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Sub. S. B. No. 19

Senator Brenner

Cosponsors: Senators Ingram, Huffman, Koehler, Chavez, Cirino, Gavarone, Johnson, Lang, Patton, Reineke, Reynolds, Roegner, Romanchuk, Schaffer, Timken, Wilkin

Representatives Fowler Arthur, Daniels, Dovilla, Johnson, Robb Blasdel, Stephens, Williams, Young

To amend sections 3301.079, 3301.0714, 3301.0715, 1
3302.03, 3302.07, 3302.13, 3310.41, 3313.6028, 2
3313.90, 3314.03, 3317.25, 3317.28, 3324.10, and 3
3326.11; to enact new section 3313.6032 and 4
sections 3301.0734, 3302.131, 3313.476, 5
3313.6034, 3319.2214, and 3319.2311; and to 6
repeal section 3313.6032 of the Revised Code 7
with regard to academic intervention services at 8
public schools, the list of approved diagnostic 9
assessments, state achievement assessments, 10
career-technical education for home-educated 11
students, the presentation of information by 12
youth organizations, and community schools of 13
quality designations. 14

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

Section 1. That sections 3301.079, 3301.0714, 3301.0715, 15
3302.03, 3302.07, 3302.13, 3310.41, 3313.6028, 3313.90, 3314.03, 16
3317.25, 3317.28, 3324.10, and 3326.11 be amended and new 17

section 3313.6032 and sections 3301.0734, 3302.131, 3313.476, 18
3313.6034, 3319.2214, and 3319.2311 of the Revised Code be 19
enacted to read as follows: 20

Sec. 3301.079. (A) (1) The department of education and 21
workforce periodically shall adopt statewide academic standards 22
with emphasis on coherence, focus, and essential knowledge and 23
that are more challenging and demanding when compared to 24
international standards for each of grades kindergarten through 25
twelve in English language arts, mathematics, science, and 26
social studies. 27

(a) The department shall ensure that the standards do all 28
of the following: 29

(i) Include the essential academic content and skills that 30
students are expected to know and be able to do at each grade 31
level that will allow each student to be prepared for 32
postsecondary instruction and the workplace for success in the 33
twenty-first century; 34

(ii) Include the development of skill sets that promote 35
information, media, and technological literacy; 36

(iii) Include interdisciplinary, project-based, real-world 37
learning opportunities; 38

(iv) Instill life-long learning by providing essential 39
knowledge and skills based in the liberal arts tradition, as 40
well as science, technology, engineering, mathematics, and 41
career-technical education; 42

(v) Be clearly written, transparent, and understandable by 43
parents, educators, and the general public. 44

(b) The department shall incorporate into the social 45

studies standards for grades four to twelve academic content 46
regarding the original texts of the Declaration of Independence, 47
the Northwest Ordinance, the Constitution of the United States 48
and its amendments, with emphasis on the Bill of Rights, and the 49
Ohio Constitution, and their original context. The department 50
shall revise the model curricula and achievement assessments 51
adopted under divisions (B) and (C) of this section as necessary 52
to reflect the additional American history and American 53
government content. The department shall make available a list 54
of suggested grade-appropriate supplemental readings that place 55
the documents prescribed by this division in their historical 56
context, which teachers may use as a resource to assist students 57
in reading the documents within that context. 58

(c) When the department adopts or revises academic content 59
standards in social studies, American history, American 60
government, or science under division (A) (1) of this section, it 61
shall develop such standards independently and not as part of a 62
multistate consortium. 63

(2) (a) After completing the standards required by division 64
(A) (1) of this section, the department shall adopt standards and 65
model curricula for instruction in technology, financial 66
literacy and entrepreneurship, fine arts, and foreign language 67
for grades kindergarten through twelve. The standards shall meet 68
the same requirements prescribed in division (A) (1) (a) of this 69
section. 70

(b) The department shall incorporate into the standards 71
and model curriculum for financial literacy and entrepreneurship 72
for grades nine through twelve academic content regarding free 73
market capitalism. The academic content shall include all of the 74
following concepts related to free market capitalism: 75

(i) Raw materials, labor, and capital, the three classical factors of economic production, are privately owned.	76 77
(ii) Individuals control their own ability to work, earn wages, and obtain skills to earn and increase wages.	78 79
(iii) Private ownership of capital may include a sole proprietorship, a family business, a publicly traded corporation, a group of private investors, or a bank.	80 81 82
(iv) Markets aggregate the exchange of goods and services throughout the world. Market prices are the only way to convey so much constantly changing information about the supply of goods and services, and the demand for them, for consumers and producers to make informed economic decisions for themselves.	83 84 85 86 87
(v) Wealth is created by providing goods and services that people value at a profit, and both sellers and buyers seek to profit in some way in a free market transaction. Thus, profit earned through transactions can be consumed, saved, reinvested in the business, or dispersed to shareholders.	88 89 90 91 92
(vi) Wealth creation involves asset value appreciation and depreciation, voluntary exchange of equity ownership, and open and closed markets.	93 94 95
(vii) The free market is driven by, and tends to produce, entrepreneurship and innovation.	96 97
(viii) The free market can include side effects and market failures where at least part of the cost of the transaction, including producing, transporting, selling, or buying, is born by others outside of the transaction.	98 99 100 101
(ix) The political features of the free market, including legally protected property rights, legally enforceable	102 103

contracts, patent protections, and the mitigation of side 104
effects and market failures; 105

(x) Societies that embrace the free market often embrace 106
political and personal freedom as well. 107

(3) The department shall adopt the most recent standards 108
developed by the national association for sport and physical 109
education for physical education in grades kindergarten through 110
twelve or shall adopt its own standards for physical education 111
in those grades and revise and update them periodically. 112

~~The department shall employ a full-time physical education 113
coordinator to provide guidance and technical assistance to 114
districts, community schools, and STEM schools in implementing 115
the physical education standards adopted under this division. 116
The director of education and workforce shall determine that the 117
person employed as coordinator is qualified for the position, as 118
demonstrated by possessing an adequate combination of education, 119
license, and experience. 120~~

(4) The department shall update the standards and model 121
curriculum for instruction in computer science in grades 122
kindergarten through twelve, which shall include standards for 123
introductory and advanced computer science courses in grades 124
nine through twelve. When developing the standards and 125
curriculum, the department shall consider recommendations from 126
computer science education stakeholder groups, including 127
teachers and representatives from higher education, industry, 128
computer science organizations in Ohio, and national computer 129
science organizations. 130

Any district or school may utilize the computer science 131
standards or model curriculum or any part thereof adopted 132

pursuant to division (A) (4) of this section. However, no 133
district or school shall be required to utilize all or any part 134
of the standards or curriculum. 135

(5) When academic standards have been completed for any 136
subject area required by this section, the department shall 137
inform all school districts, all community schools established 138
under Chapter 3314. of the Revised Code, all STEM schools 139
established under Chapter 3326. of the Revised Code, and all 140
nonpublic schools required to administer the assessments 141
prescribed by sections 3301.0710 and 3301.0712 of the Revised 142
Code of the content of those standards. Additionally, upon 143
completion of any academic standards under this section, the 144
department shall post those standards on the department's web 145
site. 146

(B) (1) The department shall adopt a model curriculum for 147
instruction in each subject area for which updated academic 148
standards are required by division (A) (1) of this section and 149
for each of grades kindergarten through twelve that is 150
sufficient to meet the needs of students in every community. The 151
model curriculum shall be aligned with the standards, to ensure 152
that the academic content and skills specified for each grade 153
level are taught to students, and shall demonstrate vertical 154
articulation and emphasize coherence, focus, and rigor. When any 155
model curriculum has been completed, the department shall inform 156
all school districts, community schools, and STEM schools of the 157
content of that model curriculum. 158

(2) The department, in consultation with the governor's 159
office of workforce transformation, shall adopt model curricula 160
for grades kindergarten through twelve that embed career 161
connection learning strategies into regular classroom 162

instruction. 163

(3) All school districts, community schools, and STEM 164
schools may utilize the state standards and the model curriculum 165
established by the department, together with other relevant 166
resources, examples, or models to ensure that students have the 167
opportunity to attain the academic standards. Upon request, the 168
department shall provide technical assistance to any district, 169
community school, or STEM school in implementing the model 170
curriculum. 171

Nothing in this section requires any school district to 172
utilize all or any part of a model curriculum developed under 173
this section. 174

(C) The department shall develop achievement assessments 175
aligned with the academic standards and model curriculum for 176
each of the subject areas and grade levels required by divisions 177
(A) (1) and (B) (1) of section 3301.0710 of the Revised Code. 178

When any achievement assessment has been completed, the 179
department shall inform all school districts, community schools, 180
STEM schools, and nonpublic schools required to administer the 181
assessment of its completion, and the department shall make the 182
achievement assessment available to the districts and schools. 183

(D) (1) ~~Not later than June 30, 2026, the~~ The department 184
shall ~~do both of the following:~~ 185

~~(a) Adopt a diagnostic assessment aligned with the~~ 186
~~academic standards for each of grades kindergarten to three in~~ 187
~~reading;~~ 188

~~(b) Approve~~ approve a list of up to ~~five~~ six diagnostic 189
assessments aligned with the academic standards for each of 190
grades kindergarten to three for ~~both reading and mathematics.~~ 191

The approved diagnostic assessments shall be inclusive of all 192
grades kindergarten to three. The department's list of approved 193
diagnostic assessments ~~for reading shall~~ may include the three 194
~~reading diagnostic assessments that were approved by the~~ 195
~~department for use as comparable tools for purposes of division~~ 196
~~(B) (1) of section 3313.608 of the Revised Code, as it existed~~ 197
~~prior to the effective date of this amendment, and are most~~ 198
~~widely used by public schools in the state~~ are computer-based and 199
provide results to teachers immediately after test 200
administration. 201

Diagnostic assessments for reading that are developed by 202
the same provider and that share a common scale, report 203
performance based on the same scale, and use norms based on 204
students who took one or more of the provider's reading 205
diagnostic assessments for grades kindergarten to three shall be 206
considered an inclusive assessment system. 207

(2) The department shall approve a list of up to five 208
diagnostic assessments aligned with the academic standards for 209
each of grades kindergarten to three for mathematics. The 210
approved diagnostic assessments shall be inclusive of all grades 211
kindergarten to three. The department's list of approved 212
diagnostic assessments may include assessments that are 213
computer-based and provide results to teachers immediately after 214
test administration. 215

On the effective date of this amendment, the department 216
shall add a sixth assessment to the approved list of mathematic 217
diagnostic assessments. The additional assessment shall be the 218
assessment that scored the sixth highest in the department's 219
most recent evaluation of diagnostic assessments. 220

Diagnostic assessments for mathematics that are developed 221

by the same provider and that share a common scale, report 222
performance based on the same scale, and use norms based on 223
students who took one or more of the provider's mathematics 224
diagnostic assessments for grades kindergarten to three shall be 225
considered an inclusive assessment system. 226

(3) Each diagnostic assessment adopted or approved under 227
division divisions (D) (1) and (2) of this section shall be 228
designed to measure student comprehension of academic content 229
and mastery of related skills for the relevant subject area and 230
grade level. The diagnostic assessment for reading shall be 231
designed to measure student comprehension of foundational 232
reading skills aligned to the science of reading. ~~Any diagnostic~~ 233
~~assessment adopted by the department shall not include~~ 234
~~components to identify gifted students.~~ Blank copies of 235
diagnostic assessments shall be public records. 236

~~(3)~~ (4) School districts shall administer a diagnostic 237
assessment in reading and mathematics ~~adopted or approved~~ by the 238
department pursuant to section 3301.0715 of the Revised Code— 239
~~beginning in the 2026-2027 school year.~~ 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 285
their residences on assignments delivered via an internet- or 286
other computer-based instructional method. 287

(3) "Coherence" means a reflection of the structure of the 288
discipline being taught. 289

(4) "Digital learning" means learning facilitated by 290
technology that gives students some element of control over 291
time, place, path, or pace of learning. 292

(5) "Focus" means limiting the number of items included in 293
a curriculum to allow for deeper exploration of the subject 294
matter. 295

(6) "Vertical articulation" means key academic concepts 296
and skills associated with mastery in particular content areas 297
should be articulated and reinforced in a developmentally 298
appropriate manner at each grade level so that over time 299
students acquire a depth of knowledge and understanding in the 300
core academic disciplines. 301

Sec. 3301.0714. (A) The department of education and 302
workforce shall adopt rules for a statewide education management 303
information system. The rules shall require the department to 304
establish guidelines for the establishment and maintenance of 305
the system in accordance with this section and the rules adopted 306
under this section. The guidelines shall include: 307

(1) Standards identifying and defining the types of data 308
in the system in accordance with divisions (B) and (C) of this 309

section;	310
(2) Procedures for annually collecting and reporting the data to the department in accordance with division (D) of this section;	311 312 313
(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	326 327 328 329 330 331 332 333 334 335 336 337 338

instructional services for students with a specific type of 339
disability. The categories of instructional services required by 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 394
nonlicensed employees and the numbers of full-time equivalent 395
licensed employees and nonlicensed employees providing each 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)~~ (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

Sec. 3301.0715. (A) (1) The board of education of each 809
city, local, and exempted village school district shall 810
administer a diagnostic assessment in reading and mathematics 811
adopted or approved in accordance with section 3301.079 of the 812
Revised Code to the following: 813

