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136th General Assembly
Regular Session
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Sub. S. B. No. 19

To amend sections 3301.079, 3301.0714, 3302.03, 1
3310.41, 3313.6028, 3314.03, 3317.25, 3324.10, 2
and 3326.11; to enact new section 3313.6032 and 3
sections 3301.0733, 3301.0734, 3302.131, 4
3313.6034, 3319.2214, and 3319.2311; and to 5
repeal section 3313.6032 of the Revised Code 6
with regard to academic intervention services at 7
public schools, the list of approved diagnostic 8
assessments, and state achievement assessments. 9

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

Section 1. That sections 3301.079, 3301.0714, 3302.03, 10
3310.41, 3313.6028, 3314.03, 3317.25, 3324.10, and 3326.11 be 11
amended and new section 3313.6032 and sections 3301.0733, 12
3301.0734, 3302.131, 3313.6034, 3319.2214, and 3319.2311 of the 13
Revised Code be enacted to read as follows: 14

Sec. 3301.079. (A) (1) The department of education and 15
workforce periodically shall adopt statewide academic standards 16
with emphasis on coherence, focus, and essential knowledge and 17
that are more challenging and demanding when compared to 18
international standards for each of grades kindergarten through 19



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twelve in English language arts, mathematics, science, and 20
social studies. 21

(a) The department shall ensure that the standards do all 22
of the following: 23

(i) Include the essential academic content and skills that 24
students are expected to know and be able to do at each grade 25
level that will allow each student to be prepared for 26
postsecondary instruction and the workplace for success in the 27
twenty-first century; 28

(ii) Include the development of skill sets that promote 29
information, media, and technological literacy; 30

(iii) Include interdisciplinary, project-based, real-world 31
learning opportunities; 32

(iv) Instill life-long learning by providing essential 33
knowledge and skills based in the liberal arts tradition, as 34
well as science, technology, engineering, mathematics, and 35
career-technical education; 36

(v) Be clearly written, transparent, and understandable by 37
parents, educators, and the general public. 38

(b) The department shall incorporate into the social 39
studies standards for grades four to twelve academic content 40
regarding the original texts of the Declaration of Independence, 41
the Northwest Ordinance, the Constitution of the United States 42
and its amendments, with emphasis on the Bill of Rights, and the 43
Ohio Constitution, and their original context. The department 44
shall revise the model curricula and achievement assessments 45
adopted under divisions (B) and (C) of this section as necessary 46
to reflect the additional American history and American 47
government content. The department shall make available a list 48

of suggested grade-appropriate supplemental readings that place 49
the documents prescribed by this division in their historical 50
context, which teachers may use as a resource to assist students 51
in reading the documents within that context. 52

(c) When the department adopts or revises academic content 53
standards in social studies, American history, American 54
government, or science under division (A) (1) of this section, it 55
shall develop such standards independently and not as part of a 56
multistate consortium. 57

(2) (a) After completing the standards required by division 58
(A) (1) of this section, the department shall adopt standards and 59
model curricula for instruction in technology, financial 60
literacy and entrepreneurship, fine arts, and foreign language 61
for grades kindergarten through twelve. The standards shall meet 62
the same requirements prescribed in division (A) (1) (a) of this 63
section. 64

(b) The department shall incorporate into the standards 65
and model curriculum for financial literacy and entrepreneurship 66
for grades nine through twelve academic content regarding free 67
market capitalism. The academic content shall include all of the 68
following concepts related to free market capitalism: 69

(i) Raw materials, labor, and capital, the three classical 70
factors of economic production, are privately owned. 71

(ii) Individuals control their own ability to work, earn 72
wages, and obtain skills to earn and increase wages. 73

(iii) Private ownership of capital may include a sole 74
proprietorship, a family business, a publicly traded 75
corporation, a group of private investors, or a bank. 76

(iv) Markets aggregate the exchange of goods and services 77

throughout the world. Market prices are the only way to convey 78
so much constantly changing information about the supply of 79
goods and services, and the demand for them, for consumers and 80
producers to make informed economic decisions for themselves. 81

(v) Wealth is created by providing goods and services that 82
people value at a profit, and both sellers and buyers seek to 83
profit in some way in a free market transaction. Thus, profit 84
earned through transactions can be consumed, saved, reinvested 85
in the business, or dispersed to shareholders. 86

(vi) Wealth creation involves asset value appreciation and 87
depreciation, voluntary exchange of equity ownership, and open 88
and closed markets. 89

(vii) The free market is driven by, and tends to produce, 90
entrepreneurship and innovation. 91

(viii) The free market can include side effects and market 92
failures where at least part of the cost of the transaction, 93
including producing, transporting, selling, or buying, is born 94
by others outside of the transaction. 95

(ix) The political features of the free market, including 96
legally protected property rights, legally enforceable 97
contracts, patent protections, and the mitigation of side 98
effects and market failures; 99

(x) Societies that embrace the free market often embrace 100
political and personal freedom as well. 101

(3) The department shall adopt the most recent standards 102
developed by the national association for sport and physical 103
education for physical education in grades kindergarten through 104
twelve or shall adopt its own standards for physical education 105
in those grades and revise and update them periodically. 106

~~The department shall employ a full-time physical education coordinator to provide guidance and technical assistance to districts, community schools, and STEM schools in implementing the physical education standards adopted under this division. The director of education and workforce shall determine that the person employed as coordinator is qualified for the position, as demonstrated by possessing an adequate combination of education, license, and experience.~~

(4) The department shall update the standards and model curriculum for instruction in computer science in grades kindergarten through twelve, which shall include standards for introductory and advanced computer science courses in grades nine through twelve. When developing the standards and curriculum, the department shall consider recommendations from computer science education stakeholder groups, including teachers and representatives from higher education, industry, computer science organizations in Ohio, and national computer science organizations.

Any district or school may utilize the computer science standards or model curriculum or any part thereof adopted pursuant to division (A) (4) of this section. However, no district or school shall be required to utilize all or any part of the standards or curriculum.

(5) When academic standards have been completed for any subject area required by this section, the department shall inform all school districts, all community schools established under Chapter 3314. of the Revised Code, all STEM schools established under Chapter 3326. of the Revised Code, and all nonpublic schools required to administer the assessments prescribed by sections 3301.0710 and 3301.0712 of the Revised

Code of the content of those standards. Additionally, upon 137
completion of any academic standards under this section, the 138
department shall post those standards on the department's web 139
site. 140

(B) (1) The department shall adopt a model curriculum for 141
instruction in each subject area for which updated academic 142
standards are required by division (A) (1) of this section and 143
for each of grades kindergarten through twelve that is 144
sufficient to meet the needs of students in every community. The 145
model curriculum shall be aligned with the standards, to ensure 146
that the academic content and skills specified for each grade 147
level are taught to students, and shall demonstrate vertical 148
articulation and emphasize coherence, focus, and rigor. When any 149
model curriculum has been completed, the department shall inform 150
all school districts, community schools, and STEM schools of the 151
content of that model curriculum. 152

(2) The department, in consultation with the governor's 153
office of workforce transformation, shall adopt model curricula 154
for grades kindergarten through twelve that embed career 155
connection learning strategies into regular classroom 156
instruction. 157

(3) All school districts, community schools, and STEM 158
schools may utilize the state standards and the model curriculum 159
established by the department, together with other relevant 160
resources, examples, or models to ensure that students have the 161
opportunity to attain the academic standards. Upon request, the 162
department shall provide technical assistance to any district, 163
community school, or STEM school in implementing the model 164
curriculum. 165

Nothing in this section requires any school district to 166

utilize all or any part of a model curriculum developed under 167
this section. 168

(C) The department shall develop achievement assessments 169
aligned with the academic standards and model curriculum for 170
each of the subject areas and grade levels required by divisions 171
(A) (1) and (B) (1) of section 3301.0710 of the Revised Code. 172

When any achievement assessment has been completed, the 173
department shall inform all school districts, community schools, 174
STEM schools, and nonpublic schools required to administer the 175
assessment of its completion, and the department shall make the 176
achievement assessment available to the districts and schools. 177

(D) (1) Not later than June 30, ~~2026~~2027, the department 178
shall ~~do both of the following:~~ 179

~~(a) Adopt a diagnostic assessment aligned with the 180
academic standards for each of grades kindergarten to three in 181
reading;~~ 182

~~(b) Approve~~ approve a list of up to five diagnostic 183
assessments aligned with the academic standards for each of 184
grades kindergarten to three for both reading and mathematics. 185
The approved diagnostic assessments shall be inclusive of all 186
grades kindergarten to three. The department's list of approved 187
diagnostic assessments for reading shall may include the three 188
reading diagnostic assessments that were approved by the 189
department for use as comparable tools for purposes of division 190
(B) (1) of section 3313.608 of the Revised Code, as it existed 191
prior to the effective date of this amendment, and are most 192
widely used by public schools in the state are computer-based and 193
provide results to teachers immediately after test 194
administration. 195

Diagnostic assessments for reading that are developed by 196
the same provider and that share a common scale, report 197
performance based on the same scale, and use norms based on 198
students who took one or more of the provider's reading 199
diagnostic assessments for grades kindergarten to three shall be 200
considered an inclusive assessment system. 201

(2) Each diagnostic assessment ~~adopted or approved~~ under 202
division (D)(1) of this section shall be designed to measure 203
student comprehension of academic content and mastery of related 204
skills for the relevant subject area and grade level. The 205
diagnostic assessment for reading shall be designed to measure 206
student comprehension of foundational reading skills aligned to 207
the science of reading. Any diagnostic assessment adopted by the 208
department shall not include components to identify gifted 209
students. Blank copies of diagnostic assessments shall be public 210
records. 211

(3) Beginning with the 2027-2028 school year, the 212
department shall develop a method to compare the results from 213
diagnostic assessments approved under division (D)(1) of this 214
section to determine equivalent scores across the assessments 215
and their relationship to student results on relevant state 216
assessments. The department may contract with an organization 217
with experience in reviewing assessments to conduct analysis of 218
equivalent scores among assessments. The provider of each 219
approved assessment shall submit to the department, in a form 220
and manner determined by the department, any information or data 221
the department requests for that purpose. 222

(4) School districts shall administer a diagnostic 223
assessment in reading and mathematics ~~adopted or approved~~ by the 224
department pursuant to section 3301.0715 of the Revised Code 225

beginning in the 2026-2027 <u>2027-2028</u> school year.	226
<u>(5) No school district shall administer diagnostic</u>	227
<u>assessments from multiple providers in the subject of reading or</u>	228
<u>mathematics to the same student in grades kindergarten to three,</u>	229
<u>unless one of the following apply:</u>	230
<u>(a) An additional diagnostic assessment in the applicable</u>	231
<u>subject area is indicated by the student's individualized</u>	232
<u>education program developed under Chapter 3323. of the Revised</u>	233
<u>Code;</u>	234
<u>(b) The results of the student's diagnostic assessment in</u>	235
<u>reading indicate that additional assessment is necessary</u>	236
<u>pursuant to section 3323.251 of the Revised Code to determine if</u>	237
<u>the student is at risk of dyslexia;</u>	238
<u>(c) Any other reason as determined appropriate by the</u>	239
<u>department.</u>	240
(E) The department shall not adopt a diagnostic or	241
achievement assessment for any grade level or subject area other	242
than those specified in this section.	243
(F) Whenever the department consults with persons for the	244
purpose of drafting or reviewing any standards, diagnostic	245
assessments, achievement assessments, or model curriculum	246
required under this section, the department shall first consult	247
with parents of students in kindergarten through twelfth grade	248
and with active Ohio classroom teachers, other school personnel,	249
and administrators with expertise in the appropriate subject	250
area. Whenever practicable, the department shall consult with	251
teachers recognized as outstanding in their fields.	252
If the department contracts with more than one outside	253
entity for the development of the achievement assessments	254

required by this section, the department shall ensure the 255
interchangeability of those assessments. 256

(G) Whenever the department adopts standards or model 257
curricula under this section, the department also shall provide 258
information on the use of blended, online, or digital learning 259
in the delivery of the standards or curricula to students in 260
accordance with division (A) (5) of this section. 261

(H) The fairness sensitivity review committee of the 262
department shall not allow any question on any achievement or 263
diagnostic assessment developed under this section or any 264
proficiency test prescribed by former section 3301.0710 of the 265
Revised Code, as it existed prior to September 11, 2001, to 266
include, be written to promote, or inquire as to individual 267
moral or social values or beliefs. The decision of the committee 268
shall be final. This section does not create a private cause of 269
action. 270

(I) Not later than sixty days prior to the adoption of 271
updated academic standards under division (A) (1) of this section 272
or updated model curricula under division (B) (1) of this 273
section, the director of education and workforce shall present 274
the academic standards or model curricula, as applicable, in 275
person at a public hearing of the respective committees of the 276
house of representatives and senate that consider education 277
legislation. 278

(J) As used in this section: 279

(1) "Blended learning" means the delivery of instruction 280
in a combination of time primarily in a supervised physical 281
location away from home and online delivery whereby the student 282
has some element of control over time, place, path, or pace of 283

learning and includes noncomputer-based learning opportunities.	284
(2) "Online learning" means students work primarily from their residences on assignments delivered via an internet- or other computer-based instructional method.	285 286 287
(3) "Coherence" means a reflection of the structure of the discipline being taught.	288 289
(4) "Digital learning" means learning facilitated by technology that gives students some element of control over time, place, path, or pace of learning.	290 291 292
(5) "Focus" means limiting the number of items included in a curriculum to allow for deeper exploration of the subject matter.	293 294 295
(6) "Vertical articulation" means key academic concepts and skills associated with mastery in particular content areas should be articulated and reinforced in a developmentally appropriate manner at each grade level so that over time students acquire a depth of knowledge and understanding in the core academic disciplines.	296 297 298 299 300 301
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:	302 303 304 305 306 307
(1) Standards identifying and defining the types of data in the system in accordance with divisions (B) and (C) of this section;	308 309 310
(2) Procedures for annually collecting and reporting the	311

data to the department in accordance with division (D) of this section;	312 313
(3) Procedures for annually compiling the data in accordance with division (G) of this section;	314 315
(4) Procedures for annually reporting the data to the public in accordance with division (H) of this section;	316 317
(5) Standards to provide strict safeguards to protect the confidentiality of personally identifiable student data.	318 319
(B) The guidelines adopted under this section shall require the data maintained in the education management information system to include at least the following:	320 321 322
(1) Student participation and performance data, for each grade in each school district as a whole and for each grade in each school building in each school district, that includes:	323 324 325
(a) The numbers of students receiving each category of instructional service offered by the school district, such as regular education instruction, vocational education instruction, specialized instruction programs or enrichment instruction that is part of the educational curriculum, instruction for gifted students, instruction for students with disabilities, and remedial instruction. The guidelines shall require instructional services under this division to be divided into discrete categories if an instructional service is limited to a specific subject, a specific type of student, or both, such as regular instructional services in mathematics, remedial reading instructional services, instructional services specifically for students gifted in mathematics or some other subject area, or instructional services for students with a specific type of disability. The categories of instructional services required by	326 327 328 329 330 331 332 333 334 335 336 337 338 339 340

the guidelines under this division shall be the same as the 341
categories of instructional services used in determining cost 342
units pursuant to division (C) (3) of this section. 343

(b) The numbers of students receiving support or 344
extracurricular services for each of the support services or 345
extracurricular programs offered by the school district, such as 346
counseling services, health services, and extracurricular sports 347
and fine arts programs. The categories of services required by 348
the guidelines under this division shall be the same as the 349
categories of services used in determining cost units pursuant 350
to division (C) (4) (a) of this section. 351

(c) Average student grades in each subject in grades nine 352
through twelve; 353

(d) Academic achievement levels as assessed under sections 354
3301.0710, 3301.0711, and 3301.0712 of the Revised Code; 355

(e) The number of students designated as having a 356
disabling condition pursuant to division (C) (1) of section 357
3301.0711 of the Revised Code; 358

(f) The numbers of students reported to the department 359
pursuant to division (C) (2) of section 3301.0711 of the Revised 360
Code; 361

(g) Attendance rates and the average daily attendance for 362
the year. For purposes of this division, a student shall be 363
counted as present for any field trip that is approved by the 364
school administration. 365

(h) Expulsion rates; 366

(i) Suspension rates; 367

(j) Dropout rates; 368

(k) Rates of retention in grade;	369
(l) For pupils in grades nine through twelve, the average number of carnegie units, as calculated in accordance with the director's rules;	370 371 372
(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;	373 374 375 376 377
(n) Results of diagnostic assessments described in division (A) (1) of section 3301.0715 of the Revised Code;	378 379
(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;	380 381 382
(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;	383 384 385
(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;	386 387 388 389
(r) The number of students enrolled in all-day kindergarten, as defined in section 3321.05 of the Revised Code.	390 391
(2) Personnel and classroom enrollment data for each school district, including:	392 393
(a) The total numbers of licensed employees and nonlicensed employees and the numbers of full-time equivalent licensed employees and nonlicensed employees providing each	394 395 396

category of instructional service, instructional support 397
service, and administrative support service used pursuant to 398
division (C) (3) of this section. The guidelines adopted under 399
this section shall require these categories of data to be 400
maintained for the school district as a whole and, wherever 401
applicable, for each grade in the school district as a whole, 402
for each school building as a whole, and for each grade in each 403
school building. 404

(b) The total number of employees and the number of full- 405
time equivalent employees providing each category of service 406
used pursuant to divisions (C) (4) (a) and (b) of this section, 407
and the total numbers of licensed employees and nonlicensed 408
employees and the numbers of full-time equivalent licensed 409
employees and nonlicensed employees providing each category used 410
pursuant to division (C) (4) (c) of this section. The guidelines 411
adopted under this section shall require these categories of 412
data to be maintained for the school district as a whole and, 413
wherever applicable, for each grade in the school district as a 414
whole, for each school building as a whole, and for each grade 415
in each school building. 416

