that there is meaningful 1418
differentiation among districts and buildings across all 1419
performance ratings and that, except as permitted in division 1420

(D) (3) (f) of this section, more than half of all districts or 1421
buildings do not earn the same performance rating in any 1422
component or overall performance rating. 1423

(c) The department shall adopt the rules prescribed by 1424
division (D) (4) of this section not later than March 31, 2022. 1425
However, the department shall notify districts and buildings of 1426
the changes to the report card prescribed in law not later than 1427
one week after September 30, 2021. 1428

(d) Prior to adopting or updating rules under division (D) 1429
(4) of this section, the director of education and workforce and 1430
the department shall conduct a public presentation before the 1431
standing committees of the house of representatives and the 1432
senate that consider primary and secondary education legislation 1433
describing the format for the report card and the performance 1434
criteria, benchmarks, and rating system, including the method to 1435
assign performance ratings under division (D) (3) of this 1436
section. 1437

(E) The department may develop a measure of student 1438
academic progress for high school students using only data from 1439
assessments in English language arts and mathematics. If the 1440
department develops this measure, each school district and 1441
applicable school building shall be assigned a separate letter 1442
grade for it not sooner than the 2017-2018 school year. The 1443
district's or building's grade for that measure shall not be 1444
included in determining the district's or building's overall 1445
letter grade. 1446

(F) (1) The letter grades assigned to a school district or 1447
building under this section shall be as follows: 1448

(a) "A" for a district or school making excellent 1449

progress; 1450

(b) "B" for a district or school making above average 1451
progress; 1452

(c) "C" for a district or school making average progress; 1453

(d) "D" for a district or school making below average 1454
progress; 1455

(e) "F" for a district or school failing to meet minimum 1456
progress. 1457

(2) For the overall performance rating under division (D) 1458
(3) of this section, the department shall include a descriptor 1459
for each performance rating as follows: 1460

(a) "Significantly exceeds state standards" for a 1461
performance rating of five stars; 1462

(b) "Exceeds state standards" for a performance rating of 1463
four stars or four and one-half stars; 1464

(c) "Meets state standards" for a performance rating of 1465
three stars or three and one-half stars; 1466

(d) "Needs support to meet state standards" for a 1467
performance rating of two stars or two and one-half stars; 1468

(e) "Needs significant support to meet state standards" 1469
for a performance rating of one star or one and one-half stars. 1470

(3) For performance ratings for each component under 1471
divisions (D) (3) (a) to (f) of this section, the department shall 1472
include a description of each component and performance rating. 1473
The description shall include component-specific context to each 1474
performance rating earned, estimated comparisons to other school 1475
districts and buildings if appropriate, and any other 1476

information determined by the department. The descriptions shall 1477
be not longer than twenty-five words in length when possible. In 1478
addition to such descriptions, the department shall include the 1479
descriptors in division (F) (2) of this section for component 1480
performance ratings. 1481

(4) Each report card issued under this section shall 1482
include all of the following: 1483

(a) A graphic that depicts the performance ratings of a 1484
district or school on a color scale. The color associated with a 1485
performance rating of three stars shall be green and the color 1486
associated with a performance rating of one star shall be red. 1487

(b) An arrow graphic that shows data trends for 1488
performance ratings for school districts or buildings. The 1489
department shall determine the data to be used for this graphic, 1490
which shall include at least the three most recent years of 1491
data. 1492

(c) A description regarding the weights that are assigned 1493
to each component and used to determine an overall performance 1494
rating, as prescribed under division (D) (3) (g) of this section, 1495
which shall be included in the presentation of the overall 1496
performance rating on each report card. 1497

(G) When reporting data on student achievement and 1498
progress, the department shall disaggregate that data according 1499
to the following categories: 1500

(1) Performance of students by grade-level; 1501

(2) Performance of students by race and ethnic group; 1502

(3) Performance of students by gender; 1503

(4) Performance of students grouped by those who have been 1504

enrolled in a district or school for three or more years;	1505
(5) Performance of students grouped by those who have been	1506
enrolled in a district or school for more than one year and less	1507
than three years;	1508
(6) Performance of students grouped by those who have been	1509
enrolled in a district or school for one year or less;	1510
(7) Performance of students grouped by those who are	1511
economically disadvantaged;	1512
(8) Performance of students grouped by those who are	1513
enrolled in a conversion community school established under	1514
Chapter 3314. of the Revised Code;	1515
(9) Performance of students grouped by those who are	1516
classified as English learners;	1517
(10) Performance of students grouped by those who have	1518
disabilities;	1519
(11) Performance of students grouped by those who are	1520
classified as migrants;	1521
(12) Performance of students grouped by those who are	1522
identified as gifted in superior cognitive ability and the	1523
specific academic ability fields of reading and math pursuant to	1524
Chapter 3324. of the Revised Code. In disaggregating specific	1525
academic ability fields for gifted students, the department	1526
shall use data for those students with specific academic ability	1527
in math and reading. If any other academic field is assessed,	1528
the department shall also include data for students with	1529
specific academic ability in that field as well.	1530
(13) Performance of students grouped by those who perform	1531
in the lowest quintile for achievement on a statewide basis, as	1532

determined by a method prescribed by the department. 1533

The department may disaggregate data on student 1534
performance according to other categories that the department 1535
determines are appropriate. To the extent possible, the 1536
department shall disaggregate data on student performance 1537
according to any combinations of two or more of the categories 1538
listed in divisions (G) (1) to (13) of this section that it deems 1539
relevant. 1540

In reporting data pursuant to division (G) of this 1541
section, the department shall not include in the report cards 1542
any data statistical in nature that is statistically unreliable 1543
or that could result in the identification of individual 1544
students. For this purpose, the department shall not report 1545
student performance data for any group identified in division 1546
(G) of this section that contains less than ten students. If the 1547
department does not report student performance data for a group 1548
because it contains less than ten students, the department shall 1549
indicate on the report card that is why data was not reported. 1550

(H) The department may include with the report cards any 1551
additional education and fiscal performance data it deems 1552
valuable. 1553

(I) The department shall include on each report card a 1554
list of additional information collected by the department that 1555
is available regarding the district or building for which the 1556
report card is issued. When available, such additional 1557
information shall include student mobility data disaggregated by 1558
race and socioeconomic status, college enrollment data, and the 1559
reports prepared under section 3302.031 of the Revised Code. 1560