(a) Each student enrolled in kindergarten, first, second, 814
or third grade. 815

(b) Any student who transfers into the district or to a 816
different school within the district if each applicable 817
diagnostic assessment was not administered by the district or 818
school the student previously attended in the current school 819
year, within thirty days after the date of transfer. If the 820
district or school into which the student transfers cannot 821
determine whether the student has taken any applicable 822
diagnostic assessment in the current school year, the district 823
or school may administer the diagnostic assessment to the 824
student. However, if a student transfers into the district prior 825
to the administration of the diagnostic assessments to all 826
students under division (B) of this section, the district may 827
administer the diagnostic assessments to that student on the 828
date or dates determined under that division. 829

(2) The district shall administer the kindergarten 830
readiness assessment to each kindergarten student not earlier 831
than the first day of July of the school year in which the 832
student is enrolled in kindergarten and not later than the 833
twentieth day of instruction of that school year. In no case 834
shall the results of the readiness assessment be used to 835

prohibit a student from enrolling in kindergarten. 836

(3) No school district shall administer diagnostic 837
assessments from multiple providers in the subject of reading or 838
mathematics to the same student in grades kindergarten to three, 839
unless one of the following apply: 840

(a) An additional diagnostic assessment in the applicable 841
subject area is indicated by the student's individualized 842
education program developed under Chapter 3323. of the Revised 843
Code; 844

(b) The results of the student's diagnostic assessment in 845
reading indicate that additional assessment is necessary 846
pursuant to section 3323.251 of the Revised Code to determine if 847
the student is at risk of dyslexia; 848

(c) Any other reason as determined appropriate by the 849
department. 850

Except as otherwise provided under this section, no school 851
district shall administer diagnostic assessments from multiple 852
providers to receive higher ratings on the state report card 853
under section 3302.03 of the Revised Code. However, a school 854
district may administer additional diagnostic assessments to 855
inform instruction and supports at the district level. 856

(4) (a) A provider that offers a reading diagnostic 857
assessment approved under division (D) (1) of section 3301.079 of 858
the Revised Code, as it existed prior to the effective date of 859
this amendment, may apply to the department for a waiver to 860
permit school districts to use another reading diagnostic 861
assessment offered by that provider. 862

(b) An application for a waiver shall be submitted in a 863
form and manner prescribed by the department. The department 864

shall approve a waiver application for a previously approved 865
reading diagnostic assessment if it meets all criteria for 866
diagnostic assessments under division (D) (1) of section 3301.079 867
of the Revised Code. 868

(B) ~~Each~~ Except as provided under division (A) (4) of this 869
section, each district board shall administer each diagnostic 870
assessment described in division (A) (1) of this section at least 871
once annually by the thirtieth day of September to all students 872
in the appropriate grade level. The board shall administer a 873
diagnostic assessment to a student with a significant cognitive 874
disability in accordance with guidelines adopted by the 875
department of education and workforce. A district board may 876
administer any diagnostic assessment in the fall and spring of a 877
school year to measure the amount of academic growth 878
attributable to the instruction received by students during that 879
school year. 880

(C) Each district board shall utilize and score the 881
kindergarten readiness assessment in accordance with rules 882
established by the department of children and youth and shall 883
utilize and score each diagnostic assessment described in 884
division (A) (1) of this section in accordance with rules 885
established by the department of education and workforce. After 886
the administration of the kindergarten readiness assessment or a 887
diagnostic assessment described in division (A) (1) of this 888
section, each district shall provide a student's completed 889
assessment, the results of such assessment, and any other 890
accompanying documents used during the administration of the 891
assessment to the parent of that student. The district shall 892
include all such documents and information related to a 893
diagnostic assessment described in division (A) (1) of this 894
section in any plan developed for the student under division (C) 895

of section 3313.608 of the Revised Code. Each district shall 896
submit, in the manner prescribed by each department, the results 897
of the assessments administered under this section as follows: 898

(1) The results of the kindergarten readiness assessment 899
to the department of children and youth; 900

(2) The results of all diagnostic assessments described in 901
division (A) (1) of this section to the department of education 902
and workforce pursuant to section 3301.0714 of the Revised Code. 903

The department of children and youth may report school and 904
district level kindergarten readiness assessment data. The 905
department of education and workforce may report data from any 906
diagnostic assessment described in division (A) (1) of this 907
section and may use that data to calculate the measures 908
prescribed by divisions (B) (1) (g), (C) (1) (g), and (D) (1) (h) of 909
section 3302.03 of the Revised Code. 910

(D) Each district board shall provide intervention 911
services to students whose diagnostic assessments described in 912
division (A) (1) of this section show that they are failing to 913
make satisfactory progress toward attaining the academic 914
standards for their grade level. 915

(E) Any chartered nonpublic school may elect to administer 916
the kindergarten readiness assessment to all kindergarten 917
students enrolled in the school. If the school so elects, the 918
chief administrator of the school shall notify the director of 919
children and youth not later than the thirty-first day of March 920
prior to any school year in which the school will administer the 921
assessment. The department of children and youth shall furnish 922
the assessment to the school at no cost to the school. In 923
administering the assessment, the school shall do all of the 924

following:	925
(1) Enter into a written agreement with the department of children and youth specifying that the school will share each participating student's assessment data with the department and, that for the purpose of reporting the data to the department, each participating student will be assigned a data verification code as described in division (D) (2) of section 3301.0714 of the Revised Code;	926 927 928 929 930 931 932
(2) Require the assessment to be administered by a teacher certified under section 3301.071 of the Revised Code who either has completed training on administering the kindergarten readiness assessment or has been trained by another person who has completed such training;	933 934 935 936 937
(3) Administer the assessment in the same manner as school districts are required to do under this section and the rules established under division (C) of this section.	938 939 940
(F) A school district in which less than eighty per cent of its students score at the proficient level or higher on the third-grade English language arts assessment prescribed under section 3301.0710 of the Revised Code shall establish a reading improvement plan supported by reading specialists. Prior to implementation, the plan shall be approved by the school district board of education.	941 942 943 944 945 946 947
(G) As used in this section, "kindergarten readiness assessment" means the diagnostic assessment provided by the department of children and youth under section 5104.52 of the Revised Code.	948 949 950 951
<u>Sec. 3301.0734. (A) Not later than April 15, 2027, the department of education and workforce shall review core</u>	952 953

mathematics curricula and establish a list of high-quality core 954
curriculum and instructional materials in mathematics, and a 955
list of evidence-based mathematics intervention programs, that 956
are aligned with state standards and best practices. 957

(B) The department shall establish a rubric and scoring 958
system to evaluate core mathematics curricula based upon whether 959
or the extent to which a curriculum facilitates a student's 960
skill building and sequential advancement through mastery and 961
meets standards established by the department. The standards may 962
include whether a curriculum is supported by research that 963
qualifies as tier two or higher under the "Elementary and 964
Secondary Education Act of 1965," 20 U.S.C. 6301 et seq., and 965
demonstrates a statistically significant effect on improving 966
student outcomes. The standards also may include whether a 967
curriculum receives an all green rating from edreports, or its 968
successor organization, for the relevant subject matter and 969
grade bands. 970

The department shall post the rubric and scoring system on 971
its publicly accessible web site. Upon request, the department 972
shall provide the scored rubric to the entity that submitted a 973
curriculum to be scored and to any member of the Ohio general 974
assembly. 975

(C) Each school district, community school established 976
under Chapter 3314. of the Revised Code, and STEM school 977
established under Chapter 3326. of the Revised Code may use the 978
core curriculum and instructional materials established by the 979
department or may select different high-quality core curriculum 980
and instructional materials. 981

Sec. 3302.03. Not later than the thirty-first day of July 982
of each year, the department of education and workforce shall 983

submit preliminary report card data for overall academic 984
performance and for each separate performance measure for each 985
school district, and each school building, in accordance with 986
this section. 987

Annually, not later than the fifteenth day of September or 988
the preceding Friday when that day falls on a Saturday or 989
Sunday, the department shall assign a letter grade or 990
performance rating for overall academic performance and for each 991
separate performance measure for each school district, and each 992
school building in a district, in accordance with this section. 993
The department shall adopt rules pursuant to Chapter 119. of the 994
Revised Code to implement this section. The department's rules 995
shall establish performance criteria for each letter grade or 996
performance rating and prescribe a method by which the 997
department assigns each letter grade or performance rating. For 998
a school building to which any of the performance measures do 999
not apply, due to grade levels served by the building, the 1000
department shall designate the performance measures that are 1001
applicable to the building and that must be calculated 1002
separately and used to calculate the building's overall grade or 1003
performance rating. The department shall issue annual report 1004
cards reflecting the performance of each school district, each 1005
building within each district, and for the state as a whole 1006
using the performance measures and letter grade or performance 1007
rating system described in this section. The department shall 1008
include on the report card for each district and each building 1009
within each district the most recent two-year trend data in 1010
student achievement for each subject and each grade. 1011

(A) (1) For the 2012-2013 school year, the department shall 1012
issue grades as described in division (F) of this section for 1013
each of the following performance measures: 1014

(a) Annual measurable objectives;	1015
(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 adopted by the department. In adopting benchmarks for assigning letter grades under division (A) (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."	1016 1017 1018 1019 1020 1021 1022 1023
(c) The extent to which the school district or building meets each of the applicable performance indicators established by the department under section 3302.02 of the Revised Code and the percentage of applicable performance indicators that have been achieved. In adopting benchmarks for assigning letter grades under division (A) (1) (c) of this section, the department shall designate ninety per cent or higher for an "A."	1024 1025 1026 1027 1028 1029 1030
(d) The four- and five-year adjusted cohort graduation rates.	1031 1032
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."	1033 1034 1035 1036 1037 1038
(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:	1039 1040 1041 1042 1043

(i) A score that is at least one standard error of measure above the mean score shall be designated as an "A."	1044
	1045
(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."	1046
	1047
	1048
(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."	1049
	1050
	1051
	1052
(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."	1053
	1054
	1055
	1056
(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."	1057
	1058
	1059
Whenever the value-added progress dimension is used as a graded performance measure in this division and divisions (B) and (C) of this section, whether as an overall measure or as a measure of separate subgroups, the grades for the measure shall be calculated in the same manner as prescribed in division (A) (1) (e) of this section.	1060
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(f) The value-added progress dimension score for a school district or building disaggregated for each of the following subgroups: students identified as gifted, students with disabilities, and students whose performance places them in the lowest quintile for achievement on a statewide basis. Each subgroup shall be a separate graded measure.	1066
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(2) The department shall adopt a resolution describing the	1072

performance measures, benchmarks, and grading system for the 1073
2012-2013 school year and shall adopt rules in accordance with 1074
Chapter 119. of the Revised Code that prescribe the methods by 1075
which the performance measures under division (A) (1) of this 1076
section shall be assessed and assigned a letter grade, including 1077
performance benchmarks for each letter grade. 1078

At least forty-five days prior to the department's 1079
adoption of rules to prescribe the methods by which the 1080
performance measures under division (A) (1) of this section shall 1081
be assessed and assigned a letter grade, the department shall 1082
conduct a public presentation before the standing committees of 1083
the house of representatives and the senate that consider 1084
education legislation describing such methods, including 1085
performance benchmarks. 1086

(3) There shall not be an overall letter grade for a 1087
school district or building for the 2012-2013 school year. 1088

(B) (1) For the 2013-2014 school year, the department shall 1089
issue grades as described in division (F) of this section for 1090
each of the following performance measures: 1091

(a) Annual measurable objectives; 1092

(b) Performance index score for a school district or 1093
building. Grades shall be awarded as a percentage of the total 1094
possible points on the performance index system as created by 1095
the department. In adopting benchmarks for assigning letter 1096
grades under division (B) (1) (b) of this section, the department 1097
shall designate ninety per cent or higher for an "A," at least 1098
seventy per cent but not more than eighty per cent for a "C," 1099
and less than fifty per cent for an "F." 1100

(c) The extent to which the school district or building 1101

meets each of the applicable performance indicators established 1102
by the department under section 3302.03 of the Revised Code and 1103
the percentage of applicable performance indicators that have 1104
been achieved. In adopting benchmarks for assigning letter 1105
grades under division (B) (1) (c) of this section, the department 1106
shall designate ninety per cent or higher for an "A." 1107

(d) The four- and five-year adjusted cohort graduation 1108
rates; 1109

(e) The overall score under the value-added progress 1110
dimension of a school district or building, for which the 1111
department shall use up to three years of value-added data as 1112
available. 1113

(f) The value-added progress dimension score for a school 1114
district or building disaggregated for each of the following 1115
subgroups: students identified as gifted in superior cognitive 1116
ability and specific academic ability fields under Chapter 3324. 1117
of the Revised Code, students with disabilities, and students 1118
whose performance places them in the lowest quintile for 1119
achievement on a statewide basis. Each subgroup shall be a 1120
separate graded measure. 1121