(c) The total number of regular classroom teachers 417
teaching classes of regular education and the average number of 418
pupils enrolled in each such class, in each of grades 419
kindergarten through five in the district as a whole and in each 420
school building in the school district. 421

(d) The number of lead teachers employed by each school 422
district and each school building. 423

(3) (a) Student demographic data for each school district, 424
including information regarding the gender ratio of the school 425
district's pupils, the racial make-up of the school district's 426

pupils, the number of English learners in the district, and an 427
appropriate measure of the number of the school district's 428
pupils who reside in economically disadvantaged households. The 429
demographic data shall be collected in a manner to allow 430
correlation with data collected under division (B) (1) of this 431
section. Categories for data collected pursuant to division (B) 432
(3) of this section shall conform, where appropriate, to 433
standard practices of agencies of the federal government. 434

(b) With respect to each student entering kindergarten, 435
whether the student previously participated in a public 436
preschool program, a private preschool program, or a head start 437
program, and the number of years the student participated in 438
each of these programs. 439

(4) (a) The core curriculum and instructional materials 440
being used for English language arts in each of grades pre- 441
kindergarten to five; 442

(b) The reading intervention programs being used in each 443
of grades pre-kindergarten to twelve. 444

~~(5)~~ (5) (a) The core curriculum and instructional materials 445
being used for mathematics in each of grades kindergarten to 446
twelve; 447

(b) The mathematics intervention programs being used in 448
each of grades kindergarten to twelve. 449

(6) Any data required to be collected pursuant to federal 450
law. 451

(C) The education management information system shall 452
include cost accounting data for each district as a whole and 453
for each school building in each school district. The guidelines 454
adopted under this section shall require the cost data for each 455

school district to be maintained in a system of mutually 456
exclusive cost units and shall require all of the costs of each 457
school district to be divided among the cost units. The 458
guidelines shall require the system of mutually exclusive cost 459
units to include at least the following: 460

(1) Administrative costs for the school district as a 461
whole. The guidelines shall require the cost units under this 462
division (C) (1) to be designed so that each of them may be 463
compiled and reported in terms of average expenditure per pupil 464
in enrolled ADM in the school district, as determined pursuant 465
to section 3317.03 of the Revised Code. 466

(2) Administrative costs for each school building in the 467
school district. The guidelines shall require the cost units 468
under this division (C) (2) to be designed so that each of them 469
may be compiled and reported in terms of average expenditure per 470
full-time equivalent pupil receiving instructional or support 471
services in each building. 472

(3) Instructional services costs for each category of 473
instructional service provided directly to students and required 474
by guidelines adopted pursuant to division (B) (1) (a) of this 475
section. The guidelines shall require the cost units under 476
division (C) (3) of this section to be designed so that each of 477
them may be compiled and reported in terms of average 478
expenditure per pupil receiving the service in the school 479
district as a whole and average expenditure per pupil receiving 480
the service in each building in the school district and in terms 481
of a total cost for each category of service and, as a breakdown 482
of the total cost, a cost for each of the following components: 483

(a) The cost of each instructional services category 484
required by guidelines adopted under division (B) (1) (a) of this 485

section that is provided directly to students by a classroom 486
teacher; 487

(b) The cost of the instructional support services, such 488
as services provided by a speech-language pathologist, classroom 489
aide, multimedia aide, or librarian, provided directly to 490
students in conjunction with each instructional services 491
category; 492

(c) The cost of the administrative support services 493
related to each instructional services category, such as the 494
cost of personnel that develop the curriculum for the 495
instructional services category and the cost of personnel 496
supervising or coordinating the delivery of the instructional 497
services category. 498

(4) Support or extracurricular services costs for each 499
category of service directly provided to students and required 500
by guidelines adopted pursuant to division (B)(1)(b) of this 501
section. The guidelines shall require the cost units under 502
division (C)(4) of this section to be designed so that each of 503
them may be compiled and reported in terms of average 504
expenditure per pupil receiving the service in the school 505
district as a whole and average expenditure per pupil receiving 506
the service in each building in the school district and in terms 507
of a total cost for each category of service and, as a breakdown 508
of the total cost, a cost for each of the following components: 509

(a) The cost of each support or extracurricular services 510
category required by guidelines adopted under division (B)(1)(b) 511
of this section that is provided directly to students by a 512
licensed employee, such as services provided by a guidance 513
counselor or any services provided by a licensed employee under 514
a supplemental contract; 515

(b) The cost of each such services category provided 516
directly to students by a nonlicensed employee, such as 517
janitorial services, cafeteria services, or services of a sports 518
trainer; 519

(c) The cost of the administrative services related to 520
each services category in division (C) (4) (a) or (b) of this 521
section, such as the cost of any licensed or nonlicensed 522
employees that develop, supervise, coordinate, or otherwise are 523
involved in administering or aiding the delivery of each 524
services category. 525

(D) (1) The guidelines adopted under this section shall 526
require school districts to collect information about individual 527
students, staff members, or both in connection with any data 528
required by division (B) or (C) of this section or other 529
reporting requirements established in the Revised Code. The 530
guidelines may also require school districts to report 531
information about individual staff members in connection with 532
any data required by division (B) or (C) of this section or 533
other reporting requirements established in the Revised Code. 534
The guidelines shall not authorize school districts to request 535
social security numbers of individual students. The guidelines 536
shall prohibit the reporting under this section of a student's 537
name, address, and social security number to the department. The 538
guidelines shall also prohibit the reporting under this section 539
of any personally identifiable information about any student, 540
except for the purpose of assigning the data verification code 541
required by division (D) (2) of this section, to any other person 542
unless such person is employed by the school district or the 543
information technology center operated under section 3301.075 of 544
the Revised Code and is authorized by the district or technology 545
center to have access to such information or is employed by an 546

entity with which the department contracts for the scoring or 547
the development of state assessments. The guidelines may require 548
school districts to provide the social security numbers of 549
individual staff members and the county of residence for a 550
student. Nothing in this section prohibits the department from 551
providing a student's county of residence to the department of 552
taxation to facilitate the distribution of tax revenue. 553

(2) (a) The guidelines shall provide for each school 554
district or community school to assign a data verification code 555
that is unique on a statewide basis over time to each student 556
whose initial Ohio enrollment is in that district or school and 557
to report all required individual student data for that student 558
utilizing such code. The guidelines shall also provide for 559
assigning data verification codes to all students enrolled in 560
districts or community schools on the effective date of the 561
guidelines established under this section. The assignment of 562
data verification codes for other entities, as described in 563
division (D) (2) (d) of this section, the use of those codes, and 564
the reporting and use of associated individual student data 565
shall be coordinated by the department of education and 566
workforce in accordance with state and federal law. 567

School districts shall report individual student data to 568
the department through the information technology centers 569
utilizing the code. The entities described in division (D) (2) (d) 570
of this section shall report individual student data to the 571
department in the manner prescribed by the department. 572

(b) (i) Except as provided in sections 3301.941, 3310.11, 573
3310.42, 3310.63, 3313.978, 3317.20, and 5747.057 of the Revised 574
Code, and in division (D) (2) (b) (ii) of this section, at no time 575
shall the department have access to information that would 576

enable any data verification code to be matched to personally 577
identifiable student data. 578

(ii) For the purpose of making per-pupil payments to 579
community schools under section 3317.022 of the Revised Code, 580
the department shall have access to information that would 581
enable any data verification code to be matched to personally 582
identifiable student data. 583

(c) Each school district and community school shall ensure 584
that the data verification code is included in the student's 585
records reported to any subsequent school district, community 586
school, or state institution of higher education, as defined in 587
section 3345.011 of the Revised Code, in which the student 588
enrolls. Any such subsequent district or school shall utilize 589
the same identifier in its reporting of data under this section. 590

(d) (i) The director of any state agency that administers a 591
publicly funded program providing services to children who are 592
younger than compulsory school age, as defined in section 593
3321.01 of the Revised Code, including the directors of health, 594
job and family services, ~~mental health and addiction~~ 595
~~services~~ behavioral health, children and youth, and developmental 596
disabilities, shall request and receive, pursuant to sections 597
3301.0723 and 5180.33 of the Revised Code, a data verification 598
code for a child who is receiving those services. 599

(ii) The director of developmental disabilities, director 600
of health, director of job and family services, director of 601
children and youth, director of ~~mental health and addiction~~ 602
~~services~~ behavioral health, medicaid director, executive director 603
of the commission on minority health, executive director of the 604
opportunities for Ohioans with disabilities agency, or director 605
of education and workforce, on behalf of a program that receives 606

public funds and provides services to children who are younger 607
than compulsory school age, may request and receive, pursuant to 608
section 3301.0723 of the Revised Code, a data verification code 609
for a child who is receiving services from the program. 610

(E) The guidelines adopted under this section may require 611
school districts to collect and report data, information, or 612
reports other than that described in divisions (A), (B), and (C) 613
of this section for the purpose of complying with other 614
reporting requirements established in the Revised Code. The 615
other data, information, or reports may be maintained in the 616
education management information system but are not required to 617
be compiled as part of the profile formats required under 618
division (G) of this section or the annual statewide report 619
required under division (H) of this section. 620

(F) The board of education of each school district shall 621
annually collect and report to the department, in accordance 622
with the guidelines established by the department, the data 623
required pursuant to this section. A school district may collect 624
and report these data notwithstanding section 2151.357 or 625
3319.321 of the Revised Code. 626

(G) The department shall, in accordance with the 627
procedures it adopts, annually compile the data reported by each 628
school district pursuant to division (D) of this section. The 629
department shall design formats for profiling each school 630
district as a whole and each school building within each 631
district and shall compile the data in accordance with these 632
formats. These profile formats shall: 633

(1) Include all of the data gathered under this section in 634
a manner that facilitates comparison among school districts and 635
among school buildings within each school district; 636

(2) Present the data on academic achievement levels as 637
assessed by the testing of student achievement maintained 638
pursuant to division (B) (1) (d) of this section. 639

(H) (1) The department shall, in accordance with the 640
procedures it adopts, annually prepare a statewide report for 641
all school districts and the general public that includes the 642
profile of each of the school districts developed pursuant to 643
division (G) of this section. Copies of the report shall be sent 644
to each school district. 645

(2) The department shall, in accordance with the 646
procedures it adopts, annually prepare an individual report for 647
each school district and the general public that includes the 648
profiles of each of the school buildings in that school district 649
developed pursuant to division (G) of this section. 650

(I) Any data that is collected or maintained pursuant to 651
this section and that identifies an individual pupil is not a 652
public record for the purposes of section 149.43 of the Revised 653
Code. 654

(J) As used in this section: 655

(1) "School district" means any city, local, exempted 656
village, or joint vocational school district and, in accordance 657
with section 3314.17 of the Revised Code, any community school. 658
As used in division (L) of this section, "school district" also 659
includes any educational service center or other educational 660
entity required to submit data using the system established 661
under this section. 662

(2) "Cost" means any expenditure for operating expenses 663
made by a school district excluding any expenditures for debt 664
retirement except for payments made to any commercial lending 665

institution for any loan approved pursuant to section 3313.483 666
of the Revised Code. 667

(K) Any person who removes data from the information 668
system established under this section for the purpose of 669
releasing it to any person not entitled under law to have access 670
to such information is subject to section 2913.42 of the Revised 671
Code prohibiting tampering with data. 672

(L) (1) In accordance with division (L) (2) of this section 673
and the rules adopted under division (L) (10) of this section, 674
the department may sanction any school district that reports 675
incomplete or inaccurate data, reports data that does not 676
conform to data requirements and descriptions published by the 677
department, fails to report data in a timely manner, or 678
otherwise does not make a good faith effort to report data as 679
required by this section. 680

(2) If the department decides to sanction a school 681
district under this division, the department shall take the 682
following sequential actions: 683

(a) Notify the district in writing that the department has 684
determined that data has not been reported as required under 685
this section and require the district to review its data 686
submission and submit corrected data by a deadline established 687
by the department. The department also may require the district 688
to develop a corrective action plan, which shall include 689
provisions for the district to provide mandatory staff training 690
on data reporting procedures. 691

(b) Withhold up to ten per cent of the total amount of 692
state funds due to the district for the current fiscal year and, 693
if not previously required under division (L) (2) (a) of this 694

section, require the district to develop a corrective action 695
plan in accordance with that division; 696

(c) Withhold an additional amount of up to twenty per cent 697
of the total amount of state funds due to the district for the 698
current fiscal year; 699

(d) Direct department staff or an outside entity to 700
investigate the district's data reporting practices and make 701
recommendations for subsequent actions. The recommendations may 702
include one or more of the following actions: 703

(i) Arrange for an audit of the district's data reporting 704
practices by department staff or an outside entity; 705

(ii) Conduct a site visit and evaluation of the district; 706

(iii) Withhold an additional amount of up to thirty per 707
cent of the total amount of state funds due to the district for 708
the current fiscal year; 709

(iv) Continue monitoring the district's data reporting; 710

(v) Assign department staff to supervise the district's 711
data management system; 712

(vi) Conduct an investigation to determine whether to 713
suspend or revoke the license of any district employee in 714
accordance with division (N) of this section; 715

(vii) If the district is issued a report card under 716
section 3302.03 of the Revised Code, indicate on the report card 717
that the district has been sanctioned for failing to report data 718
as required by this section; 719

(viii) If the district is issued a report card under 720
section 3302.03 of the Revised Code and incomplete or inaccurate 721

data submitted by the district likely caused the district to 722
receive a higher performance rating than it deserved under that 723
section, issue a revised report card for the district; 724

(ix) Any other action designed to correct the district's 725
data reporting problems. 726

(3) Any time the department takes an action against a 727
school district under division (L)(2) of this section, the 728
department shall make a report of the circumstances that 729
prompted the action. The department shall send a copy of the 730
report to the district superintendent or chief administrator and 731
maintain a copy of the report in its files. 732

(4) If any action taken under division (L)(2) of this 733
section resolves a school district's data reporting problems to 734
the department's satisfaction, the department shall not take any 735
further actions described by that division. If the department 736
withheld funds from the district under that division, the 737
department may release those funds to the district, except that 738
if the department withheld funding under division (L)(2)(c) of 739
this section, the department shall not release the funds 740
withheld under division (L)(2)(b) of this section and, if the 741
department withheld funding under division (L)(2)(d) of this 742
section, the department shall not release the funds withheld 743
under division (L)(2)(b) or (c) of this section. 744

(5) Notwithstanding anything in this section to the 745
contrary, the department may use its own staff or an outside 746
entity to conduct an audit of a school district's data reporting 747
practices any time the department has reason to believe the 748
district has not made a good faith effort to report data as 749
required by this section. If any audit conducted by an outside 750
entity under division (L)(2)(d)(i) or (5) of this section 751

confirms that a district has not made a good faith effort to 752
report data as required by this section, the district shall 753
reimburse the department for the full cost of the audit. The 754
department may withhold state funds due to the district for this 755
purpose. 756

(6) Prior to issuing a revised report card for a school 757
district under division (L)(2)(d)(viii) of this section, the 758
department may hold a hearing to provide the district with an 759
opportunity to demonstrate that it made a good faith effort to 760
report data as required by this section. The hearing shall be 761
conducted by a referee appointed by the department. Based on the 762
information provided in the hearing, the referee shall recommend 763
whether the department should issue a revised report card for 764
the district. If the referee affirms the department's contention 765
that the district did not make a good faith effort to report 766
data as required by this section, the district shall bear the 767
full cost of conducting the hearing and of issuing any revised 768
report card. 769

(7) If the department determines that any inaccurate data 770
reported under this section caused a school district to receive 771
excess state funds in any fiscal year, the district shall 772
reimburse the department an amount equal to the excess funds, in 773
accordance with a payment schedule determined by the department. 774
The department may withhold state funds due to the district for 775
this purpose. 776

(8) Any school district that has funds withheld under 777
division (L)(2) of this section may appeal the withholding in 778
accordance with Chapter 119. of the Revised Code. 779

(9) In all cases of a disagreement between the department 780
and a school district regarding the appropriateness of an action 781

taken under division (L) (2) of this section, the burden of proof 782
shall be on the district to demonstrate that it made a good 783
faith effort to report data as required by this section. 784

(10) The director of education and workforce shall adopt 785
rules under Chapter 119. of the Revised Code to implement 786
division (L) of this section. 787

(M) No information technology center or school district 788
shall acquire, change, or update its student administration 789
software package to manage and report data required to be 790
reported to the department unless it converts to a student 791
software package that is certified by the department. 792

(N) The state board of education, in accordance with 793
sections 3319.31 and 3319.311 of the Revised Code, may suspend 794
or revoke a license as defined under division (A) of section 795
3319.31 of the Revised Code that has been issued to any school 796
district employee found to have willfully reported erroneous, 797
inaccurate, or incomplete data to the education management 798
information system. 799

(O) No person shall release or maintain any information 800
about any student in violation of this section. Whoever violates 801
this division is guilty of a misdemeanor of the fourth degree. 802

(P) If the department cannot compile any of the 803
information required by division (I) of section 3302.03 of the 804
Revised Code based upon the data collected under this section, 805
the department shall develop a plan and a reasonable timeline 806
for the collection of any data necessary to comply with that 807
division. 808

(Q) Not later than March 1, 2027, the department shall 809
designate a single software system for use by school districts 810

to submit data that is required to be reported into the 811
statewide education management information system established 812
under this section. Beginning August 1, 2027, each school 813
district shall use the new software system to report all data 814
required under this section. 815

Sec. 3301.0733. Notwithstanding anything in the Revised 816
Code to the contrary, the department of education and workforce 817
shall seek a waiver from the United States secretary of 818
education for testing requirements under federal law to allow 819
for the use and implementation of end-of-year nationally norm- 820
referenced assessments in lieu of standards-based assessments as 821
the primary assessments of student achievement in this state. If 822
the department receives a waiver under this section, the 823
department shall do all of the following: 824