The department shall maintain a site on the world wide 1561

web. The report card shall include the address of the site and 1562
shall specify that such additional information is available to 1563
the public at that site. The department shall also provide a 1564
copy of each item on the list to the superintendent of each 1565
school district. The district superintendent shall provide a 1566
copy of any item on the list to anyone who requests it. 1567

(J) (1) (a) Except as provided in division (J) (1) (b) of this 1568
section, for any district that sponsors a conversion community 1569
school under Chapter 3314. of the Revised Code, the department 1570
shall combine data regarding the academic performance of 1571
students enrolled in the community school with comparable data 1572
from the schools of the district for the purpose of determining 1573
the performance of the district as a whole on the report card 1574
issued for the district under this section or section 3302.033 1575
of the Revised Code. 1576

(b) The department shall not combine data from any 1577
conversion community school that a district sponsors if the 1578
conversion community school is a dropout prevention and recovery 1579
community school, as defined in section 3314.02 of the Revised 1580
Code. The department shall include as an addendum to the 1581
district's report card the ratings and performance measures that 1582
are required under section 3314.017 of the Revised Code for any 1583
community school to which division (J) (1) (b) of this section 1584
applies. This addendum shall include, at a minimum, the data 1585
specified in divisions (C) (1) (a), (C) (2), and (C) (3) of section 1586
3314.017 of the Revised Code. 1587

(2) Any district that leases a building to a community 1588
school located in the district or that enters into an agreement 1589
with a community school located in the district whereby the 1590
district and the school endorse each other's programs may elect 1591

to have data regarding the academic performance of students 1592
enrolled in the community school combined with comparable data 1593
from the schools of the district for the purpose of determining 1594
the performance of the district as a whole on the district 1595
report card. Any district that so elects shall annually file a 1596
copy of the lease or agreement with the department. 1597

(3) Any municipal school district, as defined in section 1598
3311.71 of the Revised Code, that sponsors a community school 1599
located within the district's territory, or that enters into an 1600
agreement with a community school located within the district's 1601
territory whereby the district and the community school endorse 1602
each other's programs, may exercise either or both of the 1603
following elections: 1604

(a) To have data regarding the academic performance of 1605
students enrolled in that community school combined with 1606
comparable data from the schools of the district for the purpose 1607
of determining the performance of the district as a whole on the 1608
district's report card; 1609

(b) To have the number of students attending that 1610
community school noted separately on the district's report card. 1611

The election authorized under division (J) (3) (a) of this 1612
section is subject to approval by the governing authority of the 1613
community school. 1614

Any municipal school district that exercises an election 1615
to combine or include data under division (J) (3) of this 1616
section, by the first day of October of each year, shall file 1617
with the department documentation indicating eligibility for 1618
that election, as required by the department. 1619

(K) The department shall include on each report card the 1620

percentage of teachers in the district or building who are 1621
properly certified or licensed teachers, as defined in section 1622
3319.074 of the Revised Code, and a comparison of that 1623
percentage with the percentages of such teachers in similar 1624
districts and buildings. 1625

(L) (1) In calculating English language arts, mathematics, 1626
science, American history, or American government assessment 1627
passage rates used to determine school district or building 1628
performance under this section, the department shall include all 1629
students taking an assessment with accommodation or to whom an 1630
alternate assessment is administered pursuant to division (C) (1) 1631
or (3) of section 3301.0711 of the Revised Code and all students 1632
who take substitute examinations approved under division (B) (4) 1633
of section 3301.0712 of the Revised Code in the subject areas of 1634
science, American history and American government. 1635

(2) In calculating performance index scores, rates of 1636
achievement on the performance indicators established by the 1637
department under section 3302.02 of the Revised Code, and annual 1638
measurable objectives for determining adequate yearly progress 1639
for school districts and buildings under this section, the 1640
department shall do all of the following: 1641

(a) Include for each district or building only those 1642
students who are included in the ADM certified for the first 1643
full school week of October and are continuously enrolled in the 1644
district or building through the time of the spring 1645
administration of any assessment prescribed by division (A) (1) 1646
or (B) (1) of section 3301.0710 or division (B) of section 1647
3301.0712 of the Revised Code that is administered to the 1648
student's grade level; 1649

(b) Include cumulative totals from both the fall and 1650

spring administrations of the third grade English language arts 1651
achievement assessment and, to the extent possible, the summer 1652
administration of that assessment; 1653

(c) Include for each district or building any English 1654
learner in accordance with the department's plan, as approved by 1655
the United States secretary of education, to comply with the 1656
"Elementary and Secondary Education Act of 1965," 20 U.S.C. 6311 1657
to 6339. 1658

As used in this section, "English learner" has the same 1659
meaning as in section 3301.0731 of the Revised Code. 1660

(M) Beginning with the 2015-2016 school year and at least 1661
once every three years thereafter, the department shall review 1662
and may adjust the benchmarks for assigning letter grades or 1663
performance ratings to the performance measures and components 1664
prescribed under divisions (C) (3), (D), and (E) of this section. 1665

Sec. 3302.131. (A) Beginning with the 2026-2027 school 1666
year and each school year thereafter, each school district or 1667
community school in which fifty-one per cent or less of the 1668
district's or school's students who took the third grade 1669
mathematics assessment prescribed under section 3301.0710 of the 1670
Revised Code for that school year attained at least a proficient 1671
score on that assessment shall establish and submit to the 1672
department of education and workforce a mathematics achievement 1673
improvement plan. Each district or school required to establish 1674
an achievement improvement plan under this division shall use 1675
curriculum from the list established by the department under 1676
section 3313.6035 of the Revised Code. 1677

(B) The department shall establish guidelines prescribing 1678
the content of and deadlines for mathematics achievement 1679

improvement plans required under division (A) of this section. 1680
The guidelines shall prescribe that each plan include, at a 1681
minimum, an analysis of relevant student performance data, 1682
measurable student performance goals, strategies to meet 1683
specific student needs, a staffing and professional development 1684
plan, and instructional strategies for improving student 1685
performance. The department also shall establish guidelines 1686
regarding the implementation of the mathematics achievement 1687
improvement plans. 1688

(C) Beginning with the 2026-2027 school year and each 1689
school year thereafter, any school district or community school 1690
to which this section applies is no longer required to submit an 1691
improvement plan pursuant to division (A) of this section when 1692
not less than fifty-one per cent of the district's students who 1693
took the third grade mathematics assessment prescribed under 1694
section 3301.0710 of the Revised Code for that school year 1695
attained at least a proficient score on that assessment. 1696

(D) The department shall post in a prominent location on 1697
its web site all plans submitted and all guidelines developed 1698
pursuant to this section. 1699