(g) Whether a school district or building is making 1122
progress in improving literacy in grades kindergarten through 1123
three, as determined using a method prescribed by the 1124
department. The department shall adopt rules to prescribe 1125
benchmarks and standards for assigning grades to districts and 1126
buildings for purposes of division (B) (1) (g) of this section. In 1127
adopting benchmarks for assigning letter grades under divisions 1128
(B) (1) (g) and (C) (1) (g) of this section, the department shall 1129
determine progress made based on the reduction in the total 1130
percentage of students scoring below grade level, or below 1131

proficient, compared from year to year on the reading diagnostic 1132
assessments administered under section 3301.0715 of the Revised 1133
Code and the third grade English language arts assessment under 1134
section 3301.0710 of the Revised Code, as applicable. The 1135
department shall designate for a "C" grade a value that is not 1136
lower than the statewide average value for this measure. No 1137
grade shall be issued under divisions (B) (1) (g) and (C) (1) (g) of 1138
this section for a district or building in which less than five 1139
per cent of students have scored below grade level on the 1140
diagnostic assessment administered to students in kindergarten 1141
under division (B) (1) of section 3313.608 of the Revised Code. 1142

(h) For a high mobility school district or building, an 1143
additional value-added progress dimension score. For this 1144
measure, the department shall use value-added data from the most 1145
recent school year available and shall use assessment scores for 1146
only those students to whom the district or building has 1147
administered the assessments prescribed by section 3301.0710 of 1148
the Revised Code for each of the two most recent consecutive 1149
school years. 1150

As used in this division, "high mobility school district 1151
or building" means a school district or building where at least 1152
twenty-five per cent of its total enrollment is made up of 1153
students who have attended that school district or building for 1154
less than one year. 1155

(2) In addition to the graded measures in division (B) (1) 1156
of this section, the department shall include on a school 1157
district's or building's report card all of the following 1158
without an assigned letter grade: 1159

(a) The percentage of students enrolled in a district or 1160
building participating in advanced placement classes and the 1161

percentage of those students who received a score of three or 1162
better on advanced placement examinations; 1163

(b) The number of a district's or building's students who 1164
have earned at least three college credits through dual 1165
enrollment or advanced standing programs, such as the post- 1166
secondary enrollment options program under Chapter 3365. of the 1167
Revised Code and state-approved career-technical courses offered 1168
through dual enrollment or statewide articulation, that appear 1169
on a student's transcript or other official document, either of 1170
which is issued by the institution of higher education from 1171
which the student earned the college credit. The credits earned 1172
that are reported under divisions (B) (2) (b) and (C) (2) (c) of 1173
this section shall not include any that are remedial or 1174
developmental and shall include those that count toward the 1175
curriculum requirements established for completion of a degree. 1176

(c) The percentage of students enrolled in a district or 1177
building who have taken a national standardized test used for 1178
college admission determinations and the percentage of those 1179
students who are determined to be remediation-free in accordance 1180
with standards adopted under division (F) of section 3345.061 of 1181
the Revised Code; 1182

(d) The percentage of the district's or the building's 1183
students who receive industry-recognized credentials as approved 1184
under section 3313.6113 of the Revised Code. 1185

(e) The percentage of students enrolled in a district or 1186
building who are participating in an international baccalaureate 1187
program and the percentage of those students who receive a score 1188
of four or better on the international baccalaureate 1189
examinations. 1190

(f) The percentage of the district's or building's 1191
students who receive an honors diploma under division (B) of 1192
section 3313.61 of the Revised Code. 1193

(3) The department shall adopt rules in accordance with 1194
Chapter 119. of the Revised Code that prescribe the methods by 1195
which the performance measures under divisions (B) (1) (f) and (B) 1196
(1) (g) of this section will be assessed and assigned a letter 1197
grade, including performance benchmarks for each grade. 1198

At least forty-five days prior to the department's 1199
adoption of rules to prescribe the methods by which the 1200
performance measures under division (B) (1) of this section shall 1201
be assessed and assigned a letter grade, the department shall 1202
conduct a public presentation before the standing committees of 1203
the house of representatives and the senate that consider 1204
education legislation describing such methods, including 1205
performance benchmarks. 1206

(4) There shall not be an overall letter grade for a 1207
school district or building for the 2013-2014, 2014-2015, 2015- 1208
2016, and 2016-2017 school years. 1209

(C) (1) For the 2014-2015, 2015-2016, 2016-2017, 2017-2018, 1210
2018-2019, 2019-2020, and 2020-2021 school years, the department 1211
shall issue grades as described in division (F) of this section 1212
for each of the performance measures prescribed in division (C) 1213
(1) of this section. The graded measures are as follows: 1214

(a) Annual measurable objectives. For the 2017-2018 school 1215
year, the department shall not include any subgroup data in the 1216
annual measurable objectives that includes data from fewer than 1217
twenty-five students. For the 2018-2019 school year, the 1218
department shall not include any subgroup data in the annual 1219

measurable objectives that includes data from fewer than twenty 1220
students. Beginning with the 2019-2020 school year, the 1221
department shall not include any subgroup data in the annual 1222
measurable objectives that includes data from fewer than fifteen 1223
students. 1224

(b) Performance index score for a school district or 1225
building. Grades shall be awarded as a percentage of the total 1226
possible points on the performance index system as created by 1227
the department. In adopting benchmarks for assigning letter 1228
grades under division (C) (1) (b) of this section, the department 1229
shall designate ninety per cent or higher for an "A," at least 1230
seventy per cent but not more than eighty per cent for a "C," 1231
and less than fifty per cent for an "F." 1232

(c) The extent to which the school district or building 1233
meets each of the applicable performance indicators established 1234
by the department under section 3302.03 of the Revised Code and 1235
the percentage of applicable performance indicators that have 1236
been achieved. In adopting benchmarks for assigning letter 1237
grades under division (C) (1) (c) of this section, the department 1238
shall designate ninety per cent or higher for an "A." 1239

(d) The four- and five-year adjusted cohort graduation 1240
rates; 1241

(e) The overall score under the value-added progress 1242
dimension, or another measure of student academic progress if 1243
adopted by the department, of a school district or building, for 1244
which the department shall use up to three years of value-added 1245
data as available. 1246

In adopting benchmarks for assigning letter grades for 1247
overall score on value-added progress dimension under division 1248

(C) (1) (e) of this section, the department shall prohibit the 1249
assigning of a grade of "A" for that measure unless the 1250
district's or building's grade assigned for value-added progress 1251
dimension for all subgroups under division (C) (1) (f) of this 1252
section is a "C" or higher. 1253

For the metric prescribed by division (C) (1) (e) of this 1254
section, the department may adopt a student academic progress 1255
measure to be used instead of the value-added progress 1256
dimension. If the department adopts such a measure, it also 1257
shall prescribe a method for assigning letter grades for the new 1258
measure that is comparable to the method prescribed in division 1259
(A) (1) (e) of this section. 1260

(f) The value-added progress dimension score of a school 1261
district or building disaggregated for each of the following 1262
subgroups: students identified as gifted in superior cognitive 1263
ability and specific academic ability fields under Chapter 3324. 1264
of the Revised Code, students with disabilities, and students 1265
whose performance places them in the lowest quintile for 1266
achievement on a statewide basis, as determined by a method 1267
prescribed by the department. Each subgroup shall be a separate 1268
graded measure. 1269

The department may adopt student academic progress 1270
measures to be used instead of the value-added progress 1271
dimension. If the department adopts such measures, it also shall 1272
prescribe a method for assigning letter grades for the new 1273
measures that is comparable to the method prescribed in division 1274
(A) (1) (e) of this section. 1275

(g) Whether a school district or building is making 1276
progress in improving literacy in grades kindergarten through 1277
three, as determined using a method prescribed by the 1278

department. The department shall adopt rules to prescribe 1279
benchmarks and standards for assigning grades to a district or 1280
building for purposes of division (C) (1) (g) of this section. The 1281
department shall designate for a "C" grade a value that is not 1282
lower than the statewide average value for this measure. No 1283
grade shall be issued under division (C) (1) (g) of this section 1284
for a district or building in which less than five per cent of 1285
students have scored below grade level on the kindergarten 1286
diagnostic assessment under division (B) (1) of section 3313.608 1287
of the Revised Code. 1288

(h) For a high mobility school district or building, an 1289
additional value-added progress dimension score. For this 1290
measure, the department shall use value-added data from the most 1291
recent school year available and shall use assessment scores for 1292
only those students to whom the district or building has 1293
administered the assessments prescribed by section 3301.0710 of 1294
the Revised Code for each of the two most recent consecutive 1295
school years. 1296

As used in this division, "high mobility school district 1297
or building" means a school district or building where at least 1298
twenty-five per cent of its total enrollment is made up of 1299
students who have attended that school district or building for 1300
less than one year. 1301

(2) In addition to the graded measures in division (C) (1) 1302
of this section, the department shall include on a school 1303
district's or building's report card all of the following 1304
without an assigned letter grade: 1305

(a) The percentage of students enrolled in a district or 1306
building who have taken a national standardized test used for 1307
college admission determinations and the percentage of those 1308

students who are determined to be remediation-free in accordance 1309
with the standards adopted under division (F) of section 1310
3345.061 of the Revised Code; 1311

(b) The percentage of students enrolled in a district or 1312
building participating in advanced placement classes and the 1313
percentage of those students who received a score of three or 1314
better on advanced placement examinations; 1315

(c) The percentage of a district's or building's students 1316
who have earned at least three college credits through advanced 1317
standing programs, such as the college credit plus program under 1318
Chapter 3365. of the Revised Code and state-approved career- 1319
technical courses offered through dual enrollment or statewide 1320
articulation, that appear on a student's college transcript 1321
issued by the institution of higher education from which the 1322
student earned the college credit. The credits earned that are 1323
reported under divisions (B) (2) (b) and (C) (2) (c) of this section 1324
shall not include any that are remedial or developmental and 1325
shall include those that count toward the curriculum 1326
requirements established for completion of a degree. 1327

(d) The percentage of the district's or building's 1328
students who receive an honor's diploma under division (B) of 1329
section 3313.61 of the Revised Code; 1330

(e) The percentage of the district's or building's 1331
students who receive industry-recognized credentials as approved 1332
under section 3313.6113 of the Revised Code; 1333

(f) The percentage of students enrolled in a district or 1334
building who are participating in an international baccalaureate 1335
program and the percentage of those students who receive a score 1336
of four or better on the international baccalaureate 1337

examinations; 1338

(g) The results of the college and career-ready 1339
assessments administered under division (B) (1) of section 1340
3301.0712 of the Revised Code; 1341

(h) Whether the school district or building has 1342
implemented a positive behavior intervention and supports 1343
framework in compliance with the requirements of section 3319.46 1344
of the Revised Code, notated as a "yes" or "no" answer. 1345

(3) The department shall adopt rules pursuant to Chapter 1346
119. of the Revised Code that establish a method to assign an 1347
overall grade for a school district or school building for the 1348
2017-2018 school year and each school year thereafter. The rules 1349
shall group the performance measures in divisions (C) (1) and (2) 1350
of this section into the following components: 1351

(a) Gap closing, which shall include the performance 1352
measure in division (C) (1) (a) of this section; 1353

(b) Achievement, which shall include the performance 1354
measures in divisions (C) (1) (b) and (c) of this section; 1355

(c) Progress, which shall include the performance measures 1356
in divisions (C) (1) (e) and (f) of this section; 1357

(d) Graduation, which shall include the performance 1358
measure in division (C) (1) (d) of this section; 1359

(e) Kindergarten through third-grade literacy, which shall 1360
include the performance measure in division (C) (1) (g) of this 1361
section; 1362

(f) Prepared for success, which shall include the 1363
performance measures in divisions (C) (2) (a), (b), (c), (d), (e), 1364
and (f) of this section. The department shall develop a method 1365

to determine a grade for the component in division (C) (3) (f) of 1366
this section using the performance measures in divisions (C) (2) 1367
(a), (b), (c), (d), (e), and (f) of this section. When 1368
available, the department may incorporate the performance 1369
measure under division (C) (2) (g) of this section into the 1370
component under division (C) (3) (f) of this section. When 1371
determining the overall grade for the prepared for success 1372
component prescribed by division (C) (3) (f) of this section, no 1373
individual student shall be counted in more than one performance 1374
measure. However, if a student qualifies for more than one 1375
performance measure in the component, the department may, in its 1376
method to determine a grade for the component, specify an 1377
additional weight for such a student that is not greater than or 1378
equal to 1.0. In determining the overall score under division 1379
(C) (3) (f) of this section, the department shall ensure that the 1380
pool of students included in the performance measures aggregated 1381
under that division are all of the students included in the 1382
four- and five-year adjusted graduation cohort. 1383

In the rules adopted under division (C) (3) of this 1384
section, the department shall adopt a method for determining a 1385
grade for each component in divisions (C) (3) (a) to (f) of this 1386
section. The department also shall establish a method to assign 1387
an overall grade of "A," "B," "C," "D," or "F" using the grades 1388
assigned for each component. The method the department adopts 1389
for assigning an overall grade shall give equal weight to the 1390
components in divisions (C) (3) (b) and (c) of this section. 1391

At least forty-five days prior to the department's 1392
adoption of rules to prescribe the methods for calculating the 1393
overall grade for the report card, as required by this division, 1394
the department shall conduct a public presentation before the 1395
standing committees of the house of representatives and the 1396

senate that consider education legislation describing the format 1397
for the report card, weights that will be assigned to the 1398
components of the overall grade, and the method for calculating 1399
the overall grade. 1400