(A) Prescribe a system of end-of-year nationally norm- 825
referenced assessments in the same grade levels and subject 826
areas as the diagnostic assessments, statewide achievement 827
assessments, and end-of-course examinations prescribed under 828
sections 3301.079, 3301.0710, and 3301.0712 of the Revised Code 829
based on its selection under division (B) of this section. The 830
assessments prescribed under this section shall be used in place 831
of those diagnostic assessments, statewide achievement 832
assessments, and end-of-course examinations. Wherever in Title 833
XXXVIII of the Revised Code a reference is made to a diagnostic 834
assessment, statewide achievement assessment, or end-of-course 835
examination, that reference shall be construed to refer to the 836
appropriate assessment prescribed under this section, unless the 837
context specifically indicates a different meaning or intent. 838

(B) Issue a request for proposals for the selection of the 839
norm-referenced assessment, and require that each request for 840

proposals include the following: 841

(1) A nationally norm-referenced assessment that is 842
designed to measure a student's level of skill in the subject 843
area and at the end of the grade or course for which the 844
assessment is prescribed; 845

(2) Instructions for how to read and interpret assessment 846
results that include percentile ranges and percentages; 847

(3) Evidence of the procedure used to ensure objectivity 848
in grading assessments; 849

(4) A method or a description of how to compare results 850
between the new norm-referenced assessment and the diagnostic 851
assessment, statewide achievement assessment, or end-of-course 852
examination that the assessment is replacing. 853

(C) Not later than the first full school year that begins 854
one year after the effective date of this section, the 855
department shall adopt rules to establish a timeline and plan 856
for the implementation of the assessments selected under this 857
section. 858

Sec. 3301.0734. (A) Not later than April 15, 2027, the 859
department of education and workforce shall review core 860
mathematics curricula and establish a list of high-quality core 861
curriculum and instructional materials in mathematics, and a 862
list of evidence-based mathematics intervention programs, that 863
are aligned with state standards and best practices. 864

(B) The department shall establish a rubric and scoring 865
system to evaluate core mathematics curricula based upon whether 866
or the extent to which a curriculum facilitates a student's 867
skill building and sequential advancement through mastery. The 868
department shall post the rubric and scoring system on its 869

publicly accessible web site. Upon request, the department shall 870
provide the scored rubric to the entity that submitted a 871
curriculum to be scored and to any member of the Ohio general 872
assembly. 873

(C) Each school district, community school established 874
under Chapter 3314. of the Revised Code, and STEM school 875
established under Chapter 3326. of the Revised Code may use the 876
core curriculum and instructional materials established by the 877
department or may select different high-quality core curriculum 878
and instructional materials. 879

Sec. 3302.03. Not later than the thirty-first day of July 880
of each year, the department of education and workforce shall 881
submit preliminary report card data for overall academic 882
performance and for each separate performance measure for each 883
school district, and each school building, in accordance with 884
this section. 885

Annually, not later than the fifteenth day of September or 886
the preceding Friday when that day falls on a Saturday or 887
Sunday, the department shall assign a letter grade or 888
performance rating for overall academic performance and for each 889
separate performance measure for each school district, and each 890
school building in a district, in accordance with this section. 891
The department shall adopt rules pursuant to Chapter 119. of the 892
Revised Code to implement this section. The department's rules 893
shall establish performance criteria for each letter grade or 894
performance rating and prescribe a method by which the 895
department assigns each letter grade or performance rating. For 896
a school building to which any of the performance measures do 897
not apply, due to grade levels served by the building, the 898
department shall designate the performance measures that are 899

applicable to the building and that must be calculated 900
separately and used to calculate the building's overall grade or 901
performance rating. The department shall issue annual report 902
cards reflecting the performance of each school district, each 903
building within each district, and for the state as a whole 904
using the performance measures and letter grade or performance 905
rating system described in this section. The department shall 906
include on the report card for each district and each building 907
within each district the most recent two-year trend data in 908
student achievement for each subject and each grade. 909

(A) (1) For the 2012-2013 school year, the department shall 910
issue grades as described in division (F) of this section for 911
each of the following performance measures: 912

(a) Annual measurable objectives; 913

(b) Performance index score for a school district or 914
building. Grades shall be awarded as a percentage of the total 915
possible points on the performance index system as adopted by 916
the department. In adopting benchmarks for assigning letter 917
grades under division (A) (1) (b) of this section, the department 918
shall designate ninety per cent or higher for an "A," at least 919
seventy per cent but not more than eighty per cent for a "C," 920
and less than fifty per cent for an "F." 921

(c) The extent to which the school district or building 922
meets each of the applicable performance indicators established 923
by the department under section 3302.02 of the Revised Code and 924
the percentage of applicable performance indicators that have 925
been achieved. In adopting benchmarks for assigning letter 926
grades under division (A) (1) (c) of this section, the department 927
shall designate ninety per cent or higher for an "A." 928

(d) The four- and five-year adjusted cohort graduation rates. 929
930

In adopting benchmarks for assigning letter grades under division (A) (1) (d), (B) (1) (d), or (C) (1) (d) of this section, the department shall designate a four-year adjusted cohort graduation rate of ninety-three per cent or higher for an "A" and a five-year cohort graduation rate of ninety-five per cent or higher for an "A." 931
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(e) The overall score under the value-added progress dimension of a school district or building, for which the department shall use up to three years of value-added data as available. The letter grade assigned for this growth measure shall be as follows: 937
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939
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941

(i) A score that is at least one standard error of measure above the mean score shall be designated as an "A." 942
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(ii) A score that is less than one standard error of measure above but greater than one standard error of measure below the mean score shall be designated as a "B." 944
945
946

(iii) A score that is less than or equal to one standard error of measure below the mean score but greater than two standard errors of measure below the mean score shall be designated as a "C." 947
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949
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(iv) A score that is less than or equal to two standard errors of measure below the mean score but is greater than three standard errors of measure below the mean score shall be designated as a "D." 951
952
953
954

(v) A score that is less than or equal to three standard errors of measure below the mean score shall be designated as an "F." 955
956
957

Whenever the value-added progress dimension is used as a 958
graded performance measure in this division and divisions (B) 959
and (C) of this section, whether as an overall measure or as a 960
measure of separate subgroups, the grades for the measure shall 961
be calculated in the same manner as prescribed in division (A) 962
(1)(e) of this section. 963

(f) The value-added progress dimension score for a school 964
district or building disaggregated for each of the following 965
subgroups: students identified as gifted, students with 966
disabilities, and students whose performance places them in the 967
lowest quintile for achievement on a statewide basis. Each 968
subgroup shall be a separate graded measure. 969

(2) The department shall adopt a resolution describing the 970
performance measures, benchmarks, and grading system for the 971
2012-2013 school year and shall adopt rules in accordance with 972
Chapter 119. of the Revised Code that prescribe the methods by 973
which the performance measures under division (A)(1) of this 974
section shall be assessed and assigned a letter grade, including 975
performance benchmarks for each letter grade. 976

At least forty-five days prior to the department's 977
adoption of rules to prescribe the methods by which the 978
performance measures under division (A)(1) of this section shall 979
be assessed and assigned a letter grade, the department shall 980
conduct a public presentation before the standing committees of 981
the house of representatives and the senate that consider 982
education legislation describing such methods, including 983
performance benchmarks. 984

(3) There shall not be an overall letter grade for a 985
school district or building for the 2012-2013 school year. 986

(B) (1) For the 2013-2014 school year, the department shall 987
issue grades as described in division (F) of this section for 988
each of the following performance measures: 989

(a) Annual measurable objectives; 990

(b) Performance index score for a school district or 991
building. Grades shall be awarded as a percentage of the total 992
possible points on the performance index system as created by 993
the department. In adopting benchmarks for assigning letter 994
grades under division (B) (1) (b) of this section, the department 995
shall designate ninety per cent or higher for an "A," at least 996
seventy per cent but not more than eighty per cent for a "C," 997
and less than fifty per cent for an "F." 998

(c) The extent to which the school district or building 999
meets each of the applicable performance indicators established 1000
by the department under section 3302.03 of the Revised Code and 1001
the percentage of applicable performance indicators that have 1002
been achieved. In adopting benchmarks for assigning letter 1003
grades under division (B) (1) (c) of this section, the department 1004
shall designate ninety per cent or higher for an "A." 1005

(d) The four- and five-year adjusted cohort graduation 1006
rates; 1007

(e) The overall score under the value-added progress 1008
dimension of a school district or building, for which the 1009
department shall use up to three years of value-added data as 1010
available. 1011

(f) The value-added progress dimension score for a school 1012
district or building disaggregated for each of the following 1013
subgroups: students identified as gifted in superior cognitive 1014
ability and specific academic ability fields under Chapter 3324. 1015

of the Revised Code, students with disabilities, and students 1016
whose performance places them in the lowest quintile for 1017
achievement on a statewide basis. Each subgroup shall be a 1018
separate graded measure. 1019

(g) Whether a school district or building is making 1020
progress in improving literacy in grades kindergarten through 1021
three, as determined using a method prescribed by the 1022
department. The department shall adopt rules to prescribe 1023
benchmarks and standards for assigning grades to districts and 1024
buildings for purposes of division (B) (1) (g) of this section. In 1025
adopting benchmarks for assigning letter grades under divisions 1026
(B) (1) (g) and (C) (1) (g) of this section, the department shall 1027
determine progress made based on the reduction in the total 1028
percentage of students scoring below grade level, or below 1029
proficient, compared from year to year on the reading diagnostic 1030
assessments administered under section 3301.0715 of the Revised 1031
Code and the third grade English language arts assessment under 1032
section 3301.0710 of the Revised Code, as applicable. The 1033
department shall designate for a "C" grade a value that is not 1034
lower than the statewide average value for this measure. No 1035
grade shall be issued under divisions (B) (1) (g) and (C) (1) (g) of 1036
this section for a district or building in which less than five 1037
per cent of students have scored below grade level on the 1038
diagnostic assessment administered to students in kindergarten 1039
under division (B) (1) of section 3313.608 of the Revised Code. 1040

(h) For a high mobility school district or building, an 1041
additional value-added progress dimension score. For this 1042
measure, the department shall use value-added data from the most 1043
recent school year available and shall use assessment scores for 1044
only those students to whom the district or building has 1045
administered the assessments prescribed by section 3301.0710 of 1046

the Revised Code for each of the two most recent consecutive 1047
school years. 1048

As used in this division, "high mobility school district 1049
or building" means a school district or building where at least 1050
twenty-five per cent of its total enrollment is made up of 1051
students who have attended that school district or building for 1052
less than one year. 1053

(2) In addition to the graded measures in division (B) (1) 1054
of this section, the department shall include on a school 1055
district's or building's report card all of the following 1056
without an assigned letter grade: 1057

(a) The percentage of students enrolled in a district or 1058
building participating in advanced placement classes and the 1059
percentage of those students who received a score of three or 1060
better on advanced placement examinations; 1061

(b) The number of a district's or building's students who 1062
have earned at least three college credits through dual 1063
enrollment or advanced standing programs, such as the post- 1064
secondary enrollment options program under Chapter 3365. of the 1065
Revised Code and state-approved career-technical courses offered 1066
through dual enrollment or statewide articulation, that appear 1067
on a student's transcript or other official document, either of 1068
which is issued by the institution of higher education from 1069
which the student earned the college credit. The credits earned 1070
that are reported under divisions (B) (2) (b) and (C) (2) (c) of 1071
this section shall not include any that are remedial or 1072
developmental and shall include those that count toward the 1073
curriculum requirements established for completion of a degree. 1074

(c) The percentage of students enrolled in a district or 1075

building who have taken a national standardized test used for 1076
college admission determinations and the percentage of those 1077
students who are determined to be remediation-free in accordance 1078
with standards adopted under division (F) of section 3345.061 of 1079
the Revised Code; 1080

(d) The percentage of the district's or the building's 1081
students who receive industry-recognized credentials as approved 1082
under section 3313.6113 of the Revised Code. 1083

(e) The percentage of students enrolled in a district or 1084
building who are participating in an international baccalaureate 1085
program and the percentage of those students who receive a score 1086
of four or better on the international baccalaureate 1087
examinations. 1088

(f) The percentage of the district's or building's 1089
students who receive an honors diploma under division (B) of 1090
section 3313.61 of the Revised Code. 1091

(3) The department shall adopt rules in accordance with 1092
Chapter 119. of the Revised Code that prescribe the methods by 1093
which the performance measures under divisions (B) (1) (f) and (B) 1094
(1) (g) of this section will be assessed and assigned a letter 1095
grade, including performance benchmarks for each grade. 1096

At least forty-five days prior to the department's 1097
adoption of rules to prescribe the methods by which the 1098
performance measures under division (B) (1) of this section shall 1099
be assessed and assigned a letter grade, the department shall 1100
conduct a public presentation before the standing committees of 1101
the house of representatives and the senate that consider 1102
education legislation describing such methods, including 1103
performance benchmarks. 1104

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

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

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

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

(c) The extent to which the school district or building meets each of the applicable performance indicators established by the department under section 3302.03 of the Revised Code and the percentage of applicable performance indicators that have

been achieved. In adopting benchmarks for assigning letter 1135
grades under division (C) (1) (c) of this section, the department 1136
shall designate ninety per cent or higher for an "A." 1137

(d) The four- and five-year adjusted cohort graduation 1138
rates; 1139

(e) The overall score under the value-added progress 1140
dimension, or another measure of student academic progress if 1141
adopted by the department, of a school district or building, for 1142
which the department shall use up to three years of value-added 1143
data as available. 1144

In adopting benchmarks for assigning letter grades for 1145
overall score on value-added progress dimension under division 1146
(C) (1) (e) of this section, the department shall prohibit the 1147
assigning of a grade of "A" for that measure unless the 1148
district's or building's grade assigned for value-added progress 1149
dimension for all subgroups under division (C) (1) (f) of this 1150
section is a "C" or higher. 1151

For the metric prescribed by division (C) (1) (e) of this 1152
section, the department may adopt a student academic progress 1153
measure to be used instead of the value-added progress 1154
dimension. If the department adopts such a measure, it also 1155
shall prescribe a method for assigning letter grades for the new 1156
measure that is comparable to the method prescribed in division 1157
(A) (1) (e) of this section. 1158

(f) The value-added progress dimension score of a school 1159
district or building disaggregated for each of the following 1160
subgroups: students identified as gifted in superior cognitive 1161
ability and specific academic ability fields under Chapter 3324. 1162
of the Revised Code, students with disabilities, and students 1163

whose performance places them in the lowest quintile for 1164
achievement on a statewide basis, as determined by a method 1165
prescribed by the department. Each subgroup shall be a separate 1166
graded measure. 1167

The department may adopt student academic progress 1168
measures to be used instead of the value-added progress 1169
dimension. If the department adopts such measures, it also shall 1170
prescribe a method for assigning letter grades for the new 1171
measures that is comparable to the method prescribed in division 1172
(A) (1) (e) of this section. 1173

(g) Whether a school district or building is making 1174
progress in improving literacy in grades kindergarten through 1175
three, as determined using a method prescribed by the 1176
department. The department shall adopt rules to prescribe 1177
benchmarks and standards for assigning grades to a district or 1178
building for purposes of division (C) (1) (g) of this section. The 1179
department shall designate for a "C" grade a value that is not 1180
lower than the statewide average value for this measure. No 1181
grade shall be issued under division (C) (1) (g) of this section 1182
for a district or building in which less than five per cent of 1183
students have scored below grade level on the kindergarten 1184
diagnostic assessment under division (B) (1) of section 3313.608 1185
of the Revised Code. 1186

(h) For a high mobility school district or building, an 1187
additional value-added progress dimension score. For this 1188
measure, the department shall use value-added data from the most 1189
recent school year available and shall use assessment scores for 1190
only those students to whom the district or building has 1191
administered the assessments prescribed by section 3301.0710 of 1192
the Revised Code for each of the two most recent consecutive 1193

school years. 1194

As used in this division, "high mobility school district
or building" means a school district or building where at least
twenty-five per cent of its total enrollment is made up of
students who have attended that school district or building for
less than one year. 1195
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(2) In addition to the graded measures in division (C) (1)
of this section, the department shall include on a school
district's or building's report card all of the following
without an assigned letter grade: 1200
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1202
1203

(a) The percentage of students enrolled in a district or
building who have taken a national standardized test used for
college admission determinations and the percentage of those
students who are determined to be remediation-free in accordance
with the standards adopted under division (F) of section
3345.061 of the Revised Code; 1204
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(b) The percentage of students enrolled in a district or
building participating in advanced placement classes and the
percentage of those students who received a score of three or
better on advanced placement examinations; 1210
1211
1212
1213

(c) The percentage of a district's or building's students
who have earned at least three college credits through advanced
standing programs, such as the college credit plus program under
Chapter 3365. of the Revised Code and state-approved career-
technical courses offered through dual enrollment or statewide
articulation, that appear on a student's college transcript
issued by the institution of higher education from which the
student earned the college credit. The credits earned that are
reported under divisions (B) (2) (b) and (C) (2) (c) of this section 1214
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shall not include any that are remedial or developmental and 1223
shall include those that count toward the curriculum 1224
requirements established for completion of a degree. 1225

(d) The percentage of the district's or building's 1226
students who receive an honor's diploma under division (B) of 1227
section 3313.61 of the Revised Code; 1228

(e) The percentage of the district's or building's 1229
students who receive industry-recognized credentials as approved 1230
under section 3313.6113 of the Revised Code; 1231

(f) The percentage of students enrolled in a district or 1232
building who are participating in an international baccalaureate 1233
program and the percentage of those students who receive a score 1234
of four or better on the international baccalaureate 1235
examinations; 1236

(g) The results of the college and career-ready 1237
assessments administered under division (B) (1) of section 1238
3301.0712 of the Revised Code; 1239