(E) The department shall develop a student academic 1700
intervention template specific to mathematics and post it on its 1701
publicly accessible web site. Each district or school to which 1702
this section applies shall include the intervention template in 1703
its mathematics achievement improvement plan. 1704

Sec. 3302.132. (A) Beginning with the 2026-2027 school 1705
year and each school year thereafter, a school district shall 1706
develop a mathematics improvement and monitoring plan for each 1707
student for which it is required to provide mathematics 1708
intervention services under section 3313.6034 of the Revised 1709

Code. The district shall develop the plan within sixty days 1710
after receiving the student's results on the mathematics 1711
achievement assessment, end-of-course examination, or diagnostic 1712
assessment that qualifies the student for mathematics 1713
intervention services under that section. The district shall 1714
involve the student's parent or guardian and classroom teacher 1715
in developing the plan. The plan shall include all of the 1716
following: 1717

(1) Identification of the student's specific mathematics 1718
deficiencies; 1719

(2) A description of the additional instructional services 1720
and support that will be provided to the student to remediate 1721
the identified mathematics deficiencies; 1722

(3) Opportunities for the student's parent or guardian to 1723
be involved in the instructional services and support described 1724
in division (A) (2) of this section; 1725

(4) A process for monitoring the extent to which the 1726
student receives the instructional services and support 1727
described in division (A) (2) of this section; 1728

(5) A mathematics curriculum during regular school hours 1729
that does all of the following: 1730

(a) Assists students in mathematics at grade level; 1731

(b) Provides scientifically based and reliable assessment; 1732

(c) Provides initial and ongoing analysis of each 1733
student's progress. 1734

(6) High-dosage tutoring opportunities aligned with the 1735
student's classroom instruction through a state-approved vendor 1736
on the list of high-quality tutoring vendors under section 1737

3301.136 of the Revised Code or a locally approved opportunity 1738
that aligns with high-dosage tutoring best practices. High- 1739
dosage tutoring opportunities shall include instruction time 1740
delivered at least three days per week, or at least fifty hours 1741
over thirty-six weeks. High-dosage tutoring may be incorporated 1742
into a student's regular classroom instruction. 1743

(B) (1) The district shall continue to implement the plan 1744
developed under division (A) of this section until the student 1745
achieves the required level of skill in mathematics for the 1746
student's current grade level. 1747

(2) The district shall report any information requested by 1748
the department of education and workforce about the mathematics 1749
improvement and monitoring plans developed under this section in 1750
the manner required by the department. 1751

Sec. 3313.6032. (A) Beginning July 1, 2026, each school 1752
district shall do all of the following: 1753

(1) Enroll each seventh-grade student who achieves an 1754
accomplished or advanced level of skill on a mathematics 1755
achievement assessment prescribed under section 3301.0710 of the 1756
Revised Code in Algebra I in eighth grade, unless the student 1757
has already completed Algebra I. Each student shall take the 1758
corresponding required end-of-course examination for Algebra I 1759
as prescribed under division (D) of this section. 1760

(2) Enroll each student in grades three through six who 1761
achieves an accomplished or advanced level of skill on a 1762
mathematics achievement assessment prescribed under section 1763
3301.0710 of the Revised Code in advanced learning opportunities 1764
in mathematics. Advanced learning opportunities in mathematics 1765
means a course that exceeds the standard mathematics curriculum 1766

for the student's grade level, or services or curricula 1767
modifications in mathematics, provided either in person or 1768
through electronic means, which provide additional rigor or 1769
challenge, and may include the following: 1770

(a) Differentiated instruction in which the depth, 1771
breadth, complexity, pacing, and acceleration is tailored to the 1772
student's particular needs and readiness; 1773

(b) Interdisciplinary work. 1774

(3) Adopt a comprehensive mathematics placement policy 1775
that includes a curriculum plan beginning in grade three that 1776
does both of the following: 1777

(a) Creates a timeline and explanation of how students 1778
will be prepared and placed in Algebra I; 1779

(b) Describes how the school district will provide 1780
advanced learning opportunities in mathematics and accommodate 1781
each student in grade seven that qualifies for placement in 1782
Algebra I under division (A) (1) of this section. 1783

(B) Each school district shall notify the parent or 1784
guardian of a student who qualifies for enrollment in Algebra I 1785
under division (A) (1) of this section of that determination. The 1786
parent or guardian of any such student may submit a written 1787
request for that student to not be enrolled in Algebra I, in 1788
which case the district is not required to enroll the student in 1789
Algebra I. 1790

(C) The department of education and workforce shall 1791
provide school districts with guidance regarding the placement 1792
of students in Algebra I under division (A) (1) of this section, 1793
based on the student's performance in the previous school year 1794
on a mathematics achievement assessment prescribed under section 1795

3301.0710 of the Revised Code. 1796

(D) Each student shall take any corresponding required 1797
achievement assessment or end-of-course examination for any 1798
mathematics course the student takes as a result of enrollment 1799
in an advanced mathematics course under this section. 1800

(E) Each school district may provide additional students 1801
advanced learning opportunities in mathematics, including 1802
enrollment in advanced courses such as Algebra I, if a student 1803
meets district requirements for such a course or would benefit 1804
from those opportunities. 1805

Sec. 3313.6034. (A) As used in this section: 1806

(1) "Qualifying student" means a student who demonstrates 1807
a limited level of skill on an achievement assessment prescribed 1808
under section 3301.0710 or an end-of-course examination 1809
prescribed under section 3301.0712 of the Revised Code in 1810
mathematics or English language arts, or both, or who 1811
demonstrates a level of skill that is below grade level or below 1812
proficient on a mathematics diagnostic assessment. "Qualifying 1813
student" does not include a student that has an individualized 1814
education program developed under Chapter 3323. of the Revised 1815
Code that includes services related to a traumatic brain injury 1816
or a student that attends a dropout prevention and recovery 1817
community school, as defined in section 3314.02 of the Revised 1818
Code. 1819

(2) "Tutoring supports" means high-dosage tutoring 1820
opportunities aligned with the student's classroom instruction 1821
through a state-approved vendor on the list of high-quality 1822
tutoring vendors under section 3301.136 of the Revised Code or a 1823
locally approved opportunity that aligns with high-dosage 1824

tutoring best practices. High-dosage tutoring opportunities 1825
shall include instruction time delivered at least three days per 1826
week, or at least fifty hours over thirty-six weeks. High-dosage 1827
tutoring may be incorporated into a student's regular classroom 1828
instruction. 1829