(D) For the 2021-2022 school year and each school year 1401
thereafter, all of the following apply: 1402

(1) The department shall include on a school district's or 1403
building's report card all of the following performance measures 1404
without an assigned performance rating: 1405

(a) Whether the district or building meets the gifted 1406
performance indicator under division (A) (2) of section 3302.02 1407
of the Revised Code and the extent to which the district or 1408
building meets gifted indicator performance benchmarks; 1409

(b) The extent to which the district or building meets the 1410
chronic absenteeism indicator under division (A) (3) of section 1411
3302.02 of the Revised Code; 1412

(c) Performance index score percentage for a district or 1413
building, which shall be calculated by dividing the district's 1414
or building's performance index score according to the 1415
performance index system created by the department by the 1416
maximum performance index score for a district or building. The 1417
maximum performance index score shall be as follows: 1418

(i) For a building, the average of the highest two per 1419
cent of performance index scores achieved by a building for the 1420
school year for which a report card is issued; 1421

(ii) For a district, the average of the highest two per 1422
cent of performance index scores achieved by a district for the 1423
school year for which a report card is issued. 1424

(d) The overall score under the value-added progress 1425
dimension of a district or building, for which the department 1426
shall use three consecutive years of value-added data. In using 1427
three years of value-added data to calculate the measure 1428
prescribed under division (D)(1)(d) of this section, the 1429
department shall assign a weight of fifty per cent to the most 1430
recent year's data and a weight of twenty-five per cent to the 1431
data of each of the other years. However, if three consecutive 1432
years of value-added data is not available, the department shall 1433
use prior years of value-added data to calculate the measure, as 1434
follows: 1435

(i) If two consecutive years of value-added data is not 1436
available, the department shall use one year of value-added data 1437
to calculate the measure. 1438

(ii) If two consecutive years of value-added data is 1439
available, the department shall use two consecutive years of 1440
value-added data to calculate the measure. In using two years of 1441
value-added data to calculate the measure, the department shall 1442
assign a weight of sixty-seven per cent to the most recent 1443
year's data and a weight of thirty-three per cent to the data of 1444
the other year. 1445

(e) The four-year adjusted cohort graduation rate. 1446

(f) The five-year adjusted cohort graduation rate. 1447

(g) The percentage of students in the district or building 1448
who score proficient or higher on the reading segment of the 1449
third grade English language arts assessment under section 1450
3301.0710 of the Revised Code. 1451

To the extent possible, the department shall include the 1452
results of the summer administration of the third grade reading 1453

assessment under section 3301.0710 of the Revised Code in the 1454
performance measures prescribed under divisions (D) (1) (g) and 1455
(h) of this section. 1456

(h) Whether a district or building is making progress in 1457
improving literacy in grades kindergarten through three, as 1458
determined using a method prescribed by the department. The 1459
method shall determine progress made based on the reduction in 1460
the total percentage of students scoring below grade level, or 1461
below proficient, compared from year to year on the reading 1462
segments of the diagnostic assessments administered under 1463
division (A) (1) of section 3301.0715 of the Revised Code and the 1464
third grade English language arts assessment under section 1465
3301.0710 of the Revised Code, as applicable. The method shall 1466
not include a deduction for students who did not pass the third 1467
grade English language arts assessment under section 3301.0710 1468
of the Revised Code and were not on a reading improvement and 1469
monitoring plan. 1470

The performance measure prescribed under division (D) (1) 1471
(h) of this section shall not be included on the report card of 1472
a district or building in which less than ten per cent of 1473
students have scored below grade level on the diagnostic 1474
assessment administered to students in kindergarten under 1475
division (B) (1) of section 3313.608 of the Revised Code. 1476

(i) The percentage of students in a district or building 1477
who are promoted to the fourth grade based on the student's 1478
score on the third grade English language arts assessment under 1479
division (A) (3) of section 3301.0710 of the Revised Code or 1480
demonstrate competency on an alternative assessment under 1481
division (A) (2) (c) of section 3313.608 of the Revised Code; 1482

(j) A post-secondary readiness measure. This measure shall 1483

be calculated by dividing the number of students included in the 1484
four-year adjusted graduation rate cohort who demonstrate post- 1485
secondary readiness by the total number of students included in 1486
the denominator of the four-year adjusted graduation rate 1487
cohort. Demonstration of post-secondary readiness shall include 1488
a student doing any of the following: 1489

(i) Attaining a remediation-free score, in accordance with 1490
standards adopted under division (F) of section 3345.061 of the 1491
Revised Code, on a nationally standardized assessment prescribed 1492
under division (B) (1) of section 3301.0712 of the Revised Code; 1493

(ii) Attaining required scores on three or more advanced 1494
placement, college-level examination program, or international 1495
baccalaureate examinations. The required score for an advanced 1496
placement examination shall be a three or better. The required 1497
score for a college-level examination program examination shall 1498
be a passing score, as determined by the department. The 1499
required score for an international baccalaureate examination 1500
shall be a four or better. A student may satisfy this condition 1501
with any combination of advanced placement, college-level 1502
examination program, or international baccalaureate 1503
examinations. 1504

(iii) Earning at least twelve college credits through 1505
advanced standing programs, such as the college credit plus 1506
program under Chapter 3365. of the Revised Code, an early 1507
college high school program under section 3313.6013 of the 1508
Revised Code, and state-approved career-technical courses 1509
offered through dual enrollment or statewide articulation, that 1510
appear on a student's college transcript issued by the 1511
institution of higher education from which the student earned 1512
the college credit. Earned credits reported under division (D) 1513

(1) (j) (iii) of this section shall include credits that count 1514
toward the curriculum requirements established for completion of 1515
a degree, but shall not include any remedial or developmental 1516
credits. 1517

(iv) Meeting the additional criteria for an honors diploma 1518
under division (B) of section 3313.61 of the Revised Code; 1519

(v) Earning an industry-recognized credential or license 1520
issued by a state agency or board for practice in a vocation 1521
that requires an examination for issuance of that license 1522
approved under section 3313.6113 of the Revised Code; 1523

(vi) Satisfying any of the following conditions: 1524

(I) Completing a pre-apprenticeship aligned with options 1525
established under section 3313.904 of the Revised Code in the 1526
student's chosen career field; 1527

(II) Completing an apprenticeship registered with the 1528
apprenticeship council established under section 4139.02 of the 1529
Revised Code in the student's chosen career field; 1530

(III) Providing evidence of acceptance into an 1531
apprenticeship program after high school that is restricted to 1532
participants eighteen years of age or older. 1533

(vii) Earning a cumulative score of proficient or higher 1534
on three or more state technical assessments aligned with 1535
section 3313.903 of the Revised Code in a single career pathway; 1536

(viii) Earning an OhioMeansJobs-readiness seal established 1537
under section 3313.6112 of the Revised Code and completing two 1538
hundred fifty hours of an internship or other work-based 1539
learning experience that is either: 1540

(I) Approved by the business advisory council established 1541

under section 3313.82 of the Revised Code that represents the student's district; or

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

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

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

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

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

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

(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;

(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, 1570
the department shall disaggregate that data according to the 1571
following categories: 1572

(i) Students who are still enrolled in the district or 1573
building and receiving general education services; 1574

(ii) Students with an individualized education program, as 1575
defined in section 3323.01 of the Revised Code, who satisfied 1576
the conditions for a high school diploma under section 3313.61 1577
or 3325.08 of the Revised Code, but opted not to receive a 1578
diploma and are still receiving education services; 1579

(iii) Students with an individualized education program 1580
who have not yet satisfied conditions for a high school diploma 1581
under section 3313.61 or 3325.08 of the Revised Code and who are 1582
still receiving education services; 1583

(iv) Students who are no longer enrolled in any district 1584
or building; 1585

(v) Students who, upon enrollment in the district or 1586
building for the first time, had completed fewer units of high 1587
school instruction required under section 3313.603 of the 1588
Revised Code than other students in the four- or five-year 1589
adjusted cohort graduation rate. 1590

The department may disaggregate the data prescribed under 1591
division (D) (2) (d) of this section according to other categories 1592
that the department determines are appropriate. 1593

(e) Post-graduate outcomes for students who were enrolled 1594
in a district or building and received a high school diploma 1595
under section 3313.61 or 3325.08 of the Revised Code in the 1596
school year prior to the school year for which the report card 1597
is issued, including the percentage of students who: 1598

- (i) Enrolled in a post-secondary educational institution. 1599
To the extent possible, the department shall disaggregate that 1600
data according to whether the student enrolled in a four-year 1601
institution of higher education, a two-year institution of 1602
higher education, an Ohio technical center that provides adult 1603
technical education services and is recognized by the chancellor 1604
of higher education, or another type of post-secondary 1605
educational institution. 1606
- (ii) Entered an apprenticeship program registered with the 1607
apprenticeship council established under Chapter 4139. of the 1608
Revised Code. The department may include other job training 1609
programs with similar rigor and outcomes. 1610
- (iii) Attained gainful employment, as determined by the 1611
department; 1612
- (iv) Enlisted in a branch of the armed forces of the 1613
United States, as defined in section 5910.01 of the Revised 1614
Code. 1615
- (f) Whether the school district or building has 1616
implemented a positive behavior intervention and supports 1617
framework in compliance with the requirements of section 3319.46 1618
of the Revised Code, notated with a "yes" or "no"; 1619
- (g) The number and percentage of high school seniors in 1620
each school year who completed the free application for federal 1621
student aid; 1622
- (h) Beginning with the report card issued under this 1623
section for the 2022-2023 school year, a student opportunity 1624
profile measure that reports data regarding the opportunities 1625
provided to students by a district or building. To the extent 1626
possible, and when appropriate, the data shall be disaggregated 1627

by grade level and subgroup. The measure also shall include data 1628
regarding the statewide average, the average for similar school 1629
districts, and, for a building, the average for the district in 1630
which the building is located. The measure shall include all of 1631
the following data for the district or building: 1632

(i) The average ratio of teachers of record to students in 1633
each grade level in a district or building; 1634

(ii) The average ratio of school counselors to students in 1635
a district or building; 1636

(iii) The average ratio of nurses to students in a 1637
district or building; 1638

(iv) The average ratio of licensed librarians and library 1639
media specialists to students in a district or building; 1640

(v) The average ratio of social workers to students in a 1641
district or building; 1642

(vi) The average ratio of mental health professionals to 1643
students in a district or building; 1644

(vii) The average ratio of paraprofessionals to students 1645
in a district or building; 1646

(viii) The percentage of teachers with fewer than three 1647
years of experience teaching in any school; 1648

(ix) The percentage of principals with fewer than three 1649
years of experience as a principal in any school; 1650

(x) The percentage of teachers who are not teaching in the 1651
subject or field for which they are certified or licensed; 1652

(xi) The percentage of kindergarten students who are 1653
enrolled in all-day kindergarten, as defined in section 3321.05 1654

of the Revised Code;	1655
(xii) The percentage of students enrolled in a performing or visual arts course;	1656 1657
(xiii) The percentage of students enrolled in a physical education or wellness course;	1658 1659
(xiv) The percentage of students enrolled in a world language course;	1660 1661
(xv) The percentage of students in grades seven through twelve who are enrolled in a career-technical education course;	1662 1663
(xvi) The percentage of students participating in one or more cocurricular activities;	1664 1665
(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;	1666 1667 1668 1669
(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;	1670 1671 1672 1673
(xix) The percentage of students participating in enrichment or support programs offered by the district or building outside of the normal school day;	1674 1675 1676
(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;	1677 1678 1679 1680
(xxi) The percentage of students who are transported by a	1681

school bus each school day; 1682

(xxii) The ratio of portable technology devices that 1683
students may take home to the number of students. 1684

The department shall include only opportunity measures at 1685
the building level for which data for buildings is available, as 1686
determined by a school district. 1687

(i) (i) The percentage of students included in the four- 1688
and five-year adjusted cohort graduation rates of the district 1689
or building who completed all of grades nine through twelve 1690
while enrolled in the district or building; 1691

(ii) The four-year adjusted cohort graduation rate for 1692
only those students who were continuously enrolled in the same 1693
district or building for grades nine through twelve. 1694

(j) Whether the district or building provides information 1695
about and promotes the college credit plus program established 1696
under Chapter 3365. of the Revised Code to students in 1697
accordance with section 3365.04 of the Revised Code, notated 1698
with a "yes" or "no"; 1699

(k) The percentage of students in the district or building 1700
to whom both of the following apply: 1701

(i) The students are promoted to fourth grade and not 1702
subject to retention under division (A) (2) of section 3313.608 1703
of the Revised Code. 1704

(ii) The students completed all of the grade levels 1705
offered prior to the fourth grade in the district or building. 1706

(l) The reading and mathematics curricula used in each 1707
school building and whether the curriculum is designated as 1708
high-quality by the department under section 3301.0734 or 1709

3313.6028 of the Revised Code. The department shall report the 1710
information required under this division in a form and manner 1711
determined by the department. 1712