(h) Whether the school district or building has 1240
implemented a positive behavior intervention and supports 1241
framework in compliance with the requirements of section 3319.46 1242
of the Revised Code, notated as a "yes" or "no" answer. 1243

(3) The department shall adopt rules pursuant to Chapter 1244
119. of the Revised Code that establish a method to assign an 1245
overall grade for a school district or school building for the 1246
2017-2018 school year and each school year thereafter. The rules 1247
shall group the performance measures in divisions (C) (1) and (2) 1248
of this section into the following components: 1249

(a) Gap closing, which shall include the performance 1250
measure in division (C) (1) (a) of this section; 1251

(b) Achievement, which shall include the performance 1252
measures in divisions (C) (1) (b) and (c) of this section; 1253

(c) Progress, which shall include the performance measures 1254
in divisions (C) (1) (e) and (f) of this section; 1255

(d) Graduation, which shall include the performance 1256
measure in division (C) (1) (d) of this section; 1257

(e) Kindergarten through third-grade literacy, which shall 1258
include the performance measure in division (C) (1) (g) of this 1259
section; 1260

(f) Prepared for success, which shall include the 1261
performance measures in divisions (C) (2) (a), (b), (c), (d), (e), 1262
and (f) of this section. The department shall develop a method 1263
to determine a grade for the component in division (C) (3) (f) of 1264
this section using the performance measures in divisions (C) (2) 1265
(a), (b), (c), (d), (e), and (f) of this section. When 1266
available, the department may incorporate the performance 1267
measure under division (C) (2) (g) of this section into the 1268
component under division (C) (3) (f) of this section. When 1269
determining the overall grade for the prepared for success 1270
component prescribed by division (C) (3) (f) of this section, no 1271
individual student shall be counted in more than one performance 1272
measure. However, if a student qualifies for more than one 1273
performance measure in the component, the department may, in its 1274
method to determine a grade for the component, specify an 1275
additional weight for such a student that is not greater than or 1276
equal to 1.0. In determining the overall score under division 1277
(C) (3) (f) of this section, the department shall ensure that the 1278
pool of students included in the performance measures aggregated 1279
under that division are all of the students included in the 1280
four- and five-year adjusted graduation cohort. 1281

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

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

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

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

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

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

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

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

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

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

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

(ii) If two consecutive years of value-added data is available, the department shall use two consecutive years of value-added data to calculate the measure. In using two years of

value-added data to calculate the measure, the department shall 1340
assign a weight of sixty-seven per cent to the most recent 1341
year's data and a weight of thirty-three per cent to the data of 1342
the other year. 1343

(e) The four-year adjusted cohort graduation rate. 1344

(f) The five-year adjusted cohort graduation rate. 1345

(g) The percentage of students in the district or building 1346
who score proficient or higher on the reading segment of the 1347
third grade English language arts assessment under section 1348
3301.0710 of the Revised Code. 1349

To the extent possible, the department shall include the 1350
results of the summer administration of the third grade reading 1351
assessment under section 3301.0710 of the Revised Code in the 1352
performance measures prescribed under divisions (D) (1) (g) and 1353
(h) of this section. 1354

(h) Whether a district or building is making progress in 1355
improving literacy in grades kindergarten through three, as 1356
determined using a method prescribed by the department. The 1357
method shall determine progress made based on the reduction in 1358
the total percentage of students scoring below grade level, or 1359
below proficient, compared from year to year on the reading 1360
segments of the diagnostic assessments administered under 1361
division (A) (1) of section 3301.0715 of the Revised Code and the 1362
third grade English language arts assessment under section 1363
3301.0710 of the Revised Code, as applicable. The method shall 1364
not include a deduction for students who did not pass the third 1365
grade English language arts assessment under section 3301.0710 1366
of the Revised Code and were not on a reading improvement and 1367
monitoring plan. 1368

The performance measure prescribed under division (D) (1) 1369
(h) of this section shall not be included on the report card of 1370
a district or building in which less than ten per cent of 1371
students have scored below grade level on the diagnostic 1372
assessment administered to students in kindergarten under 1373
division (B) (1) of section 3313.608 of the Revised Code. 1374

(i) The percentage of students in a district or building 1375
who are promoted to the fourth grade based on the student's 1376
score on the third grade English language arts assessment under 1377
division (A) (3) of section 3301.0710 of the Revised Code or 1378
demonstrate competency on an alternative assessment under 1379
division (A) (2) (c) of section 3313.608 of the Revised Code; 1380

(j) A post-secondary readiness measure. This measure shall 1381
be calculated by dividing the number of students included in the 1382
four-year adjusted graduation rate cohort who demonstrate post- 1383
secondary readiness by the total number of students included in 1384
the denominator of the four-year adjusted graduation rate 1385
cohort. Demonstration of post-secondary readiness shall include 1386
a student doing any of the following: 1387

(i) Attaining a remediation-free score, in accordance with 1388
standards adopted under division (F) of section 3345.061 of the 1389
Revised Code, on a nationally standardized assessment prescribed 1390
under division (B) (1) of section 3301.0712 of the Revised Code; 1391

(ii) Attaining required scores on three or more advanced 1392
placement, college-level examination program, or international 1393
baccalaureate examinations. The required score for an advanced 1394
placement examination shall be a three or better. The required 1395
score for a college-level examination program examination shall 1396
be a passing score, as determined by the department. The 1397
required score for an international baccalaureate examination 1398

shall be a four or better. A student may satisfy this condition 1399
with any combination of advanced placement, college-level 1400
examination program, or international baccalaureate 1401
examinations. 1402

(iii) Earning at least twelve college credits through 1403
advanced standing programs, such as the college credit plus 1404
program under Chapter 3365. of the Revised Code, an early 1405
college high school program under section 3313.6013 of the 1406
Revised Code, and state-approved career-technical courses 1407
offered through dual enrollment or statewide articulation, that 1408
appear on a student's college transcript issued by the 1409
institution of higher education from which the student earned 1410
the college credit. Earned credits reported under division (D) 1411
(1) (j) (iii) of this section shall include credits that count 1412
toward the curriculum requirements established for completion of 1413
a degree, but shall not include any remedial or developmental 1414
credits. 1415

(iv) Meeting the additional criteria for an honors diploma 1416
under division (B) of section 3313.61 of the Revised Code; 1417

(v) Earning an industry-recognized credential or license 1418
issued by a state agency or board for practice in a vocation 1419
that requires an examination for issuance of that license 1420
approved under section 3313.6113 of the Revised Code; 1421

(vi) Satisfying any of the following conditions: 1422

(I) Completing a pre-apprenticeship aligned with options 1423
established under section 3313.904 of the Revised Code in the 1424
student's chosen career field; 1425

(II) Completing an apprenticeship registered with the 1426
apprenticeship council established under section 4139.02 of the 1427

Revised Code in the student's chosen career field;	1428
(III) Providing evidence of acceptance into an	1429
apprenticeship program after high school that is restricted to	1430
participants eighteen years of age or older.	1431
(vii) Earning a cumulative score of proficient or higher	1432
on three or more state technical assessments aligned with	1433
section 3313.903 of the Revised Code in a single career pathway;	1434
(viii) Earning an OhioMeansJobs-readiness seal established	1435
under section 3313.6112 of the Revised Code and completing two	1436
hundred fifty hours of an internship or other work-based	1437
learning experience that is either:	1438
(I) Approved by the business advisory council established	1439
under section 3313.82 of the Revised Code that represents the	1440
student's district; or	1441
(II) Aligned to the career-technical education pathway	1442
approved by the department in which the student is enrolled.	1443
(ix) Providing evidence that the student has enlisted in a	1444
branch of the armed services of the United States as defined in	1445
section 5910.01 of the Revised Code.	1446
A student who satisfies more than one of the conditions	1447
prescribed under this division shall be counted as one student	1448
for the purposes of calculating the measure prescribed under	1449
division (D) (1) (j) of this section.	1450
(2) In addition to the performance measures under division	1451
(D) (1) of this section, the department shall report on a	1452
district's or building's report card all of the following data	1453
without an assigned performance rating:	1454
(a) The applicable performance indicators established by	1455

the department under division (A) (1) of section 3302.02 of the Revised Code; 1456
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(b) The overall score under the value-added progress dimension of a district or building for the most recent school year; 1458
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(c) A composite of the overall scores under the value-added progress dimension of a district or building for the previous three school years or, if only two years of value-added data are available, for the previous two years; 1461
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(d) The percentage of students included in the four- and five-year adjusted cohort graduation rates of a district or building who did not receive a high school diploma under section 3313.61 or 3325.08 of the Revised Code. To the extent possible, the department shall disaggregate that data according to the following categories: 1465
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(i) Students who are still enrolled in the district or building and receiving general education services; 1471
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(ii) Students with an individualized education program, as defined in section 3323.01 of the Revised Code, who satisfied the conditions for a high school diploma under section 3313.61 or 3325.08 of the Revised Code, but opted not to receive a diploma and are still receiving education services; 1473
1474
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1477

(iii) Students with an individualized education program who have not yet satisfied conditions for a high school diploma under section 3313.61 or 3325.08 of the Revised Code and who are still receiving education services; 1478
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1480
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(iv) Students who are no longer enrolled in any district or building; 1482
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(v) Students who, upon enrollment in the district or building for the first time, had completed fewer units of high school instruction required under section 3313.603 of the Revised Code than other students in the four- or five-year adjusted cohort graduation rate.

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

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

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

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

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

(iv) Enlisted in a branch of the armed forces of the United States, as defined in section 5910.01 of the Revised

Code.	1513
(f) Whether the school district or building has implemented a positive behavior intervention and supports framework in compliance with the requirements of section 3319.46 of the Revised Code, notated with a "yes" or "no";	1514 1515 1516 1517
(g) The number and percentage of high school seniors in each school year who completed the free application for federal student aid;	1518 1519 1520
(h) Beginning with the report card issued under this section for the 2022-2023 school year, a student opportunity profile measure that reports data regarding the opportunities provided to students by a district or building. To the extent possible, and when appropriate, the data shall be disaggregated by grade level and subgroup. The measure also shall include data regarding the statewide average, the average for similar school districts, and, for a building, the average for the district in which the building is located. The measure shall include all of the following data for the district or building:	1521 1522 1523 1524 1525 1526 1527 1528 1529 1530
(i) The average ratio of teachers of record to students in each grade level in a district or building;	1531 1532
(ii) The average ratio of school counselors to students in a district or building;	1533 1534
(iii) The average ratio of nurses to students in a district or building;	1535 1536
(iv) The average ratio of licensed librarians and library media specialists to students in a district or building;	1537 1538
(v) The average ratio of social workers to students in a district or building;	1539 1540

(vi) The average ratio of mental health professionals to students in a district or building;	1541 1542
(vii) The average ratio of paraprofessionals to students in a district or building;	1543 1544
(viii) The percentage of teachers with fewer than three years of experience teaching in any school;	1545 1546
(ix) The percentage of principals with fewer than three years of experience as a principal in any school;	1547 1548
(x) The percentage of teachers who are not teaching in the subject or field for which they are certified or licensed;	1549 1550
(xi) The percentage of kindergarten students who are enrolled in all-day kindergarten, as defined in section 3321.05 of the Revised Code;	1551 1552 1553
(xii) The percentage of students enrolled in a performing or visual arts course;	1554 1555
(xiii) The percentage of students enrolled in a physical education or wellness course;	1556 1557
(xiv) The percentage of students enrolled in a world language course;	1558 1559
(xv) The percentage of students in grades seven through twelve who are enrolled in a career-technical education course;	1560 1561
(xvi) The percentage of students participating in one or more cocurricular activities;	1562 1563
(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;	1564 1565 1566 1567

(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;	1568 1569 1570 1571
(xix) The percentage of students participating in enrichment or support programs offered by the district or building outside of the normal school day;	1572 1573 1574
(xx) The percentage of eligible students participating each school day in school breakfast programs offered by the district or building in accordance with section 3313.813 or 3313.818 of the Revised Code;	1575 1576 1577 1578
(xxi) The percentage of students who are transported by a school bus each school day;	1579 1580
(xxii) The ratio of portable technology devices that students may take home to the number of students.	1581 1582
The department shall include only opportunity measures at the building level for which data for buildings is available, as determined by a school district.	1583 1584 1585
(i) (i) The percentage of students included in the four- and five-year adjusted cohort graduation rates of the district or building who completed all of grades nine through twelve while enrolled in the district or building;	1586 1587 1588 1589
(ii) The four-year adjusted cohort graduation rate for only those students who were continuously enrolled in the same district or building for grades nine through twelve.	1590 1591 1592
(j) Whether the district or building provides information about and promotes the college credit plus program established under Chapter 3365. of the Revised Code to students in	1593 1594 1595

accordance with section 3365.04 of the Revised Code, notated 1596
with a "yes" or "no"; 1597

(k) The percentage of students in the district or building 1598
to whom both of the following apply: 1599

(i) The students are promoted to fourth grade and not 1600
subject to retention under division (A) (2) of section 3313.608 1601
of the Revised Code. 1602

(ii) The students completed all of the grade levels 1603
offered prior to the fourth grade in the district or building. 1604

(1) The reading and mathematics curricula used in each 1605
school building and whether the curriculum is designated as 1606
high-quality by the department under section 3301.0734 or 1607
3313.6028 of the Revised Code. The department shall report the 1608
information required under this division in a form and manner 1609
determined by the department. 1610

(3) Except as provided in division (D) (3) (f) of this 1611
section, the department shall use the method prescribed under 1612
rules adopted under division (D) (4) of this section to assign 1613
performance ratings of "one star," "two stars," "three stars," 1614
"four stars," or "five stars," as described in division (F) of 1615
this section, for a district or building for the individual 1616
components prescribed under division (D) (3) of this section. The 1617
department also shall assign an overall performance rating for a 1618
district or building in accordance with division (D) (3) (g) of 1619
this section. The method shall use the performance measures 1620
prescribed under division (D) (1) of this section to calculate 1621
performance ratings for components. The method may report data 1622
under division (D) (2) of this section with corresponding 1623
components, but shall not use the data to calculate performance 1624

ratings for that component. The performance measures and 1625
reported data shall be grouped together into components as 1626
follows: 1627

(a) Gap closing. In addition to other criteria determined 1628
appropriate by the department, performance ratings for the gap 1629
closing component shall reflect whether each of the following 1630
performance measures are met or not met: 1631

(i) The gifted performance indicator as described in 1632
division (D) (1) (a) of this section; 1633

(ii) The chronic absenteeism indicator as described in 1634
division (D) (1) (b) of this section; 1635

(iii) For English learners, an English language 1636
proficiency improvement indicator established by the department; 1637

(iv) The subgroup graduation targets; 1638

(v) The subgroup achievement targets in both mathematics 1639
and English language arts; 1640

(vi) The subgroup progress targets in both mathematics and 1641
English language arts. 1642

Achievement and progress targets under division (D) (3) (a) 1643
of this section shall be calculated individually, and districts 1644
and buildings shall receive a status of met or not met on each 1645
measure. The department shall not require a subgroup of a 1646
district or building to meet both the achievement and progress 1647
targets at the same time to receive a status of met. 1648

The department shall not include any subgroup data in this 1649
measure that includes data from fewer than fifteen students. Any 1650
penalty for failing to meet the required assessment 1651
participation rate must be partially in proportion to how close 1652

the district or building was to meeting the rate requirement. 1653

(b) Achievement, which shall include the performance 1654
measure in division (D) (1) (c) of this section and the reported 1655
data in division (D) (2) (a) of this section. Performance ratings 1656
for the achievement component shall be awarded as a percentage 1657
of the maximum performance index score described in division (D) 1658
(1) (c) of this section. 1659

(c) Progress, which shall include the performance measure 1660
in division (D) (1) (d) of this section and the reported data in 1661
divisions (D) (2) (b) and (c) of this section; 1662

(d) Graduation, which shall include the performance 1663
measures in divisions (D) (1) (e) and (f) of this section and the 1664
reported data in divisions (D) (2) (d) and (j) of this section. 1665
The four-year adjusted cohort graduation rate shall be assigned 1666
a weight of sixty per cent and the five-year adjusted cohort 1667
graduation rate shall be assigned a weight of forty per cent. 1668

(e) Early literacy, which shall include the performance 1669
measures in divisions (D) (1) (g), (h), and (i) of this section 1670
and the reported data in division (D) (2) (k) of this section. 1671

If the measure prescribed under division (D) (1) (h) of this 1672
section is included in a report card, performance ratings for 1673
the early literacy component shall give a weight of forty per 1674
cent to the measure prescribed under division (D) (1) (g) of this 1675
section, a weight of thirty-five per cent to the measure 1676
prescribed under division (D) (1) (i) of this section, and a 1677
weight of twenty-five per cent to the measure prescribed under 1678
division (D) (1) (h) of this section. 1679

If the measure prescribed under division (D) (1) (h) of this 1680
section is not included in a report card of a district or 1681

building, performance ratings for the early literacy component 1682
shall give a weight of sixty per cent to the measure prescribed 1683
under division (D) (1) (g) of this section and a weight of forty 1684
per cent to the measure prescribed under division (D) (1) (i) of 1685
this section. 1686

(f) College, career, workforce, and military readiness, 1687
which shall include the performance measure in division (D) (1) 1688
(j) of this section and the reported data in division (D) (2) (e) 1689
of this section. 1690

For the 2021-2022, 2022-2023, and 2023-2024 school years, 1691
the department only shall report the data for, and not assign a 1692
performance rating to, the college, career, workforce, and 1693
military readiness component. The reported data shall include 1694
the percentage of students who demonstrate post-secondary 1695
readiness using any of the options described in division (D) (1) 1696
(j) of this section. 1697