To the extent practicable, districts and schools shall 1830
endeavor to provide each of a student's tutoring supports with 1831
the same tutor. 1832

(3) "Integrated student supports" means an evidence-based 1833
approach whereby schools intentionally and systematically 1834
leverage and coordinate resources and relationships available in 1835
the school and the surrounding community to address 1836
comprehensive student strengths, interests, and needs. 1837

(B) Each school district, community school established 1838
pursuant to Chapter 3314., and STEM school established pursuant 1839
to Chapter 3326. of the Revised Code shall provide evidence- 1840
based academic intervention services, free of cost, to each 1841
qualifying student. The district or school shall provide those 1842
services directly, through a contracted vendor, or as a 1843
combination of both options. A district or school annually shall 1844
notify the department of education and workforce, through the 1845
education management information system established under 1846
section 3301.0714 of the Revised Code, of all of the following: 1847

(1) The number of qualifying students enrolled in the 1848
district or school; 1849

(2) The number of qualifying students receiving academic 1850
intervention services in mathematics, English language arts, or 1851
both; 1852

(3) The number of qualifying students receiving academic 1853

intervention services from the district or school directly, 1854
through a vendor, or a combination of both options. 1855

(C) (1) Academic intervention services provided to a 1856
student under this section may encompass a variety of evidence- 1857
based supports, including tutoring supports, additional 1858
instruction time, an extended school calendar, participation in 1859
a learning support program, or any other academically centered 1860
support service that the district or school determines will 1861
improve the student's academic performance. Intervention 1862
services may also be offered in combination with integrated 1863
student supports. 1864

(2) All academic intervention services provided to a 1865
qualifying student under this section shall align with the 1866
academic instruction the student receives. Intervention services 1867
shall be in addition to and not a replacement for existing 1868
academic instruction and other services provided to students. 1869
All academic intervention services in English language arts 1870
shall align with the science of reading as defined in section 1871
3313.6028 of the Revised Code. 1872

(D) A district or school shall ensure that academic 1873
intervention services provided to a qualifying student under 1874
division (C) of this section do not supplant the student's core 1875
academic instructional time. 1876

(E) (1) A district or school shall notify the parent or 1877
guardian of a qualifying student that the student will receive 1878
academic intervention services prior to providing services to 1879
the student. Notification shall include a description of which 1880
intervention or interventions the qualifying student will 1881
receive and who will provide services to the student. 1882

(2) The district or school periodically shall update the 1883
parent or guardian on the academic intervention services 1884
provided to the qualifying student and shall provide resources 1885
and recommendations for ways the parent or guardian may assist 1886
the qualifying student. 1887

(F) (1) Beginning with the 2026-2027 school year, and each 1888
school year thereafter, the department randomly shall identify 1889
and select individual schools operated by a school district, 1890
community schools, and STEM schools for a review of their 1891
academic intervention services for qualifying students under 1892
this section. The department shall not select more than five per 1893
cent of all schools to review each year. No school shall be 1894
selected for review more than once every three years. The review 1895
shall include, at a minimum, a document review, interviews with 1896
applicable school staff, and observations of interventions. 1897

The review shall assess all of the following: 1898

(a) Whether qualifying students receive academic 1899
intervention services in accordance with division (B) of this 1900
section; 1901

(b) The types and methods of academic intervention 1902
services that qualifying students receive; 1903

(c) The quality of the academic intervention services 1904
provided by the school or the contracted vendor. To determine 1905
quality, the department may consider the length and duration of 1906
the intervention, specific programs and curriculum being used, 1907
the credentials and training of intervention providers, and data 1908
regarding qualifying student progress. 1909

(2) The department shall provide a report to the school 1910
containing its review of the school's academic intervention 1911

services not later than seventy-five days after the department 1912
completes the review. Each report shall include an assessment of 1913
the efficacy of the academic intervention services provided to 1914
qualifying students, along with any recommendations the 1915
department considers necessary. The school shall post a copy of 1916
the report on its web site and shall make the report available 1917
upon request to any person. The department shall include a 1918
review completed under this division as part of the student 1919
opportunity profile on the state report card under section 1920
3302.03 of the Revised Code. 1921

(3) The department may contract with an organization that 1922
has documented expertise in supporting school improvement and 1923
academic intervention services to help with conducting its 1924
review under division (F) of this section. 1925

(G) (1) A student is no longer a qualifying student under 1926
this section when the student achieves a level of skill higher 1927
than limited on a statewide assessment or diagnostic assessment 1928
prescribed under sections 3301.079, 3301.0710, 3301.0712, and 1929
3301.0715 of the Revised Code, in mathematics or English 1930
language arts, taken for the grade level in which the student is 1931
enrolled. 1932

(2) If a qualifying student receiving academic 1933
intervention services in both mathematics and English language 1934
arts demonstrates a skill greater than limited under this 1935
section in one, but not both, subject areas, the student shall 1936
continue to receive academic intervention services for the 1937
subject area in which the student continues to demonstrate a 1938
limited level of skill. 1939

(3) Any student in any of grades nine through twelve who 1940
fails to demonstrate a level of skill greater than limited on an 1941

end-of-course examination in mathematics or English language 1942
arts, or both, as prescribed under section 3301.0712 of the 1943
Revised Code, and is not required to retake the examination, 1944
continues to qualify for intervention services under this 1945
section. For such a student, the district or school shall align 1946
intervention services with the student's selected graduation 1947
pathway prescribed under section 3313.618 of the Revised Code. 1948

(H) Nothing in this section prohibits a district or school 1949
from providing academic intervention services to a student who 1950
does not meet the definition of a qualifying student under this 1951
section. 1952

Sec. 3313.6035. Not later than April 15, 2026, the 1953
department of education and workforce shall review core math 1954
curricula and establish a list of high-quality core curriculum 1955
and instructional materials in mathematics, and a list of 1956
evidence-based math intervention programs, that are aligned with 1957
state standards and best practices. Each school district, 1958
community school established under Chapter 3314. of the Revised 1959
Code, and STEM school established under Chapter 3326. of the 1960
Revised Code may use the core curriculum and instructional 1961
materials established by the department or may select different 1962
high-quality core curriculum and instructional materials. 1963

Sec. 3314.03. A copy of every contract entered into under 1964
this section shall be filed with the director of education and 1965
workforce. The department of education and workforce shall make 1966
available on its web site a copy of every approved, executed 1967
contract filed with the director under this section. 1968