(3) Except as provided in division (D)(3)(f) of this 1713
section, the department shall use the method prescribed under 1714
rules adopted under division (D)(4) of this section to assign 1715
performance ratings of "one star," "two stars," "three stars," 1716
"four stars," or "five stars," as described in division (F) of 1717
this section, for a district or building for the individual 1718
components prescribed under division (D)(3) of this section. The 1719
department also shall assign an overall performance rating for a 1720
district or building in accordance with division (D)(3)(g) of 1721
this section. The method shall use the performance measures 1722
prescribed under division (D)(1) of this section to calculate 1723
performance ratings for components. The method may report data 1724
under division (D)(2) of this section with corresponding 1725
components, but shall not use the data to calculate performance 1726
ratings for that component. The performance measures and 1727
reported data shall be grouped together into components as 1728
follows: 1729

(a) Gap closing. In addition to other criteria determined 1730
appropriate by the department, performance ratings for the gap 1731
closing component shall reflect whether each of the following 1732
performance measures are met or not met: 1733

(i) The gifted performance indicator as described in 1734
division (D)(1)(a) of this section; 1735

(ii) The chronic absenteeism indicator as described in 1736
division (D)(1)(b) of this section; 1737

(iii) For English learners, an English language 1738

proficiency improvement indicator established by the department;	1739
(iv) The subgroup graduation targets;	1740
(v) The subgroup achievement targets in both mathematics and English language arts;	1741 1742
(vi) The subgroup progress targets in both mathematics and English language arts.	1743 1744
Achievement and progress targets under division (D) (3) (a) of this section shall be calculated individually, and districts and buildings shall receive a status of met or not met on each measure. The department shall not require a subgroup of a district or building to meet both the achievement and progress targets at the same time to receive a status of met.	1745 1746 1747 1748 1749 1750
The department shall not include any subgroup data in this measure that includes data from fewer than fifteen students. Any penalty for failing to meet the required assessment participation rate must be partially in proportion to how close the district or building was to meeting the rate requirement.	1751 1752 1753 1754 1755
(b) Achievement, which shall include the performance measure in division (D) (1) (c) of this section and the reported data in division (D) (2) (a) of this section. Performance ratings for the achievement component shall be awarded as a percentage of the maximum performance index score described in division (D) (1) (c) of this section.	1756 1757 1758 1759 1760 1761
(c) Progress, which shall include the performance measure in division (D) (1) (d) of this section and the reported data in divisions (D) (2) (b) and (c) of this section;	1762 1763 1764
(d) Graduation, which shall include the performance measures in divisions (D) (1) (e) and (f) of this section and the	1765 1766

reported data in divisions (D) (2) (d) and (j) of this section. 1767
The four-year adjusted cohort graduation rate shall be assigned 1768
a weight of sixty per cent and the five-year adjusted cohort 1769
graduation rate shall be assigned a weight of forty per cent. 1770

(e) Early literacy, which shall include the performance 1771
measures in divisions (D) (1) (g), (h), and (i) of this section 1772
and the reported data in division (D) (2) (k) of this section. 1773

If the measure prescribed under division (D) (1) (h) of this 1774
section is included in a report card, performance ratings for 1775
the early literacy component shall give a weight of forty per 1776
cent to the measure prescribed under division (D) (1) (g) of this 1777
section, a weight of thirty-five per cent to the measure 1778
prescribed under division (D) (1) (i) of this section, and a 1779
weight of twenty-five per cent to the measure prescribed under 1780
division (D) (1) (h) of this section. 1781

If the measure prescribed under division (D) (1) (h) of this 1782
section is not included in a report card of a district or 1783
building, performance ratings for the early literacy component 1784
shall give a weight of sixty per cent to the measure prescribed 1785
under division (D) (1) (g) of this section and a weight of forty 1786
per cent to the measure prescribed under division (D) (1) (i) of 1787
this section. 1788

(f) College, career, workforce, and military readiness, 1789
which shall include the performance measure in division (D) (1) 1790
(j) of this section and the reported data in division (D) (2) (e) 1791
of this section. 1792

For the 2021-2022, 2022-2023, and 2023-2024 school years, 1793
the department only shall report the data for, and not assign a 1794
performance rating to, the college, career, workforce, and 1795

military readiness component. The reported data shall include 1796
the percentage of students who demonstrate post-secondary 1797
readiness using any of the options described in division (D) (1) 1798
(j) of this section. 1799

The department shall analyze the data included in the 1800
performance measure prescribed in division (D) (1) (j) of this 1801
section for the 2021-2022, 2022-2023, and 2023-2024 school 1802
years. Using that data, the department shall develop and propose 1803
rules for a method to assign a performance rating to the 1804
college, career, workforce, and military readiness component 1805
based on that measure. The method to assign a performance rating 1806
shall not include a tiered structure or per student bonuses. The 1807
rules shall specify that a district or building shall not 1808
receive lower than a performance rating of three stars for the 1809
component if the district's or building's performance on the 1810
component meets or exceeds a level of improvement set by the 1811
department. Notwithstanding division (D) (4) (b) of this section, 1812
more than half of the total districts and buildings may earn a 1813
performance rating of three stars on this component to account 1814
for the districts and buildings that earned a performance rating 1815
of three stars because they met or exceeded the level of 1816
improvement set by the department. 1817

The department shall submit the rules to the joint 1818
committee on agency rule review. The committee shall conduct at 1819
least one public hearing on the proposed rules and approve or 1820
disapprove the rules. If the committee approves the rules, the 1821
department shall adopt the rules in accordance with Chapter 119. 1822
of the Revised Code. If the rules are adopted, the department 1823
shall assign a performance rating to the college, career, 1824
workforce, and military readiness component under the rules 1825
beginning with the 2024-2025 school year, and for each school 1826

year thereafter. If the committee disapproves the rules, the 1827
component shall be included in the report card only as reported 1828
data for the 2024-2025 school year, and each school year 1829
thereafter. 1830

(g) (i) Except as provided for in division (D) (3) (g) (ii) of 1831
this section, beginning with the 2022-2023 school year, under 1832
the method prescribed under rules adopted in division (D) (4) of 1833
this section, the department shall use the performance ratings 1834
assigned for the components prescribed in divisions (D) (3) (a) to 1835
(e) of this section to determine and assign an overall 1836
performance rating of "one star," "one and one-half stars," "two 1837
stars," "two and one-half stars," "three stars," "three and one- 1838
half stars," "four stars," "four and one-half stars," or "five 1839
stars" for a district or building. The method shall give equal 1840
weight to the components in divisions (D) (3) (b) and (c) of this 1841
section. The method shall give equal weight to the components in 1842
divisions (D) (3) (a), (d), and (e) of this section. The 1843
individual weights of each of the components prescribed in 1844
divisions (D) (3) (a), (d), and (e) of this section shall be equal 1845
to one-half of the weight given to the component prescribed in 1846
division (D) (3) (b) of this section. 1847

(ii) If the joint committee on agency rule review approves 1848
the department's rules regarding the college, career, workforce, 1849
and military readiness component as described in division (D) (3) 1850
(f) of this section, for the 2024-2025 school year, and each 1851
school year thereafter, the department's method shall use the 1852
components in divisions (D) (3) (a), (b), (c), (d), (e), and (f) 1853
of this section to calculate the overall performance rating. The 1854
method shall give equal weight to the components in divisions 1855
(D) (3) (b) and (c) of this section. The method shall give equal 1856
weight to the components prescribed in divisions (D) (3) (a), (d), 1857

(e), and (f) of this section. The individual weights of each of 1858
the components prescribed in divisions (D) (3) (a), (d), (e), and 1859
(f) of this section shall be equal to one-half the weight given 1860
to the component prescribed in division (D) (3) (b) of this 1861
section. 1862

If the joint committee on agency rule review disapproves 1863
the department's rules regarding the college, career, workforce, 1864
and military readiness component as described in division (D) (3) 1865
(f) of this section, division (D) (3) (g) (ii) of this section does 1866
not apply. 1867

(4) (a) The department shall adopt rules in accordance with 1868
Chapter 119. of the Revised Code to establish the performance 1869
criteria, benchmarks, and rating system necessary to implement 1870
divisions (D) and (F) of this section, including the method for 1871
the department to assign performance ratings under division (D) 1872
(3) of this section. 1873

(b) In establishing the performance criteria, benchmarks, 1874
and rating system, the department shall consult with stakeholder 1875
groups and advocates that represent parents, community members, 1876
students, business leaders, and educators from different school 1877
typology regions. The department shall use data from prior 1878
school years and simulations to ensure that there is meaningful 1879
differentiation among districts and buildings across all 1880
performance ratings and that, except as permitted in division 1881
(D) (3) (f) of this section, more than half of all districts or 1882
buildings do not earn the same performance rating in any 1883
component or overall performance rating. 1884

(c) The department shall adopt the rules prescribed by 1885
division (D) (4) of this section not later than March 31, 2022. 1886
However, the department shall notify districts and buildings of 1887

the changes to the report card prescribed in law not later than 1888
one week after September 30, 2021. 1889

(d) Prior to adopting or updating rules under division (D) 1890
(4) of this section, the director of education and workforce and 1891
the department shall conduct a public presentation before the 1892
standing committees of the house of representatives and the 1893
senate that consider primary and secondary education legislation 1894
describing the format for the report card and the performance 1895
criteria, benchmarks, and rating system, including the method to 1896
assign performance ratings under division (D) (3) of this 1897
section. 1898

(E) The department may develop a measure of student 1899
academic progress for high school students using only data from 1900
assessments in English language arts and mathematics. If the 1901
department develops this measure, each school district and 1902
applicable school building shall be assigned a separate letter 1903
grade for it not sooner than the 2017-2018 school year. The 1904
district's or building's grade for that measure shall not be 1905
included in determining the district's or building's overall 1906
letter grade. 1907

(F) (1) The letter grades assigned to a school district or 1908
building under this section shall be as follows: 1909

(a) "A" for a district or school making excellent 1910
progress; 1911

(b) "B" for a district or school making above average 1912
progress; 1913

(c) "C" for a district or school making average progress; 1914

(d) "D" for a district or school making below average 1915
progress; 1916

(e) "F" for a district or school failing to meet minimum progress.	1917 1918
(2) For the overall performance rating under division (D)	1919
(3) of this section, the department shall include a descriptor for each performance rating as follows:	1920 1921
(a) "Significantly exceeds state standards" for a performance rating of five stars;	1922 1923
(b) "Exceeds state standards" for a performance rating of four stars or four and one-half stars;	1924 1925
(c) "Meets state standards" for a performance rating of three stars or three and one-half stars;	1926 1927
(d) "Needs support to meet state standards" for a performance rating of two stars or two and one-half stars;	1928 1929
(e) "Needs significant support to meet state standards" for a performance rating of one star or one and one-half stars.	1930 1931
(3) For performance ratings for each component under divisions (D) (3) (a) to (f) of this section, the department shall include a description of each component and performance rating. The description shall include component-specific context to each performance rating earned, estimated comparisons to other school districts and buildings if appropriate, and any other information determined by the department. The descriptions shall be not longer than twenty-five words in length when possible. In addition to such descriptions, the department shall include the descriptors in division (F) (2) of this section for component performance ratings.	1932 1933 1934 1935 1936 1937 1938 1939 1940 1941 1942
(4) Each report card issued under this section shall include all of the following:	1943 1944

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

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

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

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

(1) Performance of students by grade-level;

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

(3) Performance of students by gender;

(4) Performance of students grouped by those who have been enrolled in a district or school for three or more years;

(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;

(6) Performance of students grouped by those who have been enrolled in a district or school for one year or less;

(7) Performance of students grouped by those who are economically disadvantaged;	1972 1973
(8) Performance of students grouped by those who are enrolled in a conversion community school established under Chapter 3314. of the Revised Code;	1974 1975 1976
(9) Performance of students grouped by those who are classified as English learners;	1977 1978
(10) Performance of students grouped by those who have disabilities;	1979 1980
(11) Performance of students grouped by those who are classified as migrants;	1981 1982
(12) Performance of students grouped by those who are identified as gifted in superior cognitive ability and the specific academic ability fields of reading and math pursuant to Chapter 3324. of the Revised Code. In disaggregating specific academic ability fields for gifted students, the department shall use data for those students with specific academic ability in math and reading. If any other academic field is assessed, the department shall also include data for students with specific academic ability in that field as well.	1983 1984 1985 1986 1987 1988 1989 1990 1991
(13) Performance of students grouped by those who perform in the lowest quintile for achievement on a statewide basis, as determined by a method prescribed by the department.	1992 1993 1994
The department may disaggregate data on student performance according to other categories that the department determines are appropriate. To the extent possible, the department shall disaggregate data on student performance according to any combinations of two or more of the categories listed in divisions (G) (1) to (13) of this section that it deems	1995 1996 1997 1998 1999 2000

relevant. 2001

In reporting data pursuant to division (G) of this 2002
section, the department shall not include in the report cards 2003
any data statistical in nature that is statistically unreliable 2004
or that could result in the identification of individual 2005
students. For this purpose, the department shall not report 2006
student performance data for any group identified in division 2007
(G) of this section that contains less than ten students. If the 2008
department does not report student performance data for a group 2009
because it contains less than ten students, the department shall 2010
indicate on the report card that is why data was not reported. 2011

(H) The department may include with the report cards any 2012
additional education and fiscal performance data it deems 2013
valuable. 2014

(I) The department shall include on each report card a 2015
list of additional information collected by the department that 2016
is available regarding the district or building for which the 2017
report card is issued. When available, such additional 2018
information shall include student mobility data disaggregated by 2019
race and socioeconomic status, college enrollment data, and the 2020
reports prepared under section 3302.031 of the Revised Code. 2021

The department shall maintain a site on the world wide 2022
web. The report card shall include the address of the site and 2023
shall specify that such additional information is available to 2024
the public at that site. The department shall also provide a 2025
copy of each item on the list to the superintendent of each 2026
school district. The district superintendent shall provide a 2027
copy of any item on the list to anyone who requests it. 2028

(J) (1) (a) Except as provided in division (J) (1) (b) of this 2029

section, for any district that sponsors a conversion community school under Chapter 3314. of the Revised Code, the department shall combine data regarding the academic performance of students enrolled in the community school with comparable data from the schools of the district for the purpose of determining the performance of the district as a whole on the report card issued for the district under this section or section 3302.033 of the Revised Code.