The department shall analyze the data included in the 1698
performance measure prescribed in division (D) (1) (j) of this 1699
section for the 2021-2022, 2022-2023, and 2023-2024 school 1700
years. Using that data, the department shall develop and propose 1701
rules for a method to assign a performance rating to the 1702
college, career, workforce, and military readiness component 1703
based on that measure. The method to assign a performance rating 1704
shall not include a tiered structure or per student bonuses. The 1705
rules shall specify that a district or building shall not 1706
receive lower than a performance rating of three stars for the 1707
component if the district's or building's performance on the 1708
component meets or exceeds a level of improvement set by the 1709
department. Notwithstanding division (D) (4) (b) of this section, 1710
more than half of the total districts and buildings may earn a 1711

performance rating of three stars on this component to account 1712
for the districts and buildings that earned a performance rating 1713
of three stars because they met or exceeded the level of 1714
improvement set by the department. 1715

The department shall submit the rules to the joint 1716
committee on agency rule review. The committee shall conduct at 1717
least one public hearing on the proposed rules and approve or 1718
disapprove the rules. If the committee approves the rules, the 1719
department shall adopt the rules in accordance with Chapter 119. 1720
of the Revised Code. If the rules are adopted, the department 1721
shall assign a performance rating to the college, career, 1722
workforce, and military readiness component under the rules 1723
beginning with the 2024-2025 school year, and for each school 1724
year thereafter. If the committee disapproves the rules, the 1725
component shall be included in the report card only as reported 1726
data for the 2024-2025 school year, and each school year 1727
thereafter. 1728

(g) (i) Except as provided for in division (D) (3) (g) (ii) of 1729
this section, beginning with the 2022-2023 school year, under 1730
the method prescribed under rules adopted in division (D) (4) of 1731
this section, the department shall use the performance ratings 1732
assigned for the components prescribed in divisions (D) (3) (a) to 1733
(e) of this section to determine and assign an overall 1734
performance rating of "one star," "one and one-half stars," "two 1735
stars," "two and one-half stars," "three stars," "three and one- 1736
half stars," "four stars," "four and one-half stars," or "five 1737
stars" for a district or building. The method shall give equal 1738
weight to the components in divisions (D) (3) (b) and (c) of this 1739
section. The method shall give equal weight to the components in 1740
divisions (D) (3) (a), (d), and (e) of this section. The 1741
individual weights of each of the components prescribed in 1742

divisions (D) (3) (a), (d), and (e) of this section shall be equal 1743
to one-half of the weight given to the component prescribed in 1744
division (D) (3) (b) of this section. 1745

(ii) If the joint committee on agency rule review approves 1746
the department's rules regarding the college, career, workforce, 1747
and military readiness component as described in division (D) (3) 1748
(f) of this section, for the 2024-2025 school year, and each 1749
school year thereafter, the department's method shall use the 1750
components in divisions (D) (3) (a), (b), (c), (d), (e), and (f) 1751
of this section to calculate the overall performance rating. The 1752
method shall give equal weight to the components in divisions 1753
(D) (3) (b) and (c) of this section. The method shall give equal 1754
weight to the components prescribed in divisions (D) (3) (a), (d), 1755
(e), and (f) of this section. The individual weights of each of 1756
the components prescribed in divisions (D) (3) (a), (d), (e), and 1757
(f) of this section shall be equal to one-half the weight given 1758
to the component prescribed in division (D) (3) (b) of this 1759
section. 1760

If the joint committee on agency rule review disapproves 1761
the department's rules regarding the college, career, workforce, 1762
and military readiness component as described in division (D) (3) 1763
(f) of this section, division (D) (3) (g) (ii) of this section does 1764
not apply. 1765

(4) (a) The department shall adopt rules in accordance with 1766
Chapter 119. of the Revised Code to establish the performance 1767
criteria, benchmarks, and rating system necessary to implement 1768
divisions (D) and (F) of this section, including the method for 1769
the department to assign performance ratings under division (D) 1770
(3) of this section. 1771

(b) In establishing the performance criteria, benchmarks, 1772

and rating system, the department shall consult with stakeholder 1773
groups and advocates that represent parents, community members, 1774
students, business leaders, and educators from different school 1775
typology regions. The department shall use data from prior 1776
school years and simulations to ensure that there is meaningful 1777
differentiation among districts and buildings across all 1778
performance ratings and that, except as permitted in division 1779
(D) (3) (f) of this section, more than half of all districts or 1780
buildings do not earn the same performance rating in any 1781
component or overall performance rating. 1782

(c) The department shall adopt the rules prescribed by 1783
division (D) (4) of this section not later than March 31, 2022. 1784
However, the department shall notify districts and buildings of 1785
the changes to the report card prescribed in law not later than 1786
one week after September 30, 2021. 1787

(d) Prior to adopting or updating rules under division (D) 1788
(4) of this section, the director of education and workforce and 1789
the department shall conduct a public presentation before the 1790
standing committees of the house of representatives and the 1791
senate that consider primary and secondary education legislation 1792
describing the format for the report card and the performance 1793
criteria, benchmarks, and rating system, including the method to 1794
assign performance ratings under division (D) (3) of this 1795
section. 1796

(E) The department may develop a measure of student 1797
academic progress for high school students using only data from 1798
assessments in English language arts and mathematics. If the 1799
department develops this measure, each school district and 1800
applicable school building shall be assigned a separate letter 1801
grade for it not sooner than the 2017-2018 school year. The 1802

district's or building's grade for that measure shall not be 1803
included in determining the district's or building's overall 1804
letter grade. 1805

(F) (1) The letter grades assigned to a school district or 1806
building under this section shall be as follows: 1807

(a) "A" for a district or school making excellent 1808
progress; 1809

(b) "B" for a district or school making above average 1810
progress; 1811

(c) "C" for a district or school making average progress; 1812

(d) "D" for a district or school making below average 1813
progress; 1814

(e) "F" for a district or school failing to meet minimum 1815
progress. 1816

(2) For the overall performance rating under division (D) 1817
(3) of this section, the department shall include a descriptor 1818
for each performance rating as follows: 1819

(a) "Significantly exceeds state standards" for a 1820
performance rating of five stars; 1821

(b) "Exceeds state standards" for a performance rating of 1822
four stars or four and one-half stars; 1823

(c) "Meets state standards" for a performance rating of 1824
three stars or three and one-half stars; 1825

(d) "Needs support to meet state standards" for a 1826
performance rating of two stars or two and one-half stars; 1827

(e) "Needs significant support to meet state standards" 1828
for a performance rating of one star or one and one-half stars. 1829

(3) For performance ratings for each component under 1830
divisions (D) (3) (a) to (f) of this section, the department shall 1831
include a description of each component and performance rating. 1832
The description shall include component-specific context to each 1833
performance rating earned, estimated comparisons to other school 1834
districts and buildings if appropriate, and any other 1835
information determined by the department. The descriptions shall 1836
be not longer than twenty-five words in length when possible. In 1837
addition to such descriptions, the department shall include the 1838
descriptors in division (F) (2) of this section for component 1839
performance ratings. 1840

(4) Each report card issued under this section shall 1841
include all of the following: 1842

(a) A graphic that depicts the performance ratings of a 1843
district or school on a color scale. The color associated with a 1844
performance rating of three stars shall be green and the color 1845
associated with a performance rating of one star shall be red. 1846

(b) An arrow graphic that shows data trends for 1847
performance ratings for school districts or buildings. The 1848
department shall determine the data to be used for this graphic, 1849
which shall include at least the three most recent years of 1850
data. 1851

(c) A description regarding the weights that are assigned 1852
to each component and used to determine an overall performance 1853
rating, as prescribed under division (D) (3) (g) of this section, 1854
which shall be included in the presentation of the overall 1855
performance rating on each report card. 1856

(G) When reporting data on student achievement and 1857
progress, the department shall disaggregate that data according 1858

to the following categories:	1859
(1) Performance of students by grade-level;	1860
(2) Performance of students by race and ethnic group;	1861
(3) Performance of students by gender;	1862
(4) Performance of students grouped by those who have been enrolled in a district or school for three or more years;	1863 1864
(5) Performance of students grouped by those who have been enrolled in a district or school for more than one year and less than three years;	1865 1866 1867
(6) Performance of students grouped by those who have been enrolled in a district or school for one year or less;	1868 1869
(7) Performance of students grouped by those who are economically disadvantaged;	1870 1871
(8) Performance of students grouped by those who are enrolled in a conversion community school established under Chapter 3314. of the Revised Code;	1872 1873 1874
(9) Performance of students grouped by those who are classified as English learners;	1875 1876
(10) Performance of students grouped by those who have disabilities;	1877 1878
(11) Performance of students grouped by those who are classified as migrants;	1879 1880
(12) Performance of students grouped by those who are identified as gifted in superior cognitive ability and the specific academic ability fields of reading and math pursuant to Chapter 3324. of the Revised Code. In disaggregating specific academic ability fields for gifted students, the department	1881 1882 1883 1884 1885

shall use data for those students with specific academic ability 1886
in math and reading. If any other academic field is assessed, 1887
the department shall also include data for students with 1888
specific academic ability in that field as well. 1889

(13) Performance of students grouped by those who perform 1890
in the lowest quintile for achievement on a statewide basis, as 1891
determined by a method prescribed by the department. 1892

The department may disaggregate data on student 1893
performance according to other categories that the department 1894
determines are appropriate. To the extent possible, the 1895
department shall disaggregate data on student performance 1896
according to any combinations of two or more of the categories 1897
listed in divisions (G) (1) to (13) of this section that it deems 1898
relevant. 1899

In reporting data pursuant to division (G) of this 1900
section, the department shall not include in the report cards 1901
any data statistical in nature that is statistically unreliable 1902
or that could result in the identification of individual 1903
students. For this purpose, the department shall not report 1904
student performance data for any group identified in division 1905
(G) of this section that contains less than ten students. If the 1906
department does not report student performance data for a group 1907
because it contains less than ten students, the department shall 1908
indicate on the report card that is why data was not reported. 1909

(H) The department may include with the report cards any 1910
additional education and fiscal performance data it deems 1911
valuable. 1912

(I) The department shall include on each report card a 1913
list of additional information collected by the department that 1914

is available regarding the district or building for which the 1915
report card is issued. When available, such additional 1916
information shall include student mobility data disaggregated by 1917
race and socioeconomic status, college enrollment data, and the 1918
reports prepared under section 3302.031 of the Revised Code. 1919

The department shall maintain a site on the world wide 1920
web. The report card shall include the address of the site and 1921
shall specify that such additional information is available to 1922
the public at that site. The department shall also provide a 1923
copy of each item on the list to the superintendent of each 1924
school district. The district superintendent shall provide a 1925
copy of any item on the list to anyone who requests it. 1926

(J) (1) (a) Except as provided in division (J) (1) (b) of this 1927
section, for any district that sponsors a conversion community 1928
school under Chapter 3314. of the Revised Code, the department 1929
shall combine data regarding the academic performance of 1930
students enrolled in the community school with comparable data 1931
from the schools of the district for the purpose of determining 1932
the performance of the district as a whole on the report card 1933
issued for the district under this section or section 3302.033 1934
of the Revised Code. 1935

(b) The department shall not combine data from any 1936
conversion community school that a district sponsors if the 1937
conversion community school is a dropout prevention and recovery 1938
community school, as defined in section 3314.02 of the Revised 1939
Code. The department shall include as an addendum to the 1940
district's report card the ratings and performance measures that 1941
are required under section 3314.017 of the Revised Code for any 1942
community school to which division (J) (1) (b) of this section 1943
applies. This addendum shall include, at a minimum, the data 1944

specified in divisions (C) (1) (a), (C) (2), and (C) (3) of section 1945
3314.017 of the Revised Code. 1946

(2) Any district that leases a building to a community 1947
school located in the district or that enters into an agreement 1948
with a community school located in the district whereby the 1949
district and the school endorse each other's programs may elect 1950
to have data regarding the academic performance of students 1951
enrolled in the community school combined with comparable data 1952
from the schools of the district for the purpose of determining 1953
the performance of the district as a whole on the district 1954
report card. Any district that so elects shall annually file a 1955
copy of the lease or agreement with the department. 1956

(3) Any municipal school district, as defined in section 1957
3311.71 of the Revised Code, that sponsors a community school 1958
located within the district's territory, or that enters into an 1959
agreement with a community school located within the district's 1960
territory whereby the district and the community school endorse 1961
each other's programs, may exercise either or both of the 1962
following elections: 1963

(a) To have data regarding the academic performance of 1964
students enrolled in that community school combined with 1965
comparable data from the schools of the district for the purpose 1966
of determining the performance of the district as a whole on the 1967
district's report card; 1968

(b) To have the number of students attending that 1969
community school noted separately on the district's report card. 1970

The election authorized under division (J) (3) (a) of this 1971
section is subject to approval by the governing authority of the 1972
community school. 1973

Any municipal school district that exercises an election 1974
to combine or include data under division (J) (3) of this 1975
section, by the first day of October of each year, shall file 1976
with the department documentation indicating eligibility for 1977
that election, as required by the department. 1978

(K) The department shall include on each report card the 1979
percentage of teachers in the district or building who are 1980
properly certified or licensed teachers, as defined in section 1981
3319.074 of the Revised Code, and a comparison of that 1982
percentage with the percentages of such teachers in similar 1983
districts and buildings. 1984

(L) (1) In calculating English language arts, mathematics, 1985
science, American history, or American government assessment 1986
passage rates used to determine school district or building 1987
performance under this section, the department shall include all 1988
students taking an assessment with accommodation or to whom an 1989
alternate assessment is administered pursuant to division (C) (1) 1990
or (3) of section 3301.0711 of the Revised Code and all students 1991
who take substitute examinations approved under division (B) (4) 1992
of section 3301.0712 of the Revised Code in the subject areas of 1993
science, American history and American government. 1994

(2) In calculating performance index scores, rates of 1995
achievement on the performance indicators established by the 1996
department under section 3302.02 of the Revised Code, and annual 1997
measurable objectives for determining adequate yearly progress 1998
for school districts and buildings under this section, the 1999
department shall do all of the following: 2000

(a) Include for each district or building only those 2001
students who are included in the ADM certified for the first 2002
full school week of October and are continuously enrolled in the 2003

district or building through the time of the spring 2004
administration of any assessment prescribed by division (A) (1) 2005
or (B) (1) of section 3301.0710 or division (B) of section 2006
3301.0712 of the Revised Code that is administered to the 2007
student's grade level; 2008

(b) Include cumulative totals from both the fall and 2009
spring administrations of the third grade English language arts 2010
achievement assessment and, to the extent possible, the summer 2011
administration of that assessment; 2012

(c) Include for each district or building any English 2013
learner in accordance with the department's plan, as approved by 2014
the United States secretary of education, to comply with the 2015
"Elementary and Secondary Education Act of 1965," 20 U.S.C. 6311 2016
to 6339. 2017

As used in this section, "English learner" has the same 2018
meaning as in section 3301.0731 of the Revised Code. 2019

(M) Beginning with the 2015-2016 school year and at least 2020
once every three years thereafter, the department shall review 2021
and may adjust the benchmarks for assigning letter grades or 2022
performance ratings to the performance measures and components 2023
prescribed under divisions (C) (3), (D), and (E) of this section. 2024

Sec. 3302.131. (A) Beginning with the 2026-2027 school 2025
year and each school year thereafter, each school district or 2026
community school in which fifty-one per cent or less of the 2027
district's or school's students who took the third grade 2028
mathematics assessment prescribed under section 3301.0710 of the 2029
Revised Code for that school year attained at least a proficient 2030
score on that assessment shall establish and submit to the 2031
department of education and workforce a mathematics achievement 2032

improvement plan. Each district or school required to establish 2033
an achievement improvement plan under this division shall use 2034
curriculum from the list established by the department under 2035
section 3301.0734 of the Revised Code. 2036

(B) The department shall adopt rules prescribing the 2037
content of, deadlines for, and implementation of mathematics 2038
achievement improvement plans required under division (A) of 2039
this section. The rules shall prescribe that each plan include, 2040
at a minimum, an analysis of relevant student performance data, 2041
measurable student performance goals, strategies to meet 2042
specific student needs, a staffing and professional development 2043
plan, and instructional strategies for improving student 2044
performance. 2045

(C) Beginning with the 2026-2027 school year and each 2046
school year thereafter, any school district or community school 2047
to which this section applies is no longer required to submit an 2048
improvement plan pursuant to division (A) of this section when 2049
not less than fifty-one per cent of the district's students who 2050
took the third grade mathematics assessment prescribed under 2051
section 3301.0710 of the Revised Code for that school year 2052
attained at least a proficient score on that assessment. 2053

(D) The department shall post in a prominent location on 2054
its web site all plans submitted and all rules adopted pursuant 2055
to this section. 2056

(E) The department shall develop a student academic 2057
intervention template specific to mathematics and post it on its 2058
publicly accessible web site. Each district or school to which 2059
this section applies shall include the intervention template in 2060
its mathematics achievement improvement plan. 2061

Sec. 3310.41. (A) As used in this section: 2062

(1) "Alternative public provider" means either of the 2063
following providers that agrees to enroll a child in the 2064
provider's special education program to implement the child's 2065
individualized education program or an education plan developed 2066
by the school district under division (L) of this section and to 2067
which the child's parent owes fees for the services provided to 2068
the child: 2069

(a) A school district that is not the school district in 2070
which the child is entitled to attend school; 2071

(b) A public entity other than a school district. 2072

(2) "Eligible applicant" means any of the following: 2073

(a) Either of the natural or adoptive parents of a 2074
qualified special education child, except as otherwise specified 2075
in this division. 2076

When the marriage of the natural or adoptive parents of 2077
the child has been terminated by a divorce, dissolution of 2078
marriage, or annulment, or when the natural or adoptive parents 2079
of the child are living separate and apart under a legal 2080
separation decree, and a court has issued an order allocating 2081
the parental rights and responsibilities with respect to the 2082
child, "eligible applicant" means the residential parent as 2083
designated by the court. If the court issues a shared parenting 2084
decree, "eligible applicant" means either parent. "Eligible 2085
applicant" does not mean a parent whose custodial rights have 2086
been terminated. 2087