(A) Each contract entered into between a sponsor and the 1969
governing authority of a community school shall specify the 1970
following: 1971

- (1) That the school shall be established as either of the following: 1972
1973
- (a) A nonprofit corporation established under Chapter 1974
1702. of the Revised Code, if established prior to April 8, 1975
2003; 1976
- (b) A public benefit corporation established under Chapter 1977
1702. of the Revised Code, if established after April 8, 2003. 1978
- (2) The education program of the school, including the 1979
school's mission and educational philosophy, the characteristics 1980
of the students the school is expected to attract, the ages and 1981
grades of students, and the focus of the curriculum; 1982
- (3) The academic goals to be achieved and the method of 1983
measurement that will be used to determine progress toward those 1984
goals, which shall include the statewide achievement 1985
assessments; 1986
- (4) Performance standards, including but not limited to 1987
all applicable report card measures set forth in section 3302.03 1988
or 3314.017 of the Revised Code, by which the success of the 1989
school will be evaluated by the sponsor; 1990
- (5) The admission standards of section 3314.06 of the 1991
Revised Code and, if applicable, section 3314.061 of the Revised 1992
Code; 1993
- (6) (a) Dismissal procedures; 1994
- (b) A requirement that the governing authority adopt an 1995
attendance policy that includes a procedure for automatically 1996
withdrawing a student from the school if the student without a 1997
legitimate excuse fails to participate in seventy-two 1998
consecutive hours of the learning opportunities offered to the 1999

student.	2000
(7) The ways by which the school will achieve racial and	2001
ethnic balance reflective of the community it serves;	2002
(8) Requirements for financial audits by the auditor of	2003
state. The contract shall require financial records of the	2004
school to be maintained in the same manner as are financial	2005
records of school districts, pursuant to rules of the auditor of	2006
state. Audits shall be conducted in accordance with section	2007
117.10 of the Revised Code.	2008
(9) An addendum to the contract outlining the facilities	2009
to be used that contains at least the following information:	2010
(a) A detailed description of each facility used for	2011
instructional purposes;	2012
(b) The annual costs associated with leasing each facility	2013
that are paid by or on behalf of the school;	2014
(c) The annual mortgage principal and interest payments	2015
that are paid by the school;	2016
(d) The name of the lender or landlord, identified as	2017
such, and the lender's or landlord's relationship to the	2018
operator, if any.	2019
(10) Qualifications of employees, including both of the	2020
following:	2021
(a) A requirement that the school's classroom teachers be	2022
licensed in accordance with sections 3319.22 to 3319.31 of the	2023
Revised Code, except that a community school may engage	2024
noncertificated persons to teach up to twelve hours or forty	2025
hours per week pursuant to section 3319.301 of the Revised Code;	2026

(b) A prohibition against the school employing an 2027
individual described in section 3314.104 of the Revised Code in 2028
any position. 2029

(11) That the school will comply with the following 2030
requirements: 2031

(a) The school will provide learning opportunities to a 2032
minimum of twenty-five students for a minimum of nine hundred 2033
twenty hours per school year. 2034

(b) The governing authority will purchase liability 2035
insurance, or otherwise provide for the potential liability of 2036
the school. 2037

(c) The school will be nonsectarian in its programs, 2038
admission policies, employment practices, and all other 2039
operations, and will not be operated by a sectarian school or 2040
religious institution. 2041

(d) The school will comply with sections 9.90, 9.91, 2042
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 2043
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.24, 3301.948, 2044
3302.037, 3302.131, 3302.132, 3313.472, 3313.473, 3313.474, 2045
3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 2046
3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6020, 3313.6024, 2047
3313.6026, 3313.6028, 3313.6029, 3313.6031, 3313.6032, 2048
3313.6034, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 2049
3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 2050
3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 2051
3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 2052
3313.721, 3313.753, 3313.80, 3313.814, 3313.816, 3313.817, 2053
3313.818, 3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 2054
3319.077, 3319.078, 3319.0812, 3319.2214, 3319.238, 3319.318, 2055

3319.321, 3319.324, 3319.39, 3319.391, 3319.393, 3319.41, 2056
3319.46, 3319.90, 3319.614, 3320.01, 3320.02, 3320.03, 3320.04, 2057
3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 2058
3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 4113.52, 2059
5502.262, 5502.703, and 5705.391 and Chapters 117., 1347., 2060
2744., 3365., 3742., 4112., 4123., 4141., and 4167. of the 2061
Revised Code as if it were a school district and will comply 2062
with section 3301.0714 of the Revised Code in the manner 2063
specified in section 3314.17 of the Revised Code. 2064

(e) The school shall comply with Chapter 102. and section 2065
2921.42 of the Revised Code. 2066

(f) The school will comply with sections 3313.61, 2067
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 2068
Revised Code, except that for students who enter ninth grade for 2069
the first time before July 1, 2010, the requirement in sections 2070
3313.61 and 3313.611 of the Revised Code that a person must 2071
successfully complete the curriculum in any high school prior to 2072
receiving a high school diploma may be met by completing the 2073
curriculum adopted by the governing authority of the community 2074
school rather than the curriculum specified in Title XXXIII of 2075
the Revised Code or any rules of the department. Beginning with 2076
students who enter ninth grade for the first time on or after 2077
July 1, 2010, the requirement in sections 3313.61 and 3313.611 2078
of the Revised Code that a person must successfully complete the 2079
curriculum of a high school prior to receiving a high school 2080
diploma shall be met by completing the requirements prescribed 2081
in section 3313.6027 and division (C) of section 3313.603 of the 2082
Revised Code, unless the person qualifies under division (D) or 2083
(F) of that section. Each school shall comply with the plan for 2084
awarding high school credit based on demonstration of subject 2085
area competency, and beginning with the 2017-2018 school year, 2086

with the updated plan that permits students enrolled in seventh 2087
and eighth grade to meet curriculum requirements based on 2088
subject area competency adopted by the department under 2089
divisions (J) (1) and (2) of section 3313.603 of the Revised 2090
Code. Beginning with the 2018-2019 school year, the school shall 2091
comply with the framework for granting units of high school 2092
credit to students who demonstrate subject area competency 2093
through work-based learning experiences, internships, or 2094
cooperative education developed by the department under division 2095
(J) (3) of section 3313.603 of the Revised Code. 2096

(g) The school governing authority will submit within four 2097
months after the end of each school year a report of its 2098
activities and progress in meeting the goals and standards of 2099
divisions (A) (3) and (4) of this section and its financial 2100
status to the sponsor and the parents of all students enrolled 2101
in the school. 2102