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

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

(3) Any municipal school district, as defined in section

3311.71 of the Revised Code, that sponsors a community school 2060
located within the district's territory, or that enters into an 2061
agreement with a community school located within the district's 2062
territory whereby the district and the community school endorse 2063
each other's programs, may exercise either or both of the 2064
following elections: 2065

(a) To have data regarding the academic performance of 2066
students enrolled in that community school combined with 2067
comparable data from the schools of the district for the purpose 2068
of determining the performance of the district as a whole on the 2069
district's report card; 2070

(b) To have the number of students attending that 2071
community school noted separately on the district's report card. 2072

The election authorized under division (J) (3) (a) of this 2073
section is subject to approval by the governing authority of the 2074
community school. 2075

Any municipal school district that exercises an election 2076
to combine or include data under division (J) (3) of this 2077
section, by the first day of October of each year, shall file 2078
with the department documentation indicating eligibility for 2079
that election, as required by the department. 2080

(K) The department shall include on each report card the 2081
percentage of teachers in the district or building who are 2082
properly certified or licensed teachers, as defined in section 2083
3319.074 of the Revised Code, and a comparison of that 2084
percentage with the percentages of such teachers in similar 2085
districts and buildings. 2086

(L) (1) In calculating English language arts, mathematics, 2087
science, American history, or American government assessment 2088

passage rates used to determine school district or building 2089
performance under this section, the department shall include all 2090
students taking an assessment with accommodation or to whom an 2091
alternate assessment is administered pursuant to division (C) (1) 2092
or (3) of section 3301.0711 of the Revised Code and all students 2093
who take substitute examinations approved under division (B) (4) 2094
of section 3301.0712 of the Revised Code in the subject areas of 2095
science, American history and American government. 2096

(2) In calculating performance index scores, rates of 2097
achievement on the performance indicators established by the 2098
department under section 3302.02 of the Revised Code, and annual 2099
measurable objectives for determining adequate yearly progress 2100
for school districts and buildings under this section, the 2101
department shall do all of the following: 2102

(a) Include for each district or building only those 2103
students who are included in the ADM certified for the first 2104
full school week of October and are continuously enrolled in the 2105
district or building through the time of the spring 2106
administration of any assessment prescribed by division (A) (1) 2107
or (B) (1) of section 3301.0710 or division (B) of section 2108
3301.0712 of the Revised Code that is administered to the 2109
student's grade level; 2110

(b) Include cumulative totals from both the fall and 2111
spring administrations of the third grade English language arts 2112
achievement assessment and, to the extent possible, the summer 2113
administration of that assessment; 2114

(c) Include for each district or building any English 2115
learner in accordance with the department's plan, as approved by 2116
the United States secretary of education, to comply with the 2117
"Elementary and Secondary Education Act of 1965," 20 U.S.C. 6311 2118

to 6339. 2119

As used in this section, "English learner" has the same 2120
meaning as in section 3301.0731 of the Revised Code. 2121

(M) Beginning with the 2015-2016 school year and at least 2122
once every three years thereafter, the department shall review 2123
and may adjust the benchmarks for assigning letter grades or 2124
performance ratings to the performance measures and components 2125
prescribed under divisions (C) (3), (D), and (E) of this section. 2126

Sec. 3302.07. (A) The board of education of any school 2127
district, the governing board of any educational service center, 2128
the governing authority of any community school established 2129
under Chapter 3314. of the Revised Code, the governing authority 2130
of any STEM school established under Chapter 3326. of the 2131
Revised Code, or the administrative authority of any chartered 2132
nonpublic school may submit to the department of education and 2133
workforce an application proposing an innovative education pilot 2134
program the implementation of which requires exemptions from 2135
specific statutory provisions or rules. If a district or service 2136
center board employs teachers under a collective bargaining 2137
agreement adopted pursuant to Chapter 4117. of the Revised Code, 2138
any application submitted under this division shall include the 2139
written consent of the teachers' employee representative 2140
designated under division (B) of section 4117.04 of the Revised 2141
Code. The exemptions requested in the application shall be 2142
limited to any requirement of Title XXXIII of the Revised Code 2143
or of any rule of the department adopted pursuant to that title 2144
except that the application may not propose an exemption from 2145
any requirement of or rule adopted pursuant to Chapter 3307. or 2146
3309., section 3302.41 or 3302.42, sections 3319.07 to 3319.21, 2147
section 3313.6028, or Chapter 3323. of the Revised Code. 2148

Furthermore, an exemption from any operating standard adopted 2149
under division (B) (2) or (D) of section 3301.07 of the Revised 2150
Code shall be granted only pursuant to a waiver granted by the 2151
director of education and workforce under division (O) of that 2152
section. 2153

(B) The department shall accept any application submitted 2154
in accordance with division (A) of this section. The director 2155
shall approve or disapprove the application in accordance with 2156
standards for approval, which shall be adopted by the 2157
department. 2158

(C) The director shall exempt each district ~~or~~, service 2159
center, community school, or STEM school board or chartered 2160
nonpublic school administrative authority with an application 2161
approved under division (B) of this section for a specified 2162
period from the statutory provisions or rules specified in the 2163
approved application. The period of exemption shall not exceed 2164
the period during which the pilot program proposed in the 2165
application is being implemented and a reasonable period to 2166
allow for evaluation of the effectiveness of the program. 2167

(D) The department shall promote innovative educational 2168
programs designed to increase student achievement and 2169
engagement, improve student wellness, and prepare students for 2170
the workforce and post-secondary education. The department shall 2171
do all of the following: 2172

(1) Provide technical assistance and support to districts 2173
and schools in designing and implementing innovative ideas for 2174
education; 2175

(2) Publicize model projects of educational innovation, 2176
including projects that use artificial intelligence in 2177

<u>instruction;</u>	2178
<u>(3) Promote the availability of waivers from education laws and rules under this section to implement innovative educational programs.</u>	2179 2180 2181
Sec. 3302.13. (A) This section applies to any school district <u>building</u> or community school that meets both of the following criteria, as reported on the past two consecutive report cards issued for that district <u>a school building or community school</u> under section 3302.03 of the Revised Code:	2182 2183 2184 2185 2186
(1) The district <u>building</u> or school received either of the following:	2187 2188
(a) A grade of "D" or "F" on the kindergarten through third-grade literacy progress measure under division (C) (3) (e) of section 3302.03 of the Revised Code;	2189 2190 2191
(b) A performance rating of less than three stars for early literacy under division (D) (3) (e) of section 3302.03 of the Revised Code.	2192 2193 2194
(2) Fifty-one per cent or less of the district's <u>building's or school's</u> students who took the third grade English language arts assessment prescribed under section 3301.0710 of the Revised Code for that school year attained at least a proficient score on that assessment.	2195 2196 2197 2198 2199
(B) By the thirty-first day of December of each year, any school district <u>that operates a school</u> or community school that meets the criteria set forth in division (A) of this section shall submit to the department of education and workforce a school or district <u>reading achievement improvement plan for the building or school</u> , which shall include all requirements prescribed by the department pursuant to division (C) of this	2200 2201 2202 2203 2204 2205 2206

section. 2207

(C) The department shall adopt rules in accordance with 2208
Chapter 119. of the Revised Code prescribing the content of and 2209
deadlines for the reading achievement improvement plans required 2210
under division (B) of this section. The rules shall prescribe 2211
that each plan include, at a minimum, an analysis of relevant 2212
student performance data, measurable student performance goals, 2213
strategies to meet specific student needs, a staffing and 2214
professional development plan, and instructional strategies for 2215
improving literacy. 2216

(D) Any school district or community school to which this 2217
section applies shall no longer be required to submit an 2218
improvement plan pursuant to division (B) of this section when 2219
~~that district~~ a building or school meets either of the following 2220
criteria, as reported on the most recent report card issued for 2221
that ~~district~~ building or school under section 3302.03 of the 2222
Revised Code: 2223

(1) The ~~district~~ building or school received either of the 2224
following: 2225

(a) A grade of "C" or higher on the kindergarten through 2226
third-grade literacy progress measure under division (C) (3) (e) 2227
of section 3302.03 of the Revised Code; 2228

(b) A performance rating of three stars or higher for 2229
early literacy under division (D) (3) (e) of section 3302.03 of 2230
the Revised Code. 2231

(2) Not less than fifty-one per cent of the ~~district's~~ 2232
building's or school's students who took the third grade English 2233
language arts assessment prescribed under section 3301.0710 of 2234
the Revised Code for that school year attained at least a 2235

proficient score on that assessment. 2236

(E) The department shall post in a prominent location on 2237
its web site all plans submitted pursuant to this section. 2238

Sec. 3302.131. (A) Beginning with the 2026-2027 school 2239
year and each school year thereafter, each school district or 2240
community school shall establish and submit to the department of 2241
education and workforce a mathematics achievement improvement 2242
plan for any school building or community school in which fifty- 2243
one per cent or less of the building's students who took the 2244
third grade mathematics assessment prescribed under section 2245
3301.0710 of the Revised Code for that school year attained at 2246
least a proficient score on that assessment. Each building or 2247
school for which an achievement improvement plan is established 2248
under this division shall use curriculum from the list 2249
established by the department under section 3301.0734 of the 2250
Revised Code. 2251

(B) The department shall adopt rules prescribing the 2252
content of, deadlines for, and implementation of mathematics 2253
achievement improvement plans required under division (A) of 2254
this section. The rules shall prescribe that each plan include, 2255
at a minimum, an analysis of relevant student performance data, 2256
measurable student performance goals, strategies to meet 2257
specific student needs, a staffing and professional development 2258
plan, and instructional strategies for improving student 2259
performance. 2260

(C) Beginning with the 2026-2027 school year and each 2261
school year thereafter, any school district or community school 2262
to which this section applies is no longer required to submit an 2263
improvement plan pursuant to division (A) of this section when 2264
not less than fifty-one per cent of a building's or school's 2265

students who took the third grade mathematics assessment 2266
prescribed under section 3301.0710 of the Revised Code for that 2267
school year attained at least a proficient score on that 2268
assessment. 2269

(D) The department shall post in a prominent location on 2270
its web site all plans submitted and all rules adopted pursuant 2271
to this section. 2272

(E) The department shall develop a student academic 2273
intervention template specific to mathematics and post it on its 2274
publicly accessible web site. Each district or school to which 2275
this section applies shall include the intervention template in 2276
its mathematics achievement improvement plan for a building or 2277
school. 2278

Sec. 3310.41. (A) As used in this section: 2279

(1) "Alternative public provider" means either of the 2280
following providers that agrees to enroll a child in the 2281
provider's special education program to implement the child's 2282
individualized education program or an education plan developed 2283
by the school district under division (L) of this section and to 2284
which the child's parent owes fees for the services provided to 2285
the child: 2286

(a) A school district that is not the school district in 2287
which the child is entitled to attend school; 2288

(b) A public entity other than a school district. 2289

(2) "Eligible applicant" means any of the following: 2290

(a) Either of the natural or adoptive parents of a 2291
qualified special education child, except as otherwise specified 2292
in this division. 2293

When the marriage of the natural or adoptive parents of 2294
the child has been terminated by a divorce, dissolution of 2295
marriage, or annulment, or when the natural or adoptive parents 2296
of the child are living separate and apart under a legal 2297
separation decree, and a court has issued an order allocating 2298
the parental rights and responsibilities with respect to the 2299
child, "eligible applicant" means the residential parent as 2300
designated by the court. If the court issues a shared parenting 2301
decree, "eligible applicant" means either parent. "Eligible 2302
applicant" does not mean a parent whose custodial rights have 2303
been terminated. 2304

(b) The custodian of a qualified special education child, 2305
when a court has granted temporary, legal, or permanent custody 2306
of the child to an individual other than either of the natural 2307
or adoptive parents of the child or to a government agency; 2308

(c) The guardian of a qualified special education child, 2309
when a court has appointed a guardian for the child; 2310

(d) The grandparent of a qualified special education 2311
child, when the grandparent is the child's attorney in fact 2312
under a power of attorney executed under sections 3109.51 to 2313
3109.62 of the Revised Code or when the grandparent has executed 2314
a caretaker authorization affidavit under sections 3109.65 to 2315
3109.73 of the Revised Code; 2316

(e) The surrogate parent appointed for a qualified special 2317
education child pursuant to division (B) of section 3323.05 and 2318
section 3323.051 of the Revised Code; 2319

(f) A qualified special education child, if the child does 2320
not have a custodian or guardian and the child is at least 2321
eighteen years of age and less than twenty-two years of age. 2322