(b) The custodian of a qualified special education child, 2088
when a court has granted temporary, legal, or permanent custody 2089
of the child to an individual other than either of the natural 2090

or adoptive parents of the child or to a government agency; 2091

(c) The guardian of a qualified special education child, 2092
when a court has appointed a guardian for the child; 2093

(d) The grandparent of a qualified special education 2094
child, when the grandparent is the child's attorney in fact 2095
under a power of attorney executed under sections 3109.51 to 2096
3109.62 of the Revised Code or when the grandparent has executed 2097
a caretaker authorization affidavit under sections 3109.65 to 2098
3109.73 of the Revised Code; 2099

(e) The surrogate parent appointed for a qualified special 2100
education child pursuant to division (B) of section 3323.05 and 2101
section 3323.051 of the Revised Code; 2102

(f) A qualified special education child, if the child does 2103
not have a custodian or guardian and the child is at least 2104
eighteen years of age and less than twenty-two years of age. 2105

(3) "Entitled to attend school" means entitled to attend 2106
school in a school district under section 3313.64 or 3313.65 of 2107
the Revised Code. 2108

(4) "Formula ADM" has the same meaning as in section 2109
3317.02 of the Revised Code. 2110

(5) "Preschool child with a disability" and 2111
"individualized education program" have the same meanings as in 2112
section 3323.01 of the Revised Code. 2113

(6) "Qualified special education child" is a child who is 2114
at least three years of age and less than twenty-two years of 2115
age and who either was enrolled in the school district in which 2116
the child is entitled to attend school in any grade from 2117
preschool through twelve in the school year prior to the year in 2118

which a scholarship under this section is sought for the child 2119
or is eligible to enter school in any grade preschool through 2120
twelve or is less than twenty-two years of age in the school 2121
district in which the child is entitled to attend school in the 2122
school year in which a scholarship under this section is sought 2123
for the child and for whom any of the following conditions 2124
apply: 2125

(a) The school district in which the child is entitled to 2126
attend school has identified the child as autistic. A child who 2127
has been identified as having a "pervasive developmental 2128
disorder - not otherwise specified (PPD-NOS)" shall be 2129
considered to be an autistic child for purposes of this section. 2130

(b) The school district in which the child is entitled to 2131
attend school has developed an individualized education program 2132
under Chapter 3323. of the Revised Code for the child that 2133
includes services related to autism. 2134

(c) The child has been diagnosed as autistic by a 2135
physician or psychologist. 2136

(d) All of the following apply: 2137

(i) The child is enrolled in a chartered or nonchartered 2138
nonpublic school, is home educated in accordance with section 2139
3321.042 of the Revised Code, or is a student older than 2140
compulsory school age and less than twenty-two years of age and 2141
received a home education in accordance with section 3321.042 of 2142
the Revised Code and has not received a diploma under section 2143
3313.6110 of the Revised Code. 2144

(ii) The child has an individualized education program 2145
developed under Chapter 3323. of the Revised Code that includes 2146
services related to autism or is a child described in division 2147

(A) (6) (c) of this section and has an education plan developed 2148
under division (L) of this section. 2149

(iii) The child is still eligible to receive transition 2150
services under the child's individualized education program or 2151
education plan developed under division (L) of this section. 2152

(7) "Registered private provider" means a nonpublic school 2153
or other nonpublic entity that has been approved by the 2154
department of education and workforce to participate in the 2155
program established under this section. 2156

(8) "Special education program" means a school or facility 2157
that provides special education and related services to children 2158
with disabilities. 2159

(B) There is hereby established the autism scholarship 2160
program. Under the program, the department shall pay a 2161
scholarship under section 3317.022 of the Revised Code to an 2162
eligible applicant upon application of that eligible applicant 2163
pursuant to procedures and deadlines established by rule of the 2164
department. Each scholarship shall be used only to pay tuition 2165
for the child on whose behalf the scholarship is awarded to 2166
attend a special education program or programs that implements 2167
the child's individualized education program or education plan 2168
and that is operated by an alternative public provider or by a 2169
registered private provider, and to pay for other services 2170
agreed to by the provider and the eligible applicant that are 2171
not included in the individualized education program or 2172
education plan but are associated with educating the child. Upon 2173
agreement with the eligible applicant, the alternative public 2174
provider or the registered private provider may modify the 2175
services provided to the child. The purpose of the scholarship 2176
is to permit the eligible applicant the choice to send the child 2177

to a special education program or programs, instead of the one 2178
operated by or for the school district in which the child is 2179
entitled to attend school, to receive the services prescribed in 2180
the child's individualized education program or education plan 2181
once the individualized education program or education plan is 2182
finalized and any other services agreed to by the provider and 2183
the eligible applicant. The services provided under the 2184
scholarship shall include an educational component or services 2185
designed to assist the child to benefit from the child's 2186
education. 2187

At the discretion of the eligible applicant, multiple 2188
alternative public providers or registered private providers may 2189
be contracted to provide services to implement an individualized 2190
education program or education plan as the eligible applicant 2191
and providers determine are necessary and associated with 2192
educating the qualified special education child. A qualified 2193
special education child shall not be limited to receiving 2194
services from a single provider for any services as identified 2195
in the individualized education program or education plan, 2196
including a single type of service. 2197

(C) Services, including intervention services, educational 2198
services, academic services, tutoring services, aide services, 2199
and other related special education services, provided through 2200
the program established under this section may be provided 2201
virtually by any of the following: 2202

(1) An educational aide or assistant who holds a valid 2203
permit issued under section 3319.088 of the Revised Code; 2204

(2) An instructional assistant who holds a valid permit 2205
issued under section 3310.43 of the Revised Code; 2206

(3) A qualified, credentialed provider in accordance with 2207
standards established by the department; 2208

(4) A teacher or substitute teacher licensed by the state 2209
board of education. 2210

(D) A scholarship under this section shall not be awarded 2211
to an eligible applicant while the child's individualized 2212
education program is being developed by the school district in 2213
which the child is entitled to attend school, or while any 2214
administrative or judicial mediation or proceedings with respect 2215
to the content of the child's individualized education program 2216
are pending. A scholarship under this section shall not be used 2217
for a child to attend a public special education program that 2218
operates under a contract, compact, or other bilateral agreement 2219
between the school district in which the child is entitled to 2220
attend school and another school district or other public 2221
provider, or for a child to attend a community school 2222
established under Chapter 3314. of the Revised Code. However, 2223
nothing in this section or in any rule adopted by the department 2224
shall prohibit an eligible applicant whose child attends a 2225
public special education program under a contract, compact, or 2226
other bilateral agreement, or an eligible applicant whose child 2227
attends a community school, from applying for and accepting a 2228
scholarship under this section so that the eligible applicant 2229
may withdraw the child from that program or community school and 2230
use the scholarship for the child to attend a special education 2231
program for which the eligible applicant is required to pay for 2232
services for the child. 2233

(E) Except for development of the child's individualized 2234
education program or education plan, the school district in 2235
which a qualified special education child is entitled to attend 2236

school and the child's school district of residence, as defined 2237
in section 3323.01 of the Revised Code, if different, are not 2238
obligated to provide the child with a free appropriate public 2239
education under Chapter 3323. of the Revised Code for as long as 2240
the child continues to attend the special education program 2241
operated by either an alternative public provider or a 2242
registered private provider for which a scholarship is awarded 2243
under the autism scholarship program. If at any time, the 2244
eligible applicant for the child decides no longer to accept 2245
scholarship payments and enrolls the child in the special 2246
education program of the school district in which the child is 2247
entitled to attend school, that district shall provide the child 2248
with a free appropriate public education under Chapter 3323. of 2249
the Revised Code. 2250

(F) A child attending a special education program with a 2251
scholarship under this section shall continue to be entitled to 2252
transportation to and from that program in the manner prescribed 2253
by law. 2254

(G) As prescribed in division (A) (2) (h) of section 3317.03 2255
of the Revised Code, a child who is not a preschool child with a 2256
disability for whom a scholarship is awarded under this section 2257
shall be counted in the formula ADM of the district in which the 2258
child is entitled to attend school and not in the formula ADM of 2259
any other school district. 2260

(H) A scholarship shall not be paid under section 3317.022 2261
of the Revised Code to an eligible applicant for payment of 2262
tuition owed to a nonpublic entity unless that entity is a 2263
registered private provider. The department shall approve 2264
entities that meet the standards established by rule of the 2265
department for the program established under this section. 2266

(I) The department shall adopt rules under Chapter 119. of 2267
the Revised Code prescribing procedures necessary to implement 2268
this section, including, but not limited to, procedures and 2269
deadlines for eligible applicants to apply for scholarships, 2270
standards for registered private providers, and procedures for 2271
approval of entities as registered private providers. 2272

The rules also shall specify that intervention services, 2273
including virtual services, under the autism scholarship program 2274
may be provided by a qualified, credentialed provider, including 2275
an educator or substitute teacher licensed by the state board of 2276
education, and shall additionally include, but not be limited 2277
to, all of the following: 2278

(1) A behavior analyst certified by a nationally 2279
recognized organization that certifies behavior analysts; 2280

(2) A psychologist licensed to practice in this state 2281
under Chapter 4732. of the Revised Code; 2282

(3) An independent school psychologist or school 2283
psychologist licensed to practice in this state under Chapter 2284
4732. of the Revised Code; 2285

(4) Any person employed by a licensed psychologist, 2286
licensed independent school psychologist, or licensed school 2287
psychologist, while carrying out specific tasks, under the 2288
licensee's supervision, as an extension of the licensee's legal 2289
and ethical authority as specified under Chapter 4732. of the 2290
Revised Code who is ascribed as "psychology trainee," 2291
"psychology assistant," "psychology intern," or other 2292
appropriate term that clearly implies their supervised or 2293
training status; 2294

(5) Unlicensed persons holding a doctoral degree in 2295

psychology or special education from a program approved by the department;	2296 2297
(6) A "registered behavior technician" as described under rule 5123-9-41 of the Administrative Code working under the supervision and following the intervention plan of a certified Ohio behavior analyst or a behavior analyst certified by a nationally recognized organization that certifies behavior analysts;	2298 2299 2300 2301 2302 2303
(7) A "certified Ohio behavior analyst" under Chapter 4783. of the Revised Code;	2304 2305
(8) An occupational therapist or physical therapist licensed to practice in this state under Chapter 4755. of the Revised Code;	2306 2307 2308
(9) A speech-language pathologist licensed to practice in this state under Chapter 4753. of the Revised Code;	2309 2310
(10) An intervention specialist who holds a valid license issued by the state board;	2311 2312
(11) A literacy intervention specialist certified through pathways recognized by the Ohio dyslexia committee established by section 3323.25 of the Revised Code. To the extent that certification for any of the following positions is approved by the Ohio dyslexia committee under section 3323.25 of the Revised Code, literary intervention specialists may include:	2313 2314 2315 2316 2317 2318
(a) A structured literacy dyslexia interventionist;	2319
(b) A structured literacy dyslexia specialist;	2320
(c) A certified academic language practitioner;	2321
(d) A certified academic language therapist.	2322

(12) An educational aide or assistant with a valid permit issued under section 3319.088 of the Revised Code;	2323 2324
(13) An instructional assistant with a valid permit issued in accordance with section 3310.43 of the Revised Code;	2325 2326
(14) Any other qualified individual as determined by the department.	2327 2328
Supervision of a qualified, credentialed provider may be conducted virtually.	2329 2330
(J) For billing purposes under the autism scholarship program, services provided by a teacher or substitute teacher licensed by the state board of education shall be classified as academic services and shall not be classified as aide services. The department shall use this differentiation to simplify monthly audit procedures.	2331 2332 2333 2334 2335 2336
(K) The department shall provide reasonable notice to all eligible applicants receiving a scholarship under the autism scholarship program, alternative public providers, and registered private providers of any amendment to a rule governing, or change in the administration of, the autism scholarship program.	2337 2338 2339 2340 2341 2342
(L) If a child qualifies for the autism scholarship program pursuant to a diagnosis under division (A)(6)(c) of this section and does not have an individualized education program that includes services related to autism, the school district in which the child is entitled to attend school shall develop an education plan for the child.	2343 2344 2345 2346 2347 2348
(M) Not later than the thirtieth day of June each year, each alternative public provider and registered private provider enrolling students receiving autism scholarships shall submit to	2349 2350 2351

the department, in a form and manner prescribed by the 2352
department, the tuition rates charged by the provider for the 2353
following school year. 2354

(N) The department shall not require an eligible applicant 2355
who applies for or receives a scholarship under this section to 2356
complete any kind of income verification regarding the student's 2357
family income. 2358

(O) The department shall maintain a list of each 2359
registered private provider and the location of that provider on 2360
its publicly accessible web site. 2361

Sec. 3313.6028. (A) (1) As used in Title XXXIII of the 2362
Revised Code, "science of reading" means an interdisciplinary 2363
body of scientific evidence that: 2364

(a) Informs how students learn to read and write 2365
proficiently; 2366

(b) Explains why some students have difficulty with 2367
reading and writing; 2368

(c) Indicates that all students benefit from explicit and 2369
systematic instruction in phonemic awareness, phonics, 2370
vocabulary, fluency, comprehension, and writing to become 2371
effective readers; 2372

(d) Does not rely on any model of teaching students to 2373
read based on meaning, structure and syntax, and visual cues, 2374
including a three-cueing approach. 2375

(2) As used in this section, "three-cueing approach" means 2376
any model of teaching students to read based on meaning, 2377
structure and syntax, and visual cues. 2378

(B) The department of education and workforce shall 2379

establish a list of high-quality core curriculum and 2380
instructional materials in English language arts, and a list of 2381
evidence-based reading intervention programs, that are aligned 2382
with the science of reading and strategies for effective 2383
literacy instruction. 2384

The department shall establish a rubric and scoring system 2385
to evaluate whether or the extent to which core curricula in 2386
English language arts facilitates a student's skill building and 2387
sequential advancement through mastery. The department shall 2388
post the rubric and scoring system on its publicly accessible 2389
web site. Upon request, the department shall provide a scored 2390
rubric to the entity that submitted a curriculum to be scored 2391
and to any member of the Ohio general assembly. 2392

(C) Beginning not later than the 2024-2025 school year, 2393
each school district, community school established under Chapter 2394
3314. of the Revised Code, and STEM school established under 2395
Chapter 3326. of the Revised Code, shall use core curriculum and 2396
instructional materials in English language arts in each of 2397
grades pre-kindergarten to five and evidence-based reading 2398
intervention programs in each of grades pre-kindergarten to 2399
twelve only from the lists established under division (B) of 2400
this section. Except as provided in division (D) of this 2401
section, no district or school shall use any core curriculum, 2402
instructional materials, or intervention program in grades pre- 2403
kindergarten to five that use the three-cueing approach to teach 2404
students to read. 2405

(D) A district or school may apply to the department for a 2406
waiver on an individual student basis to use curriculum, 2407
instructional materials, or an intervention program in grades 2408
pre-kindergarten through five that uses the three-cueing 2409

approach to teach students to read, except as follows: 2410

(1) No student for whom a reading improvement and 2411
monitoring plan has been developed under division (C) of section 2412
3313.608 of the Revised Code shall be eligible for a waiver. 2413

(2) If a student has an individualized education program 2414
that explicitly indicates the three-cueing approach is 2415
appropriate for the student's learning needs, the student shall 2416
not be required to have a waiver. 2417

In determining whether to approve a waiver requested under 2418
this section, the department shall consider the performance of 2419
the student's district or school on the state report card issued 2420
under section 3302.03 of the Revised Code, including on the 2421
early literacy component prescribed under division (D) (3) (e) of 2422
that section. 2423

(E) (1) The department shall identify vendors that provide 2424
professional development to educators, including pre-service 2425
teachers and faculty employed by educator preparation programs, 2426
on the use of high-quality core curriculum and instructional 2427
materials and reading intervention programs on the lists 2428
established under division (B) of this section. 2429

(2) A professional development committee established under 2430
section 3319.22 of the Revised Code shall qualify any completed 2431
professional development coursework provided by a vendor 2432
described in division (E) (1) of this section to count towards 2433
professional development coursework requirements for teacher 2434
licensure renewal. 2435

(3) A professional development committee shall permit a 2436
teacher to apply any hours earned over the minimum amount of 2437
hours required for professional development coursework for 2438

teacher licensure renewal under division (E) (2) of this section 2439
to the next renewal period for that license. 2440

(F) Not later than the thirtieth day of June of each year, 2441
the department shall prepare and issue a report regarding the 2442
implementation of this section, including by districts and 2443
schools. The department shall provide the report to the 2444
governor, and, in accordance with section 101.68 of the Revised 2445
Code, to the general assembly. 2446

Sec. 3313.6032. (A) Beginning July 1, 2026, each school 2447
district shall do all of the following: 2448

(1) Enroll each sixth grade student who achieves an 2449
accomplished or advanced level of skill on a mathematics 2450
achievement assessment prescribed under section 3301.0710 of the 2451
Revised Code in either of the following: 2452

(a) A mathematics course in seventh grade that combines in 2453
one school year seventh- and eighth-grade state mathematics 2454
standards under section 3301.079 of the Revised Code; 2455

(b) Algebra I in eighth grade. Each such student shall 2456
take the corresponding required end-of-course examination for 2457
Algebra I as prescribed under division (D) of this section. 2458

(2) Enroll each student in grades three through five who 2459
achieves an accomplished or advanced level of skill on a 2460
mathematics achievement assessment prescribed under section 2461
3301.0710 of the Revised Code in advanced learning opportunities 2462
in mathematics. Advanced learning opportunities in mathematics 2463
means a course that exceeds the standard mathematics curriculum 2464
for the student's grade level, or services or curricula 2465
modifications in mathematics, provided either in person or 2466
through electronic means, which provide additional rigor or 2467