(h) The school, unless it is an internet- or computer- 2103
based community school, will comply with section 3313.801 of the 2104
Revised Code as if it were a school district. 2105

(i) If the school is the recipient of moneys from a grant 2106
awarded under the federal race to the top program, Division (A), 2107
Title XIV, Sections 14005 and 14006 of the "American Recovery 2108
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 2109
the school will pay teachers based upon performance in 2110
accordance with section 3317.141 and will comply with section 2111
3319.111 of the Revised Code as if it were a school district. 2112

(j) If the school operates a preschool program that is 2113
licensed by the department under sections 3301.52 to 3301.59 of 2114
the Revised Code, the school shall comply with sections 3301.50 2115
to 3301.59 of the Revised Code and the minimum standards for 2116

preschool programs prescribed in rules adopted by the department 2117
of children and youth under section 3301.53 of the Revised Code. 2118

(k) The school will comply with sections 3313.6021 and 2119
3313.6023 of the Revised Code as if it were a school district 2120
unless it is either of the following: 2121

(i) An internet- or computer-based community school; 2122

(ii) A community school in which a majority of the 2123
enrolled students are children with disabilities as described in 2124
division (B) (2) of section 3314.35 of the Revised Code. 2125

(l) The school will comply with section 3321.191 of the 2126
Revised Code, unless it is an internet- or computer-based 2127
community school that is subject to section 3314.261 of the 2128
Revised Code. 2129

(m) The school will comply with section 3313.7118 of the 2130
Revised Code if it serves elementary school students. 2131

(12) Arrangements for providing health and other benefits 2132
to employees; 2133

(13) The length of the contract, which shall begin at the 2134
beginning of an academic year. No contract shall exceed five 2135
years unless such contract has been renewed pursuant to division 2136
(D) of this section. 2137

(14) The governing authority of the school, which shall be 2138
responsible for carrying out the provisions of the contract; 2139

(15) A financial plan detailing an estimated school budget 2140
for each year of the period of the contract and specifying the 2141
total estimated per pupil expenditure amount for each such year. 2142

(16) Requirements and procedures regarding the disposition 2143

of employees of the school in the event the contract is 2144
terminated or not renewed pursuant to section 3314.07 of the 2145
Revised Code; 2146

(17) Whether the school is to be created by converting all 2147
or part of an existing public school or educational service 2148
center building or is to be a new start-up school, and if it is 2149
a converted public school or service center building, both of 2150
the following: 2151

(a) Specification of any duties or responsibilities of an 2152
employer that the board of education or service center governing 2153
board that operated the school or building before conversion is 2154
delegating to the governing authority of the community school 2155
with respect to all or any specified group of employees provided 2156
the delegation is not prohibited by a collective bargaining 2157
agreement applicable to such employees; 2158

(b) Alternative arrangements for current public school 2159
students who choose not to attend the converted school and for 2160
teachers who choose not to teach in the school or building after 2161
conversion. 2162

(18) Provisions establishing procedures for resolving 2163
disputes or differences of opinion between the sponsor and the 2164
governing authority of the community school; 2165

(19) A provision requiring the governing authority to 2166
adopt a policy regarding the admission of students who reside 2167
outside the district in which the school is located. That policy 2168
shall comply with the admissions procedures specified in 2169
sections 3314.06 and 3314.061 of the Revised Code and, at the 2170
sole discretion of the authority, shall do one of the following: 2171

(a) Prohibit the enrollment of students who reside outside 2172

the district in which the school is located; 2173

(b) Permit the enrollment of students who reside in 2174
districts adjacent to the district in which the school is 2175
located; 2176

(c) Permit the enrollment of students who reside in any 2177
other district in the state. 2178

(20) A provision recognizing the authority of the 2179
department to take over the sponsorship of the school in 2180
accordance with the provisions of division (C) of section 2181
3314.015 of the Revised Code; 2182

(21) A provision recognizing the sponsor's authority to 2183
assume the operation of a school under the conditions specified 2184
in division (B) of section 3314.073 of the Revised Code; 2185

(22) A provision recognizing both of the following: 2186

(a) The authority of public health and safety officials to 2187
inspect the facilities of the school and to order the facilities 2188
closed if those officials find that the facilities are not in 2189
compliance with health and safety laws and regulations; 2190

(b) The authority of the department as the community 2191
school oversight body to suspend the operation of the school 2192
under section 3314.072 of the Revised Code if the department has 2193
evidence of conditions or violations of law at the school that 2194
pose an imminent danger to the health and safety of the school's 2195
students and employees and the sponsor refuses to take such 2196
action. 2197

(23) A description of the learning opportunities that will 2198
be offered to students including both classroom-based and non- 2199
classroom-based learning opportunities that is in compliance 2200

with criteria for student participation established by the 2201
department under division (H) (2) of section 3314.08 of the 2202
Revised Code; 2203

(24) The school will comply with sections 3302.04 and 2204
3302.041 of the Revised Code, except that any action required to 2205
be taken by a school district pursuant to those sections shall 2206
be taken by the sponsor of the school. 2207

(25) Beginning in the 2006-2007 school year, the school 2208
will open for operation not later than the thirtieth day of 2209
September each school year, unless the mission of the school as 2210
specified under division (A) (2) of this section is solely to 2211
serve dropouts. In its initial year of operation, if the school 2212
fails to open by the thirtieth day of September, or within one 2213
year after the adoption of the contract pursuant to division (D) 2214
of section 3314.02 of the Revised Code if the mission of the 2215
school is solely to serve dropouts, the contract shall be void. 2216

(26) Whether the school's governing authority is planning 2217
to seek designation for the school as a STEM school equivalent 2218
under section 3326.032 of the Revised Code; 2219

(27) That the school's attendance and participation 2220
policies will be available for public inspection; 2221

(28) That the school's attendance and participation 2222
records shall be made available to the department, auditor of 2223
state, and school's sponsor to the extent permitted under and in 2224
accordance with the "Family Educational Rights and Privacy Act 2225
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 2226
regulations promulgated under that act, and section 3319.321 of 2227
the Revised Code; 2228

(29) If a school operates using the blended learning 2229

model, as defined in section 3301.079 of the Revised Code, all 2230
of the following information: 2231

(a) An indication of what blended learning model or models 2232
will be used; 2233

(b) A description of how student instructional needs will 2234
be determined and documented; 2235

(c) The method to be used for determining competency, 2236
granting credit, and promoting students to a higher grade level; 2237