(3) "Entitled to attend school" means entitled to attend 2323
school in a school district under section 3313.64 or 3313.65 of 2324
the Revised Code. 2325

(4) "Formula ADM" has the same meaning as in section 2326
3317.02 of the Revised Code. 2327

(5) "Preschool child with a disability" and 2328
"individualized education program" have the same meanings as in 2329
section 3323.01 of the Revised Code. 2330

(6) "Qualified special education child" is a child who is 2331
at least three years of age and less than twenty-two years of 2332
age and who either was enrolled in the school district in which 2333
the child is entitled to attend school in any grade from 2334
preschool through twelve in the school year prior to the year in 2335
which a scholarship under this section is sought for the child 2336
or is eligible to enter school in any grade preschool through 2337
twelve or is less than twenty-two years of age in the school 2338
district in which the child is entitled to attend school in the 2339
school year in which a scholarship under this section is sought 2340
for the child and for whom any of the following conditions 2341
apply: 2342

(a) The school district in which the child is entitled to 2343
attend school has identified the child as autistic. A child who 2344
has been identified as having a "pervasive developmental 2345
disorder - not otherwise specified (PPD-NOS)" shall be 2346
considered to be an autistic child for purposes of this section. 2347

(b) The school district in which the child is entitled to 2348
attend school has developed an individualized education program 2349
under Chapter 3323. of the Revised Code for the child that 2350
includes services related to autism. 2351

(c) The child has been diagnosed as autistic by a physician or psychologist.	2352 2353
(d) All of the following apply:	2354
(i) The child is enrolled in a chartered or nonchartered nonpublic school, is home educated in accordance with section 3321.042 of the Revised Code, or is a student older than compulsory school age and less than twenty-two years of age and received a home education in accordance with section 3321.042 of the Revised Code and has not received a diploma under section 3313.6110 of the Revised Code.	2355 2356 2357 2358 2359 2360 2361
(ii) The child has an individualized education program developed under Chapter 3323. of the Revised Code that includes services related to autism <u>or is a child described in division (A) (6) (c) of this section and has an education plan developed under division (L) of this section.</u>	2362 2363 2364 2365 2366
(iii) The child is still eligible to receive transition services under the child's individualized education program <u>or education plan developed under division (L) of this section.</u>	2367 2368 2369
(7) "Registered private provider" means a nonpublic school or other nonpublic entity that has been approved by the department of education and workforce to participate in the program established under this section.	2370 2371 2372 2373
(8) "Special education program" means a school or facility that provides special education and related services to children with disabilities.	2374 2375 2376
(B) There is hereby established the autism scholarship program. Under the program, the department shall pay a scholarship under section 3317.022 of the Revised Code to an eligible applicant upon application of that eligible applicant	2377 2378 2379 2380

pursuant to procedures and deadlines established by rule of the 2381
department. Each scholarship shall be used only to pay tuition 2382
for the child on whose behalf the scholarship is awarded to 2383
attend a special education program or programs that implements 2384
the child's individualized education program or education plan 2385
and that is operated by an alternative public provider or by a 2386
registered private provider, and to pay for other services 2387
agreed to by the provider and the eligible applicant that are 2388
not included in the individualized education program or 2389
education plan but are associated with educating the child. Upon 2390
agreement with the eligible applicant, the alternative public 2391
provider or the registered private provider may modify the 2392
services provided to the child. The purpose of the scholarship 2393
is to permit the eligible applicant the choice to send the child 2394
to a special education program or programs, instead of the one 2395
operated by or for the school district in which the child is 2396
entitled to attend school, to receive the services prescribed in 2397
the child's individualized education program or education plan 2398
once the individualized education program or education plan is 2399
finalized and any other services agreed to by the provider and 2400
the eligible applicant. The services provided under the 2401
scholarship shall include an educational component or services 2402
designed to assist the child to benefit from the child's 2403
education. 2404

At the discretion of the eligible applicant, multiple 2405
alternative public providers or registered private providers may 2406
be contracted to provide services to implement an individualized 2407
education program or education plan as the eligible applicant 2408
and providers determine are necessary and associated with 2409
educating the qualified special education child. A qualified 2410
special education child shall not be limited to receiving 2411

services from a single provider for any services as identified 2412
in the individualized education program or education plan, 2413
including a single type of service. 2414

(C) Services, including intervention services, educational 2415
services, academic services, tutoring services, aide services, 2416
and other related special education services, provided through 2417
the program established under this section may be provided 2418
virtually by any of the following: 2419

(1) An educational aide or assistant who holds a valid 2420
permit issued under section 3319.088 of the Revised Code; 2421

(2) An instructional assistant who holds a valid permit 2422
issued under section 3310.43 of the Revised Code; 2423

(3) A qualified, credentialed provider in accordance with 2424
standards established by the department; 2425

(4) A teacher or substitute teacher licensed by the state 2426
board of education. 2427

(D) A scholarship under this section shall not be awarded 2428
to an eligible applicant while the child's individualized 2429
education program is being developed by the school district in 2430
which the child is entitled to attend school, or while any 2431
administrative or judicial mediation or proceedings with respect 2432
to the content of the child's individualized education program 2433
are pending. A scholarship under this section shall not be used 2434
for a child to attend a public special education program that 2435
operates under a contract, compact, or other bilateral agreement 2436
between the school district in which the child is entitled to 2437
attend school and another school district or other public 2438
provider, or for a child to attend a community school 2439
established under Chapter 3314. of the Revised Code. However, 2440

nothing in this section or in any rule adopted by the department 2441
shall prohibit an eligible applicant whose child attends a 2442
public special education program under a contract, compact, or 2443
other bilateral agreement, or an eligible applicant whose child 2444
attends a community school, from applying for and accepting a 2445
scholarship under this section so that the eligible applicant 2446
may withdraw the child from that program or community school and 2447
use the scholarship for the child to attend a special education 2448
program for which the eligible applicant is required to pay for 2449
services for the child. 2450

(E) Except for development of the child's individualized 2451
education program or education plan, the school district in 2452
which a qualified special education child is entitled to attend 2453
school and the child's school district of residence, as defined 2454
in section 3323.01 of the Revised Code, if different, are not 2455
obligated to provide the child with a free appropriate public 2456
education under Chapter 3323. of the Revised Code for as long as 2457
the child continues to attend the special education program 2458
operated by either an alternative public provider or a 2459
registered private provider for which a scholarship is awarded 2460
under the autism scholarship program. If at any time, the 2461
eligible applicant for the child decides no longer to accept 2462
scholarship payments and enrolls the child in the special 2463
education program of the school district in which the child is 2464
entitled to attend school, that district shall provide the child 2465
with a free appropriate public education under Chapter 3323. of 2466
the Revised Code. 2467

(F) A child attending a special education program with a 2468
scholarship under this section shall continue to be entitled to 2469
transportation to and from that program in the manner prescribed 2470
by law. 2471

(G) As prescribed in division (A) (2) (h) of section 3317.03 2472
of the Revised Code, a child who is not a preschool child with a 2473
disability for whom a scholarship is awarded under this section 2474
shall be counted in the formula ADM of the district in which the 2475
child is entitled to attend school and not in the formula ADM of 2476
any other school district. 2477

(H) A scholarship shall not be paid under section 3317.022 2478
of the Revised Code to an eligible applicant for payment of 2479
tuition owed to a nonpublic entity unless that entity is a 2480
registered private provider. The department shall approve 2481
entities that meet the standards established by rule of the 2482
department for the program established under this section. 2483

(I) The department shall adopt rules under Chapter 119. of 2484
the Revised Code prescribing procedures necessary to implement 2485
this section, including, but not limited to, procedures and 2486
deadlines for eligible applicants to apply for scholarships, 2487
standards for registered private providers, and procedures for 2488
approval of entities as registered private providers. 2489

The rules also shall specify that intervention services, 2490
including virtual services, under the autism scholarship program 2491
may be provided by a qualified, credentialed provider, including 2492
an educator or substitute teacher licensed by the state board of 2493
education, and shall additionally include, but not be limited 2494
to, all of the following: 2495

(1) A behavior analyst certified by a nationally 2496
recognized organization that certifies behavior analysts; 2497

(2) A psychologist licensed to practice in this state 2498
under Chapter 4732. of the Revised Code; 2499

(3) An independent school psychologist or school 2500

psychologist licensed to practice in this state under Chapter 2501
4732. of the Revised Code; 2502

(4) Any person employed by a licensed psychologist, 2503
licensed independent school psychologist, or licensed school 2504
psychologist, while carrying out specific tasks, under the 2505
licensee's supervision, as an extension of the licensee's legal 2506
and ethical authority as specified under Chapter 4732. of the 2507
Revised Code who is ascribed as "psychology trainee," 2508
"psychology assistant," "psychology intern," or other 2509
appropriate term that clearly implies their supervised or 2510
training status; 2511

(5) Unlicensed persons holding a doctoral degree in 2512
psychology or special education from a program approved by the 2513
department; 2514

(6) A "registered behavior technician" as described under 2515
rule 5123-9-41 of the Administrative Code working under the 2516
supervision and following the intervention plan of a certified 2517
Ohio behavior analyst or a behavior analyst certified by a 2518
nationally recognized organization that certifies behavior 2519
analysts; 2520

(7) A "certified Ohio behavior analyst" under Chapter 2521
4783. of the Revised Code; 2522

(8) An occupational therapist or physical therapist 2523
licensed to practice in this state under Chapter 4755. of the 2524
Revised Code; 2525

(9) A speech-language pathologist licensed to practice in 2526
this state under Chapter 4753. of the Revised Code; 2527

(10) An intervention specialist who holds a valid license 2528
issued by the state board; 2529

(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:

- (a) A structured literacy dyslexia interventionist;
- (b) A structured literacy dyslexia specialist;
- (c) A certified academic language practitioner;
- (d) A certified academic language therapist.

(12) An educational aide or assistant with a valid permit issued under section 3319.088 of the Revised Code;

(13) An instructional assistant with a valid permit issued in accordance with section 3310.43 of the Revised Code;

(14) Any other qualified individual as determined by the department.

Supervision of a qualified, credentialed provider may be conducted virtually.

(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.

(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 2557
governing, or change in the administration of, the autism 2558
scholarship program. 2559

(L) If a child qualifies for the autism scholarship 2560
program pursuant to a diagnosis under division (A) (6) (c) of this 2561
section and does not have an individualized education program 2562
that includes services related to autism, the school district in 2563
which the child is entitled to attend school shall develop an 2564
education plan for the child. 2565

(M) Not later than the thirtieth day of June each year, 2566
each alternative public provider and registered private provider 2567
enrolling students receiving autism scholarships shall submit to 2568
the department, in a form and manner prescribed by the 2569
department, the tuition rates charged by the provider for the 2570
following school year. 2571

(N) The department shall not require an eligible applicant 2572
who applies for or receives a scholarship under this section to 2573
complete any kind of income verification regarding the student's 2574
family income. 2575

(O) The department shall maintain a list of each 2576
registered private provider and the location of that provider on 2577
its publicly accessible web site. 2578

Sec. 3313.476. (A) As used in this section, "youth 2579
organization" means any youth membership organization listed in 2580
36 U.S.C. 30101, 30901, 31101, 40301, 70901, 80301, 130501, 2581
140101, and 154101, that serves young people under twenty-one 2582
years of age and has an educational purpose that promotes 2583
patriotism, workforce readiness, and civic involvement. 2584

(B) A youth organization may request that a school 2585

district board of education permit representatives of the youth 2586
organization to speak with and distribute informational 2587
materials to students during school hours to encourage 2588
participation in the youth organization and its activities and 2589
to inform students of how the youth organization may further the 2590
student's educational interests, readiness for the workforce, 2591
and civic involvement. 2592

(C) Upon request by a youth organization under division 2593
(B) of this section, a district board shall provide each of the 2594
following: 2595

(1) At least one opportunity per school year for the 2596
representatives of the youth organization to provide displays on 2597
school property within the district for student recruitment, 2598
including informational flyers and the use of other existing 2599
digital communication channels; 2600

(2) A specific date and time for the youth organization to 2601
speak with students at schools in the district for up to ten 2602
consecutive minutes during the school day, but not during 2603
instruction for a core curriculum subject; 2604

(3) Notification to parents or guardians of each youth 2605
organization's expected presentation and the option to withhold 2606
consent for their child to participate in such presentation. 2607

(D) A school district that permits a youth organization to 2608
speak with and distribute informational materials to students or 2609
use school buildings or property under this section is not 2610
required to provide equal access to an organization that is not 2611
a youth organization as defined under division (A) of this 2612
section. 2613

Sec. 3313.6028. (A) (1) As used in Title XXXIII of the 2614

Revised Code, "science of reading" means an interdisciplinary 2615
body of scientific evidence that: 2616

(a) Informs how students learn to read and write 2617
proficiently; 2618

(b) Explains why some students have difficulty with 2619
reading and writing; 2620

(c) Indicates that all students benefit from explicit and 2621
systematic instruction in phonemic awareness, phonics, 2622
vocabulary, fluency, comprehension, and writing to become 2623
effective readers; 2624

(d) Does not rely on any model of teaching students to 2625
read based on meaning, structure and syntax, and visual cues, 2626
including a three-cueing approach. 2627