<u>challenge, and may include the following:</u>	2468
<u>(a) Differentiated instruction in which the depth,</u>	2469
<u>breadth, complexity, pacing, and acceleration is tailored to the</u>	2470
<u>student's particular needs and readiness;</u>	2471
<u>(b) Interdisciplinary work.</u>	2472
<u>(3) Adopt a comprehensive mathematics placement policy</u>	2473
<u>that includes a curriculum plan beginning in grade three that</u>	2474
<u>does both of the following:</u>	2475
<u>(a) Creates a timeline and explanation of how students</u>	2476
<u>will be prepared and placed in Algebra I;</u>	2477
<u>(b) Describes how the school district will provide</u>	2478
<u>advanced learning opportunities in mathematics and accommodate</u>	2479
<u>each student in grade seven that qualifies under division (A) (1)</u>	2480
<u>of this section.</u>	2481
<u>(B) Each school district shall notify the parent or</u>	2482
<u>guardian of a student who qualifies for enrollment under</u>	2483
<u>division (A) (1) of this section of that determination. The</u>	2484
<u>parent or guardian of any such student may submit a written</u>	2485
<u>request for that student to not be enrolled under that division,</u>	2486
<u>in which case the district is not required to enroll the student</u>	2487
<u>under that division.</u>	2488
<u>(C) The department of education and workforce shall adopt</u>	2489
<u>rules regarding the placement of students under division (A) (1)</u>	2490
<u>of this section, based on the student's performance on a</u>	2491
<u>mathematics achievement assessment prescribed under section</u>	2492
<u>3301.0710 of the Revised Code.</u>	2493
<u>(D) Each student shall take any corresponding required</u>	2494
<u>achievement assessment or end-of-course examination for any</u>	2495

mathematics course the student takes as a result of enrollment 2496
in an advanced mathematics course under this section. 2497

(E) Each school district may provide additional students 2498
advanced learning opportunities in mathematics, including 2499
enrollment in advanced courses such as Algebra I, if a student 2500
meets district requirements for such a course or would benefit 2501
from those opportunities. 2502

Sec. 3313.6034. (A) As used in this section: 2503

(1) "Qualifying student" means a student who, on both a 2504
diagnostic assessment and a state assessment, demonstrates a 2505
limited or basic level of skill in the subject area of 2506
mathematics, English language arts, or both. 2507

(2) "State assessment" means either an achievement 2508
assessment prescribed under section 3301.0710 or an end-of- 2509
course examination prescribed under section 3301.0712 of the 2510
Revised Code. 2511

(3) "Tutoring supports" means high-dosage tutoring 2512
opportunities aligned with the student's classroom instruction 2513
through a state-approved vendor on the list of high-quality 2514
tutoring vendors under section 3301.136 of the Revised Code or a 2515
locally approved opportunity that aligns with high-dosage 2516
tutoring best practices. High-dosage tutoring opportunities 2517
shall include instruction time delivered at least three days per 2518
week, or at least fifty hours over thirty-six weeks. High-dosage 2519
tutoring may be incorporated into a student's regular classroom 2520
instruction. 2521

To the extent practicable, districts and schools shall 2522
endeavor to provide each of a student's tutoring supports with 2523
the same tutor. 2524

(4) "Integrated student supports" means an evidence-based approach whereby schools intentionally and systematically leverage and coordinate resources and relationships available in the school and the surrounding community to address comprehensive student strengths, interests, and needs. 2525
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(B) Each school district, community school established pursuant to Chapter 3314., and STEM school established pursuant to Chapter 3326. of the Revised Code shall provide evidence-based academic intervention services, free of cost, to each qualifying student. The district or school shall provide those services directly, through a contracted vendor, or as a combination of both options. The district or school shall provide services that align with a qualifying student's assessed level of skill and provide accelerated learning and skill mastery where possible to help the student demonstrate a level of skill appropriate to the student's grade level. A district or school annually shall notify the department of education and workforce, through the education management information system established under section 3301.0714 of the Revised Code, of all of the following: 2530
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(1) The number of qualifying students enrolled in the district or school; 2545
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(2) The number of qualifying students receiving academic intervention services in mathematics, English language arts, or both; 2547
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(3) The number of qualifying students receiving academic intervention services from the district or school directly, through a vendor, or a combination of both options. 2550
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(C) (1) Academic intervention services provided to a 2553

student under this section may encompass a variety of evidence- 2554
based supports, including tutoring supports, additional 2555
instruction time, an extended school calendar, participation in 2556
a learning support program, or any other academically centered 2557
support service that the district or school determines will 2558
improve the student's academic performance. Intervention 2559
services may also be offered in combination with integrated 2560
student supports. 2561

(2) All academic intervention services provided to a 2562
qualifying student under this section shall align with the 2563
academic instruction the student receives. Intervention services 2564
shall be in addition to and not a replacement for existing 2565
academic instruction and other services provided to students. 2566
All academic intervention services in English language arts 2567
shall align with the science of reading as defined in section 2568
3313.6028 of the Revised Code. 2569

(D) A district or school shall ensure that academic 2570
intervention services provided to a qualifying student under 2571
division (C) of this section do not supplant the student's core 2572
academic instructional time, except that in grades kindergarten 2573
through three, instruction aligned with science and social 2574
studies standards may be integrated into core mathematics and 2575
reading instruction rather than being taught in separate 2576
instructional periods. 2577

(E) (1) A district or school shall notify the parent or 2578
guardian of a qualifying student that the student will receive 2579
academic intervention services prior to providing services to 2580
the student. Notification shall include a description of which 2581
intervention or interventions the qualifying student will 2582
receive and who will provide services to the student. 2583

(2) The district or school periodically shall update the 2584
parent or guardian on the academic intervention services 2585
provided to the qualifying student and shall provide resources 2586
and recommendations for ways the parent or guardian may assist 2587
the qualifying student. 2588

(F) (1) Beginning with the 2026-2027 school year, and each 2589
school year thereafter, the department randomly shall identify 2590
and select individual schools operated by a school district, 2591
community schools, and STEM schools for a review of their 2592
academic intervention services for qualifying students under 2593
this section. The department shall not select more than five per 2594
cent of all schools to review each year. No school shall be 2595
selected for review more than once every three years. The review 2596
shall include, at a minimum, a document review, interviews with 2597
applicable school staff, and observations of interventions. 2598

The review shall assess all of the following: 2599

(a) Whether qualifying students receive academic 2600
intervention services in accordance with division (B) of this 2601
section; 2602

(b) The types and methods of academic intervention 2603
services that qualifying students receive; 2604

(c) The quality of the academic intervention services 2605
provided by the school or the contracted vendor. To determine 2606
quality, the department may consider the length and duration of 2607
the intervention, specific programs and curriculum being used, 2608
the credentials and training of intervention providers, and data 2609
regarding qualifying student progress. 2610

(2) The department shall provide a report to the school 2611
containing its review of the school's academic intervention 2612

services not later than seventy-five days after the department 2613
completes the review. Each report shall include an assessment of 2614
the efficacy of the academic intervention services provided to 2615
qualifying students, along with any recommendations the 2616
department considers necessary. The school shall post a copy of 2617
the report on its web site and shall make the report available 2618
upon request to any person. The department shall include a 2619
review completed under this division as part of the student 2620
opportunity profile on the state report card under section 2621
3302.03 of the Revised Code. 2622

(3) The department may contract with an organization that 2623
has documented expertise in supporting school improvement and 2624
academic intervention services to help with conducting its 2625
review under division (F) of this section. 2626

(G) (1) A student who receives academic intervention 2627
services in mathematics or English language arts under this 2628
section is no longer eligible for services under this section in 2629
that subject area when the student demonstrates a proficient 2630
level of skill in it on either a diagnostic assessment or a 2631
state assessment. 2632

(2) If a qualifying student receiving academic 2633
intervention services in both mathematics and English language 2634
arts demonstrates a level of skill that is proficient or higher 2635
under this section in one, but not both, subject areas, the 2636
student shall continue to receive academic intervention services 2637
for the subject area in which the student has not demonstrated a 2638
proficient level of skill. 2639

(3) Any student in any of grades nine through twelve who 2640
fails to demonstrate a level of skill that is proficient or 2641
higher on a diagnostic assessment or an end-of-course 2642

examination in mathematics or English language arts, or both, 2643
and is not required to retake the examination, continues to 2644
qualify for intervention services under this section. For such a 2645
student, the district or school shall align intervention 2646
services with the student's selected graduation pathway 2647
prescribed under section 3313.618 of the Revised Code. 2648

(H) Nothing in this section prohibits a district or school 2649
from providing academic intervention services to a student who 2650
does not meet the definition of a qualifying student under this 2651
section. 2652

Sec. 3314.03. A copy of every contract entered into under 2653
this section shall be filed with the director of education and 2654
workforce. The department of education and workforce shall make 2655
available on its web site a copy of every approved, executed 2656
contract filed with the director under this section. 2657

(A) Each contract entered into between a sponsor and the 2658
governing authority of a community school shall specify the 2659
following: 2660

(1) That the school shall be established as either of the 2661
following: 2662

(a) A nonprofit corporation established under Chapter 2663
1702. of the Revised Code, if established prior to April 8, 2664
2003; 2665

(b) A public benefit corporation established under Chapter 2666
1702. of the Revised Code, if established after April 8, 2003. 2667

(2) The education program of the school, including the 2668
school's mission and educational philosophy, the characteristics 2669
of the students the school is expected to attract, the ages and 2670
grades of students, and the focus of the curriculum; 2671

(3) The academic goals to be achieved and the method of measurement that will be used to determine progress toward those goals, which shall include the statewide achievement assessments;	2672 2673 2674 2675
(4) Performance standards, including but not limited to all applicable report card measures set forth in section 3302.03 or 3314.017 of the Revised Code, by which the success of the school will be evaluated by the sponsor;	2676 2677 2678 2679
(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	2680 2681 2682
(6) (a) Dismissal procedures;	2683
(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in seventy-two consecutive hours of the learning opportunities offered to the student.	2684 2685 2686 2687 2688 2689
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	2690 2691
(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code.	2692 2693 2694 2695 2696 2697
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	2698 2699

(a) A detailed description of each facility used for instructional purposes;	2700 2701
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	2702 2703
(c) The annual mortgage principal and interest payments that are paid by the school;	2704 2705
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	2706 2707 2708
(10) Qualifications of employees, including both of the following:	2709 2710
(a) A requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours or forty hours per week pursuant to section 3319.301 of the Revised Code;	2711 2712 2713 2714 2715
(b) A prohibition against the school employing an individual described in section 3314.104 of the Revised Code in any position.	2716 2717 2718
(11) That the school will comply with the following requirements:	2719 2720
(a) The school will provide learning opportunities to a minimum of twenty-five students for a minimum of nine hundred twenty hours per school year.	2721 2722 2723
(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the school.	2724 2725 2726

(c) The school will be nonsectarian in its programs, 2727
admission policies, employment practices, and all other 2728
operations, and will not be operated by a sectarian school or 2729
religious institution. 2730

(d) The school will comply with sections 9.90, 9.91, 2731
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 2732
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.24, 3301.948, 2733
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3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 2748
4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 117., 2749
1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. of 2750
the Revised Code as if it were a school district and will comply 2751
with section 3301.0714 of the Revised Code in the manner 2752
specified in section 3314.17 of the Revised Code. 2753

(e) The school shall comply with Chapter 102. and section 2754
2921.42 of the Revised Code. 2755

(f) The school will comply with sections 3313.61, 2756

3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 2757
Revised Code, except that for students who enter ninth grade for 2758
the first time before July 1, 2010, the requirement in sections 2759
3313.61 and 3313.611 of the Revised Code that a person must 2760
successfully complete the curriculum in any high school prior to 2761
receiving a high school diploma may be met by completing the 2762
curriculum adopted by the governing authority of the community 2763
school rather than the curriculum specified in Title XXXIII of 2764
the Revised Code or any rules of the department. Beginning with 2765
students who enter ninth grade for the first time on or after 2766
July 1, 2010, the requirement in sections 3313.61 and 3313.611 2767
of the Revised Code that a person must successfully complete the 2768
curriculum of a high school prior to receiving a high school 2769
diploma shall be met by completing the requirements prescribed 2770
in section 3313.6027 and division (C) of section 3313.603 of the 2771
Revised Code, unless the person qualifies under division (D) or 2772
(F) of that section. Each school shall comply with the plan for 2773
awarding high school credit based on demonstration of subject 2774
area competency, and beginning with the 2017-2018 school year, 2775
with the updated plan that permits students enrolled in seventh 2776
and eighth grade to meet curriculum requirements based on 2777
subject area competency adopted by the department under 2778
divisions (J) (1) and (2) of section 3313.603 of the Revised 2779
Code. Beginning with the 2018-2019 school year, the school shall 2780
comply with the framework for granting units of high school 2781
credit to students who demonstrate subject area competency 2782
through work-based learning experiences, internships, or 2783
cooperative education developed by the department under division 2784
(J) (3) of section 3313.603 of the Revised Code. 2785

(g) The school governing authority will submit within four 2786
months after the end of each school year a report of its 2787

activities and progress in meeting the goals and standards of 2788
divisions (A) (3) and (4) of this section and its financial 2789
status to the sponsor and the parents of all students enrolled 2790
in the school. 2791

(h) The school, unless it is an internet- or computer- 2792
based community school, will comply with section 3313.801 of the 2793
Revised Code as if it were a school district. 2794

(i) If the school is the recipient of moneys from a grant 2795
awarded under the federal race to the top program, Division (A), 2796
Title XIV, Sections 14005 and 14006 of the "American Recovery 2797
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 2798
the school will pay teachers based upon performance in 2799
accordance with section 3317.141 and will comply with section 2800
3319.111 of the Revised Code as if it were a school district. 2801

(j) If the school operates a preschool program that is 2802
licensed by the department under sections 3301.52 to 3301.59 of 2803
the Revised Code, the school shall comply with sections 3301.50 2804
to 3301.59 of the Revised Code and the minimum standards for 2805
preschool programs prescribed in rules adopted by the department 2806
of children and youth under section 3301.53 of the Revised Code. 2807

(k) The school will comply with sections 3313.6021 and 2808
3313.6023 of the Revised Code as if it were a school district 2809
unless it is either of the following: 2810

(i) An internet- or computer-based community school; 2811

(ii) A community school in which a majority of the 2812
enrolled students are children with disabilities as described in 2813
division (B) (2) of section 3314.35 of the Revised Code. 2814

(l) The school will comply with section 3321.191 of the 2815
Revised Code, unless it is an internet- or computer-based 2816

community school that is subject to section 3314.261 of the Revised Code. 2817
2818

(m) The school will comply with section 3313.7118 of the Revised Code if it serves elementary school students. 2819
2820

(12) Arrangements for providing health and other benefits to employees; 2821
2822

(13) The length of the contract, which shall begin at the beginning of an academic year. No contract shall exceed five years unless such contract has been renewed pursuant to division (D) of this section. 2823
2824
2825
2826

(14) The governing authority of the school, which shall be responsible for carrying out the provisions of the contract; 2827
2828

(15) A financial plan detailing an estimated school budget for each year of the period of the contract and specifying the total estimated per pupil expenditure amount for each such year. 2829
2830
2831

(16) Requirements and procedures regarding the disposition of employees of the school in the event the contract is terminated or not renewed pursuant to section 3314.07 of the Revised Code; 2832
2833
2834
2835

(17) Whether the school is to be created by converting all or part of an existing public school or educational service center building or is to be a new start-up school, and if it is a converted public school or service center building, both of the following: 2836
2837
2838
2839
2840

(a) Specification of any duties or responsibilities of an employer that the board of education or service center governing board that operated the school or building before conversion is delegating to the governing authority of the community school 2841
2842
2843
2844

with respect to all or any specified group of employees provided 2845
the delegation is not prohibited by a collective bargaining 2846
agreement applicable to such employees; 2847

(b) Alternative arrangements for current public school 2848
students who choose not to attend the converted school and for 2849
teachers who choose not to teach in the school or building after 2850
conversion. 2851

(18) Provisions establishing procedures for resolving 2852
disputes or differences of opinion between the sponsor and the 2853
governing authority of the community school; 2854

(19) A provision requiring the governing authority to 2855
adopt a policy regarding the admission of students who reside 2856
outside the district in which the school is located. That policy 2857
shall comply with the admissions procedures specified in 2858
sections 3314.06 and 3314.061 of the Revised Code and, at the 2859
sole discretion of the authority, shall do one of the following: 2860

(a) Prohibit the enrollment of students who reside outside 2861
the district in which the school is located; 2862

(b) Permit the enrollment of students who reside in 2863
districts adjacent to the district in which the school is 2864
located; 2865

(c) Permit the enrollment of students who reside in any 2866
other district in the state. 2867

(20) A provision recognizing the authority of the 2868
department to take over the sponsorship of the school in 2869
accordance with the provisions of division (C) of section 2870
3314.015 of the Revised Code; 2871

(21) A provision recognizing the sponsor's authority to 2872

assume the operation of a school under the conditions specified 2873
in division (B) of section 3314.073 of the Revised Code; 2874

(22) A provision recognizing both of the following: 2875

(a) The authority of public health and safety officials to 2876
inspect the facilities of the school and to order the facilities 2877
closed if those officials find that the facilities are not in 2878
compliance with health and safety laws and regulations; 2879

(b) The authority of the department as the community 2880
school oversight body to suspend the operation of the school 2881
under section 3314.072 of the Revised Code if the department has 2882
evidence of conditions or violations of law at the school that 2883
pose an imminent danger to the health and safety of the school's 2884
students and employees and the sponsor refuses to take such 2885
action. 2886

(23) A description of the learning opportunities that will 2887
be offered to students including both classroom-based and non- 2888
classroom-based learning opportunities that is in compliance 2889
with criteria for student participation established by the 2890
department under division (H) (2) of section 3314.08 of the 2891
Revised Code; 2892