(d) The school's attendance requirements, including how 2238
the school will document participation in learning 2239
opportunities; 2240

(e) A statement describing how student progress will be 2241
monitored; 2242

(f) A statement describing how private student data will 2243
be protected; 2244

(g) A description of the professional development 2245
activities that will be offered to teachers. 2246

(30) A provision requiring that all moneys the school's 2247
operator loans to the school, including facilities loans or cash 2248
flow assistance, must be accounted for, documented, and bear 2249
interest at a fair market rate; 2250

(31) A provision requiring that, if the governing 2251
authority contracts with an attorney, accountant, or entity 2252
specializing in audits, the attorney, accountant, or entity 2253
shall be independent from the operator with which the school has 2254
contracted. 2255

(32) A provision requiring the governing authority to 2256

adopt an enrollment and attendance policy that requires a 2257
student's parent to notify the community school in which the 2258
student is enrolled when there is a change in the location of 2259
the parent's or student's primary residence. 2260

(33) A provision requiring the governing authority to 2261
adopt a student residence and address verification policy for 2262
students enrolling in or attending the school. 2263

(34) A provision establishing the process by which the 2264
governing authority of the school will be selected in the 2265
future. 2266

(35) A description of the management and administration of 2267
the school. 2268

(36) A provision requiring the governing authority to 2269
adopt policies and procedures to establish internal financial 2270
controls for the school. 2271

(B) A contract entered into under section 3314.02 of the 2272
Revised Code between a sponsor and the governing authority of a 2273
community school may provide for the community school governing 2274
authority to make payments to the sponsor, which is hereby 2275
authorized to receive such payments as set forth in the contract 2276
between the governing authority and the sponsor. The total 2277
amount of such payments for monitoring, oversight, and technical 2278
assistance of the school shall not exceed three per cent of the 2279
total amount of payments for operating expenses that the school 2280
receives from the state. 2281

(C) The contract shall specify the duties of the sponsor 2282
which shall be in accordance with the written agreement entered 2283
into with the department under division (B) of section 3314.015 2284
of the Revised Code and shall include the following: 2285

(1) Monitor the community school's compliance with all 2286
laws applicable to the school and with the terms of the 2287
contract; 2288

(2) Monitor and evaluate the academic and fiscal 2289
performance and the organization and operation of the community 2290
school on at least an annual basis; 2291

(3) Provide technical assistance to the community school 2292
in complying with laws applicable to the school and terms of the 2293
contract; 2294

(4) Take steps to intervene in the school's operation to 2295
correct problems in the school's overall performance, declare 2296
the school to be on probationary status pursuant to section 2297
3314.073 of the Revised Code, suspend the operation of the 2298
school pursuant to section 3314.072 of the Revised Code, or 2299
terminate the contract of the school pursuant to section 3314.07 2300
of the Revised Code as determined necessary by the sponsor; 2301

(5) Have in place a plan of action to be undertaken in the 2302
event the community school experiences financial difficulties or 2303
closes prior to the end of a school year. 2304

(D) Upon the expiration of a contract entered into under 2305
this section, the sponsor of a community school may, with the 2306
approval of the governing authority of the school, renew that 2307
contract for a period of time determined by the sponsor, but not 2308
ending earlier than the end of any school year, if the sponsor 2309
finds that the school's compliance with applicable laws and 2310
terms of the contract and the school's progress in meeting the 2311
academic goals prescribed in the contract have been 2312
satisfactory. Any contract that is renewed under this division 2313
remains subject to the provisions of sections 3314.07, 3314.072, 2314

and 3314.073 of the Revised Code. 2315

(E) If a community school fails to open for operation 2316
within one year after the contract entered into under this 2317
section is adopted pursuant to division (D) of section 3314.02 2318
of the Revised Code or permanently closes prior to the 2319
expiration of the contract, the contract shall be void and the 2320
school shall not enter into a contract with any other sponsor. A 2321
school shall not be considered permanently closed because the 2322
operations of the school have been suspended pursuant to section 2323
3314.072 of the Revised Code. 2324

Sec. 3317.25. (A) As used in this section, "disadvantaged 2325
pupil impact aid" means the following: 2326

(1) For a city, local, or exempted village school 2327
district, the funds received under division (A) (4) (a) of section 2328
3317.022 of the Revised Code; 2329

(2) For a joint vocational school district, the funds 2330
received under division (A) (3) of section 3317.16 of the Revised 2331
Code; 2332

(3) For a community school established under Chapter 3314. 2333
of the Revised Code, the funds received under division (A) (4) (b) 2334
of section 3317.022 of the Revised Code; 2335

(4) For a STEM school established under Chapter 3326. of 2336
the Revised Code, the funds received under division (A) (4) (b) of 2337
section 3317.022 of the Revised Code. 2338

(B) (1) For fiscal years 2026 and 2027, a city, local, 2339
exempted village, or joint vocational school district, community 2340
school, or STEM school shall spend the disadvantaged pupil 2341
impact aid it receives for any of the following initiatives or a 2342
combination of any of the following initiatives: 2343

(a) Extended school day and school year;	2344
(b) Reading improvement and intervention that is aligned with the science of reading and evidence-based strategies for effective literacy instruction;	2345 2346 2347
(c) Instructional technology or blended learning;	2348
(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;	2349 2350 2351
(e) Dropout prevention;	2352
(f) School safety and security measures;	2353
(g) Community learning centers that address barriers to learning;	2354 2355
(h) Academic interventions for students in any of grades six through twelve;	2356 2357
(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;	2358 2359 2360 2361
(j) Mental health services, including telehealth services, community-based behavioral health services, and recovery supports;	2362 2363 2364
(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;	2365 2366 2367 2368
(l) Services for homeless youth;	2369
(m) Services for child welfare involved youth;	2370

(n) Community liaisons or programs that connect students 2371
to community resources, including behavioral wellness 2372
coordinators and city connects, communities in schools, and 2373
other similar programs; 2374

(o) Physical health care services, including telehealth 2375
services and community-based health services; 2376

(p) Family engagement and support services; 2377

(q) Student services provided prior to or after the 2378
regularly scheduled school day or any time school is not in 2379
session, including mentoring programs; 2380

(r) Professional development on evidence-based strategies 2381
for effective mathematics instruction; 2382

(s) Implementation of high-quality core curriculum in math 2383
identified by the department of education and workforce under 2384
section 3313.6035 of the Revised Code. 2385

(2) For fiscal year 2028 and each fiscal year thereafter, 2386
each city, local, exempted village, and joint vocational school 2387
district, community school, and STEM school shall spend the 2388
disadvantaged pupil impact aid it receives for one or more 2389
initiatives specified by the general assembly. 2390

(C) (1) For fiscal years 2026 and 2027, each city, local, 2391
exempted village, and joint vocational school district, 2392
community school, and STEM school that is subject to the 2393
requirements of this section shall develop a plan for utilizing 2394
the disadvantaged pupil impact aid it receives in coordination 2395
with at least one of the following community partners: 2396

(a) A board of alcohol, drug addiction, and mental health 2397
services established under Chapter 340. of the Revised Code; 2398

(b) An educational service center;	2399
(c) A county board of developmental disabilities;	2400
(d) A community mental health prevention or treatment provider;	2401 2402
(e) A board of health of a city or general health district;	2403 2404
(f) A county department of job and family services;	2405
(g) A nonprofit organization with experience serving children;	2406 2407
(h) A public hospital agency.	2408
(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.	2409 2410 2411 2412 2413 2414 2415 2416 2417
(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.	2418 2419 2420 2421 2422 2423 2424 2425 2426

(E) Starting in 2015, the department shall submit a report 2427
of the information it receives under division (C) of this 2428
section to the general assembly not later than the first day of 2429
December of each odd-numbered year in accordance with section 2430
101.68 of the Revised Code. 2431

Sec. 3319.2214. This section applies to each individual 2432
who applies for a new valid educator license under section 2433
3319.22 of the Revised Code with a grade band specification of 2434
grades pre-kindergarten through eight and who may be assigned to 2435
teach mathematics. 2436

The state board of education shall assess whether each 2437
individual to whom this section applies is proficient in 2438
mathematics at the time that individual applies for a license. 2439
The chancellor of higher education, in consultation with the 2440
department of education and workforce, shall define the level of 2441
proficiency at which individuals are prepared to provide high- 2442
quality math instruction. The chancellor and the department 2443
shall collaborate with the state board to set appropriate 2444
benchmarks. Whether that individual is proficient in mathematics 2445
does not affect the state board's duty to issue that applicant a 2446
license. 2447

However, the state board shall certify to each school 2448
district or other school that employs that individual whether 2449
the individual is proficient in mathematics based on the state 2450
board's assessment. If the individual has not demonstrated 2451
proficiency in mathematics, the district or school shall not 2452
assign that individual to teach mathematics. Nevertheless, the 2453
district or school may permit that individual to teach in other 2454
subject areas. 2455

An individual who has not demonstrated proficiency in 2456

mathematics according to the state board's assessment may retake 2457
the assessment. If the individual demonstrates proficiency in 2458
mathematics in the subsequent assessment, the state board shall 2459
certify to each school district or other school that employs the 2460
individual that the individual is proficient in mathematics. In 2461
that case, the district or school may assign the individual to 2462
teach mathematics. 2463

The state board shall adopt rules to implement this 2464
section. 2465

Sec. 3319.2311. The department of education and workforce 2466
shall do both of the following: 2467

(A) Develop a professional development course that focuses 2468
on foundational knowledge in mathematics and integrates life 2469
skills; 2470

(B) Not later than December 31, 2026, develop a pilot 2471
series of professional development programs for school and 2472
regional educational leaders on evidence-based mathematics 2473
instruction. 2474

Sec. 3324.10. (A) The department of education and 2475
workforce shall adopt a model student acceleration policy 2476
addressing recommendations in the former department of 2477
education's 2005 study conducted under the gifted research and 2478
demonstration grant program. The policy shall address, but not 2479
be limited to, whole grade acceleration, subject area 2480
acceleration, and early high school graduation. The policy also 2481
shall include providing advanced learning opportunities in 2482
mathematics under section 3313.6032 of the Revised Code. 2483

(B) The board of education of each city, local, and 2484
exempted village school district shall implement a student 2485

acceleration policy to take effect beginning in the 2006-2007 2486
school year. The policy shall either be the model adopted by the 2487
department under division (A) of this section or a policy 2488
covering similar issues that is adopted by the district board. 2489
If the district board does not adopt the department's model, it 2490
shall submit its policy to the department for review and 2491
approval. The department, upon request, shall provide technical 2492
assistance to the district board in developing the policy. 2493

Sec. 3326.11. Each science, technology, engineering, and 2494
mathematics school established under this chapter and its 2495
governing body shall comply with sections 9.90, 9.91, 109.65, 2496
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 2497
3301.0714, 3301.0715, 3301.0729, 3301.24, 3301.948, 3302.037, 2498
3302.131, 3302.132, 3313.14, 3313.15, 3313.16, 3313.18, 2499
3313.201, 3313.26, 3313.472, 3313.473, 3313.474, 3313.48, 2500
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.5318, 2501
3313.5319, 3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6020, 2502
3313.6021, 3313.6023, 3313.6024, 3313.6026, 3313.6028, 2503
3313.6029, 3313.6031, 3313.6032, 3313.6034, 3313.61, 3313.611, 2504
3313.614, 3313.615, 3313.617, 3313.618, 3313.6114, 3313.643, 2505
3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 2506
3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 2507
3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 2508
3313.717, 3313.718, 3313.719, 3313.7112, 3313.7117, 3313.7118, 2509
3313.721, 3313.753, 3313.80, 3313.801, 3313.814, 3313.816, 2510
3313.817, 3313.818, 3313.819, 3313.86, 3313.89, 3313.96, 2511
3319.073, 3319.077, 3319.078, 3319.0812, 3319.21, 3319.2214, 2512
3319.238, 3319.318, 3319.32, 3319.321, 3319.324, 3319.35, 2513
3319.39, 3319.391, 3319.393, 3319.41, 3319.45, 3319.46, 3319.90, 2514
3319.614, 3320.01, 3320.02, 3320.03, 3320.04, 3321.01, 3321.041, 2515
3321.05, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 2516

3321.191, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 4113.52, 2517
5502.262, 5502.703, and 5705.391 and Chapters 102., 117., 1347., 2518
2744., 3307., 3309., 3365., 3742., 4112., 4123., 4141., and 2519
4167. of the Revised Code as if it were a school district. 2520

Section 2. That existing sections 3301.0714, 3302.03, 2521
3314.03, 3317.25, 3324.10, and 3326.11 of the Revised Code are 2522
hereby repealed. 2523

Section 3. That section 3313.6032 of the Revised Code is 2524
hereby repealed. 2525