(24) The school will comply with sections 3302.04 and 2893
3302.041 of the Revised Code, except that any action required to 2894
be taken by a school district pursuant to those sections shall 2895
be taken by the sponsor of the school. 2896

(25) Beginning in the 2006-2007 school year, the school 2897
will open for operation not later than the thirtieth day of 2898
September each school year, unless the mission of the school as 2899
specified under division (A) (2) of this section is solely to 2900
serve dropouts. In its initial year of operation, if the school 2901

fails to open by the thirtieth day of September, or within one 2902
year after the adoption of the contract pursuant to division (D) 2903
of section 3314.02 of the Revised Code if the mission of the 2904
school is solely to serve dropouts, the contract shall be void. 2905

(26) Whether the school's governing authority is planning 2906
to seek designation for the school as a STEM school equivalent 2907
under section 3326.032 of the Revised Code; 2908

(27) That the school's attendance and participation 2909
policies will be available for public inspection; 2910

(28) That the school's attendance and participation 2911
records shall be made available to the department, auditor of 2912
state, and school's sponsor to the extent permitted under and in 2913
accordance with the "Family Educational Rights and Privacy Act 2914
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 2915
regulations promulgated under that act, and section 3319.321 of 2916
the Revised Code; 2917

(29) If a school operates using the blended learning 2918
model, as defined in section 3301.079 of the Revised Code, all 2919
of the following information: 2920

(a) An indication of what blended learning model or models 2921
will be used; 2922

(b) A description of how student instructional needs will 2923
be determined and documented; 2924

(c) The method to be used for determining competency, 2925
granting credit, and promoting students to a higher grade level; 2926

(d) The school's attendance requirements, including how 2927
the school will document participation in learning 2928
opportunities; 2929

(e) A statement describing how student progress will be monitored;	2930 2931
(f) A statement describing how private student data will be protected;	2932 2933
(g) A description of the professional development activities that will be offered to teachers.	2934 2935
(30) A provision requiring that all moneys the school's operator loans to the school, including facilities loans or cash flow assistance, must be accounted for, documented, and bear interest at a fair market rate;	2936 2937 2938 2939
(31) A provision requiring that, if the governing authority contracts with an attorney, accountant, or entity specializing in audits, the attorney, accountant, or entity shall be independent from the operator with which the school has contracted.	2940 2941 2942 2943 2944
(32) A provision requiring the governing authority to adopt an enrollment and attendance policy that requires a student's parent to notify the community school in which the student is enrolled when there is a change in the location of the parent's or student's primary residence.	2945 2946 2947 2948 2949
(33) A provision requiring the governing authority to adopt a student residence and address verification policy for students enrolling in or attending the school.	2950 2951 2952
(34) A provision establishing the process by which the governing authority of the school will be selected in the future.	2953 2954 2955
(35) A description of the management and administration of the school.	2956 2957

(36) A provision requiring the governing authority to 2958
adopt policies and procedures to establish internal financial 2959
controls for the school. 2960

(B) A contract entered into under section 3314.02 of the 2961
Revised Code between a sponsor and the governing authority of a 2962
community school may provide for the community school governing 2963
authority to make payments to the sponsor, which is hereby 2964
authorized to receive such payments as set forth in the contract 2965
between the governing authority and the sponsor. The total 2966
amount of such payments for monitoring, oversight, and technical 2967
assistance of the school shall not exceed three per cent of the 2968
total amount of payments for operating expenses that the school 2969
receives from the state. 2970

(C) The contract shall specify the duties of the sponsor 2971
which shall be in accordance with the written agreement entered 2972
into with the department under division (B) of section 3314.015 2973
of the Revised Code and shall include the following: 2974

(1) Monitor the community school's compliance with all 2975
laws applicable to the school and with the terms of the 2976
contract; 2977

(2) Monitor and evaluate the academic and fiscal 2978
performance and the organization and operation of the community 2979
school on at least an annual basis; 2980

(3) Provide technical assistance to the community school 2981
in complying with laws applicable to the school and terms of the 2982
contract; 2983

(4) Take steps to intervene in the school's operation to 2984
correct problems in the school's overall performance, declare 2985
the school to be on probationary status pursuant to section 2986

3314.073 of the Revised Code, suspend the operation of the 2987
school pursuant to section 3314.072 of the Revised Code, or 2988
terminate the contract of the school pursuant to section 3314.07 2989
of the Revised Code as determined necessary by the sponsor; 2990

(5) Have in place a plan of action to be undertaken in the 2991
event the community school experiences financial difficulties or 2992
closes prior to the end of a school year. 2993

(D) Upon the expiration of a contract entered into under 2994
this section, the sponsor of a community school may, with the 2995
approval of the governing authority of the school, renew that 2996
contract for a period of time determined by the sponsor, but not 2997
ending earlier than the end of any school year, if the sponsor 2998
finds that the school's compliance with applicable laws and 2999
terms of the contract and the school's progress in meeting the 3000
academic goals prescribed in the contract have been 3001
satisfactory. Any contract that is renewed under this division 3002
remains subject to the provisions of sections 3314.07, 3314.072, 3003
and 3314.073 of the Revised Code. 3004

(E) If a community school fails to open for operation 3005
within one year after the contract entered into under this 3006
section is adopted pursuant to division (D) of section 3314.02 3007
of the Revised Code or permanently closes prior to the 3008
expiration of the contract, the contract shall be void and the 3009
school shall not enter into a contract with any other sponsor. A 3010
school shall not be considered permanently closed because the 3011
operations of the school have been suspended pursuant to section 3012
3314.072 of the Revised Code. 3013

Sec. 3317.25. (A) As used in this section, "disadvantaged 3014
pupil impact aid" means the following: 3015

(1) For a city, local, or exempted village school district, the funds received under division (A) (4) (a) of section 3317.022 of the Revised Code;	3016 3017 3018
(2) For a joint vocational school district, the funds received under division (A) (3) of section 3317.16 of the Revised Code;	3019 3020 3021
(3) For a community school established under Chapter 3314. of the Revised Code, the funds received under division (A) (4) (b) of section 3317.022 of the Revised Code;	3022 3023 3024
(4) For a STEM school established under Chapter 3326. of the Revised Code, the funds received under division (A) (4) (b) of section 3317.022 of the Revised Code.	3025 3026 3027
(B) (1) For fiscal years 2026 and 2027, a city, local, exempted village, or joint vocational school district, community school, or STEM school shall spend the disadvantaged pupil impact aid it receives for any of the following initiatives or a combination of any of the following initiatives:	3028 3029 3030 3031 3032
(a) Extended school day and school year;	3033
(b) Reading improvement and intervention that is aligned with the science of reading and evidence-based strategies for effective literacy instruction;	3034 3035 3036
(c) Instructional technology or blended learning;	3037
(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;	3038 3039 3040
(e) Dropout prevention;	3041
(f) School safety and security measures;	3042

(g) Community learning centers that address barriers to learning;	3043 3044
(h) Academic interventions for students in any of grades six through twelve;	3045 3046
(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;	3047 3048 3049 3050
(j) Mental health services, including telehealth services, community-based behavioral health services, and recovery supports;	3051 3052 3053
(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;	3054 3055 3056 3057
(l) Services for homeless youth;	3058
(m) Services for child welfare involved youth;	3059
(n) Community liaisons or programs that connect students to community resources, including behavioral wellness coordinators and city connects, communities in schools, and other similar programs;	3060 3061 3062 3063
(o) Physical health care services, including telehealth services and community-based health services;	3064 3065
(p) Family engagement and support services;	3066
(q) Student services provided prior to or after the regularly scheduled school day or any time school is not in session, including mentoring programs;	3067 3068 3069

<u>(r) Professional development on evidence-based strategies</u>	3070
<u>for effective mathematics instruction;</u>	3071
<u>(s) Implementation of high-quality core curriculum in math</u>	3072
<u>identified by the department of education and workforce under</u>	3073
<u>section 3301.0734 of the Revised Code.</u>	3074
(2) For fiscal year 2028 and each fiscal year thereafter,	3075
each city, local, exempted village, and joint vocational school	3076
district, community school, and STEM school shall spend the	3077
disadvantaged pupil impact aid it receives for one or more	3078
initiatives specified by the general assembly.	3079
(C) (1) For fiscal years 2026 and 2027, each city, local,	3080
exempted village, and joint vocational school district,	3081
community school, and STEM school that is subject to the	3082
requirements of this section shall develop a plan for utilizing	3083
the disadvantaged pupil impact aid it receives in coordination	3084
with at least one of the following community partners:	3085
(a) A board of alcohol, drug addiction, and mental health	3086
services established under Chapter 340. of the Revised Code;	3087
(b) An educational service center;	3088
(c) A county board of developmental disabilities;	3089
(d) A community mental health prevention or treatment	3090
provider;	3091
(e) A board of health of a city or general health	3092
district;	3093
(f) A county department of job and family services;	3094
(g) A nonprofit organization with experience serving	3095
children;	3096

(h) A public hospital agency. 3097

(2) For fiscal year 2028 and each fiscal year thereafter, 3098
each city, local, exempted village, and joint vocational school 3099
district, community school, and STEM school that is subject to 3100
the requirements of this section shall develop a plan for 3101
utilizing the disadvantaged pupil impact aid it receives in the 3102
manner specified by the general assembly, if the general 3103
assembly requires city, local, exempted village, and joint 3104
vocational school districts, community schools, and STEM schools 3105
to develop such a plan. 3106

(D) After the end of each fiscal year, each city, local, 3107
exempted village, or joint vocational school district, community 3108
school, and STEM school shall submit a report to the department 3109
of education and workforce describing the initiative or 3110
initiatives on which the district's or school's disadvantaged 3111
pupil impact aid were spent during that fiscal year. For fiscal 3112
years 2026 and 2027, this report shall be submitted in a manner 3113
prescribed by the department and shall also describe the amount 3114
of money that was spent on each initiative. 3115

(E) Starting in 2015, the department shall submit a report 3116
of the information it receives under division (C) of this 3117
section to the general assembly not later than the first day of 3118
December of each odd-numbered year in accordance with section 3119
101.68 of the Revised Code. 3120

Sec. 3319.2214. This section applies to each individual 3121
who applies for a new valid educator license under section 3122
3319.22 of the Revised Code with a grade band specification of 3123
grades pre-kindergarten through eight and who may be assigned to 3124
teach mathematics. 3125

The state board of education shall assess whether each 3126
individual to whom this section applies is proficient in 3127
mathematics at the time that individual applies for a license. 3128
The chancellor of higher education, in consultation with the 3129
department of education and workforce, shall define the level of 3130
proficiency at which individuals are prepared to provide high- 3131
quality math instruction. The chancellor and the department 3132
shall collaborate with the state board to set appropriate 3133
benchmarks. Whether that individual is proficient in mathematics 3134
does not affect the state board's duty to issue that applicant a 3135
license. 3136

However, the state board shall certify to each school 3137
district or other school that employs that individual whether 3138
the individual is proficient in mathematics based on the state 3139
board's assessment. If the individual has not demonstrated 3140
proficiency in mathematics, the district or school shall not 3141
assign that individual to teach mathematics. Nevertheless, the 3142
district or school may permit that individual to teach in other 3143
subject areas. 3144

An individual who has not demonstrated proficiency in 3145
mathematics according to the state board's assessment may retake 3146
the assessment. If the individual demonstrates proficiency in 3147
mathematics in the subsequent assessment, the state board shall 3148
certify to each school district or other school that employs the 3149
individual that the individual is proficient in mathematics. In 3150
that case, the district or school may assign the individual to 3151
teach mathematics. 3152

The state board shall adopt rules to implement this 3153
section. 3154

Sec. 3319.2311. The department of education and workforce 3155

shall do both of the following: 3156

(A) Develop a professional development course that focuses 3157
on foundational knowledge in mathematics and integrates life 3158
skills; 3159

(B) Not later than December 31, 2026, develop a pilot 3160
series of professional development programs for school and 3161
regional educational leaders on evidence-based mathematics 3162
instruction. 3163

Sec. 3324.10. (A) The department of education and 3164
workforce shall adopt a model student acceleration policy 3165
addressing recommendations in the former department of 3166
education's 2005 study conducted under the gifted research and 3167
demonstration grant program. The policy shall address, but not 3168
be limited to, whole grade acceleration, subject area 3169
acceleration, and early high school graduation. The policy also 3170
shall include providing advanced learning opportunities in 3171
mathematics under section 3313.6032 of the Revised Code. 3172

(B) The board of education of each city, local, and 3173
exempted village school district shall implement a student 3174
acceleration policy to take effect beginning in the 2006-2007 3175
school year. The policy shall either be the model adopted by the 3176
department under division (A) of this section or a policy 3177
covering similar issues that is adopted by the district board. 3178
If the district board does not adopt the department's model, it 3179
shall submit its policy to the department for review and 3180
approval. The department, upon request, shall provide technical 3181
assistance to the district board in developing the policy. 3182

Sec. 3326.11. Each science, technology, engineering, and 3183
mathematics school established under this chapter and its 3184

governing body shall comply with sections 9.90, 9.91, 109.65, 3185
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 3186
3301.0714, 3301.0715, 3301.0729, 3301.24, 3301.948, 3302.037, 3187
3302.131, 3313.14, 3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3188
3313.472, 3313.473, 3313.474, 3313.48, 3313.481, 3313.482, 3189
3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3190
3313.6012, 3313.6013, 3313.6014, 3313.6020, 3313.6021, 3191
3313.6023, 3313.6024, 3313.6026, 3313.6028, 3313.6029, 3192
3313.6031, 3313.6032, 3313.6034, 3313.61, 3313.611, 3313.614, 3193
3313.615, 3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3194
3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3195
3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3196
3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.717, 3197
3313.718, 3313.719, 3313.7112, 3313.7117, 3313.7118, 3313.721, 3198
3313.753, 3313.80, 3313.801, 3313.814, 3313.816, 3313.817, 3199
3313.818, 3313.819, 3313.8110, 3313.86, 3313.89, 3313.96, 3200
3319.073, 3319.077, 3319.078, 3319.0812, 3319.21, 3319.2214, 3201
3319.238, 3319.318, 3319.32, 3319.321, 3319.324, 3319.35, 3202
3319.39, 3319.391, 3319.393, 3319.41, 3319.45, 3319.46, 3203
3319.614, 3319.90, 3320.01, 3320.02, 3320.03, 3320.04, 3321.01, 3204
3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3205
3321.19, 3321.191, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 3206
4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 102., 3207
117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 4123., 3208
4141., and 4167. of the Revised Code as if it were a school 3209
district. 3210

Section 2. That existing sections 3301.079, 3301.0714, 3211
3302.03, 3310.41, 3313.6028, 3314.03, 3317.25, 3324.10, and 3212
3326.11 of the Revised Code are hereby repealed. 3213

Section 3. That section 3313.6032 of the Revised Code is 3214
hereby repealed. 3215

Section 4. Not later than thirty days after the effective 3216
date of this section, the Department of Education and Workforce 3217
shall open an application period to update its list of high- 3218
quality tutoring programs under section 3301.136 of the Revised 3219
Code and update the list accordingly. 3220

Section 5. Not later than November 1, 2026, the Department 3221
of Education and Workforce shall develop a detailed plan for a 3222
next-generation, computer-adaptive state assessment that does 3223
all of the following: 3224

(A) Minimizes the amount of time students spend testing; 3225

(B) Aligns with grade-level, statewide academic standards 3226
prescribed under section 3301.079 of the Revised Code while 3227
measuring performance above and below grade level; 3228

(C) Produces a growth measure that leverages data from the 3229
grade level above and below the grade level being tested to more 3230
accurately reflect a year of learning; 3231

(D) Returns actionable results within one week of 3232
administration of the assessment; 3233

(E) Allows for a testing window that occurs later in the 3234
school year to capture more student learning; 3235

(F) Reports both grade-level status and a student 3236
percentile; 3237

(G) Meets all requirements under the "Elementary and 3238
Secondary Education Act of 1965," 20 U.S.C. 6301 et seq. 3239

Section 6. Notwithstanding anything to the contrary in 3240
section 3301.079 of the Revised Code, as amended by this act, 3241
for the 2026-2027 school year, school districts, community 3242
schools established under Chapter 3314., and STEM schools 3243

established under Chapter 3326. of the Revised Code shall 3244
administer each diagnostic assessment in accordance with section 3245
3301.079 of the Revised Code as it existed prior to the 3246
effective date of its amendment by this act. 3247

Section 7. A provider that offers a reading diagnostic 3248
assessment approved under division (D)(1) of section 3301.079 of 3249
the Revised Code, as it existed prior to the effective date of 3250
that section's amendment by this act, may apply to the 3251
Department of Education and Workforce for a waiver to permit 3252
school districts, community schools established under Chapter 3253
3314., and STEM schools established under Chapter 3326. of the 3254
Revised Code to use that reading diagnostic assessment for the 3255
2026-2027 school year. 3256

An application for a waiver shall be submitted in a form 3257
and manner prescribed by the Department. The Department shall 3258
approve a waiver application for a previously approved reading 3259
diagnostic assessment if it meets all criteria for diagnostic 3260
assessments under division (D)(1) of section 3301.079 of the 3261
Revised Code. 3262

Section 8. The General Assembly, applying the principle 3263
stated in division (B) of section 1.52 of the Revised Code that 3264
amendments are to be harmonized if reasonably capable of 3265
simultaneous operation, finds that the following sections, 3266
presented in this act as composites of the sections as amended 3267
by the acts indicated, are the resulting versions of the 3268
sections in effect prior to the effective date of the sections 3269
as presented in this act: 3270

Section 3314.03 of the Revised Code as amended by both 3271
H.B. 10 and H.B. 96 of the 136th General Assembly. 3272

Section 3326.11 of the Revised Code as amended by both	3273
H.B. 10 and H.B. 96 of the 136th General Assembly.	3274