(2) As used in this section, "three-cueing approach" means 2628
any model of teaching students to read based on meaning, 2629
structure and syntax, and visual cues. 2630

(B) The department of education and workforce shall 2631
establish a list of high-quality core curriculum and 2632
instructional materials in English language arts, and a list of 2633
evidence-based reading intervention programs, that are aligned 2634
with the science of reading and strategies for effective 2635
literacy instruction. 2636

The department shall establish a rubric and scoring system 2637
to evaluate whether or the extent to which core curricula in 2638
English language arts facilitates a student's skill building and 2639
sequential advancement through mastery. The department shall 2640
post the rubric and scoring system on its publicly accessible 2641
web site. Upon request, the department shall provide a scored 2642
rubric to the entity that submitted a curriculum to be scored 2643

and to any member of the Ohio general assembly. 2644

(C) Beginning not later than the 2024-2025 school year, 2645
each school district, community school established under Chapter 2646
3314. of the Revised Code, and STEM school established under 2647
Chapter 3326. of the Revised Code, shall use core curriculum and 2648
instructional materials in English language arts in each of 2649
grades pre-kindergarten to five and evidence-based reading 2650
intervention programs in each of grades pre-kindergarten to 2651
twelve only from the lists established under division (B) of 2652
this section. Except as provided in division (D) of this 2653
section, no district or school shall use any core curriculum, 2654
instructional materials, or intervention program in grades pre- 2655
kindergarten to five that use the three-cueing approach to teach 2656
students to read. 2657

(D) A district or school may apply to the department for a 2658
waiver on an individual student basis to use curriculum, 2659
instructional materials, or an intervention program in grades 2660
pre-kindergarten through five that uses the three-cueing 2661
approach to teach students to read, except as follows: 2662

(1) No student for whom a reading improvement and 2663
monitoring plan has been developed under division (C) of section 2664
3313.608 of the Revised Code shall be eligible for a waiver. 2665

(2) If a student has an individualized education program 2666
that explicitly indicates the three-cueing approach is 2667
appropriate for the student's learning needs, the student shall 2668
not be required to have a waiver. 2669

In determining whether to approve a waiver requested under 2670
this section, the department shall consider the performance of 2671
the student's district or school on the state report card issued 2672

under section 3302.03 of the Revised Code, including on the 2673
early literacy component prescribed under division (D) (3) (e) of 2674
that section. 2675

(E) (1) The department shall identify vendors that provide 2676
professional development to educators, including pre-service 2677
teachers and faculty employed by educator preparation programs, 2678
on the use of high-quality core curriculum and instructional 2679
materials and reading intervention programs on the lists 2680
established under division (B) of this section. 2681

(2) A professional development committee established under 2682
section 3319.22 of the Revised Code shall qualify any completed 2683
professional development coursework provided by a vendor 2684
described in division (E) (1) of this section to count towards 2685
professional development coursework requirements for teacher 2686
licensure renewal. 2687

(3) A professional development committee shall permit a 2688
teacher to apply any hours earned over the minimum amount of 2689
hours required for professional development coursework for 2690
teacher licensure renewal under division (E) (2) of this section 2691
to the next renewal period for that license. 2692

(F) Not later than the thirtieth day of June of each year, 2693
the department shall prepare and issue a report regarding the 2694
implementation of this section, including by districts and 2695
schools. The department shall provide the report to the 2696
governor, and, in accordance with section 101.68 of the Revised 2697
Code, to the general assembly. 2698

Sec. 3313.6032. (A) As used in this section, "qualifying 2699
student" means a student to whom either of the following 2700
applies: 2701

(1) The student achieves an advanced level of skill on a mathematics achievement assessment prescribed under section 3301.0710 of the Revised Code. 2702
2703
2704

(2) The student meets a school district's choice of multiple measures under one of the following: 2705
2706

(a) The student achieves an accomplished level of skill on a mathematics achievement assessment prescribed under section 3301.0710 of the Revised Code and the student holds an average class grade of "A" or "B" in a mathematics course. 2707
2708
2709
2710

(b) The student achieves a designated score, as determined by the department of education and workforce, on a mathematics diagnostic assessment prescribed under section 3301.0715 of the Revised Code and an accomplished level of skill on a mathematics achievement assessment prescribed under section 3301.0710 of the Revised Code. 2711
2712
2713
2714
2715
2716

A school district may redetermine its advancement policy for a student under division (A) (2) of this section annually. 2717
2718

(B) Beginning July 1, 2027, each school district shall do all of the following: 2719
2720

(1) Enroll each qualifying student in grade six in both of the following: 2721
2722

(a) A mathematics course in seventh grade that combines in one school year seventh- and eighth-grade state mathematics standards under section 3301.079 of the Revised Code; 2723
2724
2725

(b) Algebra I in eighth grade. Each such student shall take the corresponding required end-of-course examination for Algebra I as prescribed under division (E) of this section. A district shall only enroll a student in Algebra I in the eighth 2726
2727
2728
2729

grade if the student achieves at least a proficient level of 2730
skill on the required mathematics achievement assessment for 2731
grade eight in the course prescribed under division (A) (1) (a) of 2732
this section. 2733

(2) Enroll each qualifying student in grades three through 2734
five in advanced learning opportunities in mathematics. Advanced 2735
learning opportunities in mathematics means a course that 2736
exceeds the standard mathematics curriculum for the student's 2737
grade level, or services or curricula modifications in 2738
mathematics, provided either in person or through electronic 2739
means, which provide additional rigor or challenge, and may 2740
include the following: 2741

(a) Differentiated instruction in which the depth, 2742
breadth, complexity, pacing, and acceleration is tailored to the 2743
student's particular needs and readiness; 2744

(b) Interdisciplinary work. 2745

(3) Not later than ninety days after the effective date of 2746
this section, adopt a comprehensive mathematics placement and 2747
promotion policy that includes a curriculum plan beginning in 2748
grade three that does both of the following: 2749

(a) Creates a timeline and explanation of how students 2750
will be prepared and placed in Algebra I; 2751

(b) Describes how the school district will provide 2752
advanced learning opportunities in mathematics and accommodate 2753
each student in grade seven that qualifies under division (B) (1) 2754
of this section. 2755

(C) Each school district shall notify the parent or 2756
guardian of a student who qualifies for enrollment under 2757
division (B) (1) of this section of that determination. The 2758

parent or guardian of any such student may submit a written 2759
request for that student to not be enrolled under that division, 2760
in which case the district shall not enroll the student under 2761
that division. 2762

(D) The department of education and workforce shall do 2763
both of the following: 2764

(1) Adopt rules regarding the placement of students under 2765
division (B) (1) of this section, based on the student's 2766
performance on a mathematics achievement assessment prescribed 2767
under section 3301.0710 of the Revised Code. 2768

(2) Not later than ninety days after the effective date of 2769
this section, designate a score that reflects an accomplished 2770
level of skill for each of the mathematics diagnostic 2771
assessments selected under section 3301.079 of the Revised Code. 2772

(E) Each student shall take any corresponding required 2773
achievement assessment or end-of-course examination for any 2774
mathematics course the student takes as a result of enrollment 2775
in an advanced mathematics course under this section. 2776

(F) Each school district may provide additional students 2777
advanced learning opportunities in mathematics, including 2778
enrollment in advanced courses such as Algebra I, if a student 2779
meets district requirements for such a course or would benefit 2780
from those opportunities. 2781

Sec. 3313.6034. (A) As used in this section: 2782

(1) "Qualifying student" means a student who, on a 2783
diagnostic assessment prescribed under section 3301.079 of the 2784
Revised Code or a state assessment, demonstrates a limited level 2785
of skill in the subject area of mathematics, English language 2786
arts, or both. "Qualifying student" does not include either of 2787

<u>the following:</u>	2788
<u>(a) A student that has an individualized education program</u>	2789
<u>developed under Chapter 3323. of the Revised Code that includes</u>	2790
<u>services related to a traumatic brain injury or a significant</u>	2791
<u>cognitive disability, unless the student's parent or guardian</u>	2792
<u>and district or school have determined the services would be</u>	2793
<u>appropriate for the student;</u>	2794
<u>(b) A student that attends a dropout prevention and</u>	2795
<u>recovery community school, as defined in section 3314.02 of the</u>	2796
<u>Revised Code.</u>	2797
<u>(2) "State assessment" means either an achievement</u>	2798
<u>assessment prescribed under section 3301.0710 or an end-of-</u>	2799
<u>course examination prescribed under section 3301.0712 of the</u>	2800
<u>Revised Code.</u>	2801
<u>(3) "Tutoring supports" means high-dosage tutoring</u>	2802
<u>opportunities aligned with the student's classroom instruction</u>	2803
<u>through a state-approved vendor on the list of high-quality</u>	2804
<u>tutoring vendors under section 3301.136 of the Revised Code or a</u>	2805
<u>locally approved opportunity that aligns with high-dosage</u>	2806
<u>tutoring best practices. High-dosage tutoring opportunities</u>	2807
<u>shall include instruction time delivered at least three days per</u>	2808
<u>week, or at least fifty hours over thirty-six weeks. High-dosage</u>	2809
<u>tutoring may be incorporated into a student's regular classroom</u>	2810
<u>instruction.</u>	2811
<u>To the extent practicable, districts and schools shall</u>	2812
<u>endeavor to provide each of a student's tutoring supports with</u>	2813
<u>the same tutor.</u>	2814
<u>(4) "Integrated student supports" means an evidence-based</u>	2815
<u>approach whereby schools intentionally and systematically</u>	2816

leverage and coordinate resources and relationships available in 2817
the school and the surrounding community to address 2818
comprehensive student strengths, interests, and needs. 2819

(B) Each school district, community school established 2820
pursuant to Chapter 3314., and STEM school established pursuant 2821
to Chapter 3326. of the Revised Code shall provide evidence- 2822
based academic intervention services, free of cost, to each 2823
qualifying student. The district or school shall provide those 2824
services directly, through a contracted vendor, or as a 2825
combination of both options. The district or school shall 2826
provide services that align with a qualifying student's assessed 2827
level of skill and provide accelerated learning and skill 2828
mastery where possible to help the student demonstrate a level 2829
of skill appropriate to the student's grade level. A district or 2830
school annually shall notify the department of education and 2831
workforce, through the education management information system 2832
established under section 3301.0714 of the Revised Code, of all 2833
of the following: 2834

(1) The number of qualifying students enrolled in the 2835
district or school; 2836

(2) The number of qualifying students receiving academic 2837
intervention services in mathematics, English language arts, or 2838
both; 2839

(3) The number of qualifying students receiving academic 2840
intervention services from the district or school directly, 2841
through a vendor, or a combination of both options. 2842

(C) (1) Academic intervention services provided to a 2843
student under this section may encompass a variety of evidence- 2844
based supports, including tutoring supports, additional 2845

instruction time, an extended school calendar, participation in 2846
a learning support program, or any other academically centered 2847
support service that the district or school determines will 2848
improve the student's academic performance. Intervention 2849
services may also be offered in combination with integrated 2850
student supports. 2851

(2) All academic intervention services provided to a 2852
qualifying student under this section shall align with the 2853
academic instruction the student receives. Intervention services 2854
provided under division (B) of this section shall be in addition 2855
to and not a replacement for existing academic instruction and 2856
other services provided to students. All academic intervention 2857
services in English language arts shall align with the science 2858
of reading as defined in section 3313.6028 of the Revised Code. 2859

(D) A district or school shall ensure that academic 2860
intervention services provided to a qualifying student under 2861
division (C) of this section do not supplant the student's core 2862
academic instructional time, except that in grades kindergarten 2863
through three, instruction aligned with science and social 2864
studies standards may be integrated into core mathematics and 2865
reading instruction rather than being taught in separate 2866
instructional periods. 2867

(E) (1) A district or school shall notify the parent or 2868
guardian of a qualifying student that the student will receive 2869
academic intervention services prior to providing services to 2870
the student. Notification shall include a description of which 2871
intervention or interventions the qualifying student will 2872
receive and who will provide services to the student. 2873

(2) The district or school periodically shall update the 2874
parent or guardian on the academic intervention services 2875

provided to the qualifying student and shall provide resources 2876
and recommendations for ways the parent or guardian may assist 2877
the qualifying student. 2878

(F) (1) Beginning with the 2027-2028 school year, and each 2879
school year thereafter, the department randomly shall identify 2880
and select individual schools operated by a school district, 2881
community schools, and STEM schools for a review of their 2882
academic intervention services for qualifying students under 2883
this section. The department shall not select more than five per 2884
cent of all schools to review each year. No school shall be 2885
selected for review more than once every three years. The review 2886
shall include, at a minimum, a document review, interviews with 2887
applicable school staff, and observations of interventions. 2888

The review shall assess all of the following: 2889

(a) Whether qualifying students receive academic 2890
intervention services in accordance with division (B) of this 2891
section; 2892

(b) The types and methods of academic intervention 2893
services that qualifying students receive; 2894

(c) The quality of the academic intervention services 2895
provided by the school or the contracted vendor. To determine 2896
quality, the department may consider the length and duration of 2897
the intervention, specific programs and curriculum being used, 2898
the credentials and training of intervention providers, and data 2899
regarding qualifying student progress. 2900

(2) The department shall provide a report to the school 2901
containing its review of the school's academic intervention 2902
services not later than seventy-five days after the department 2903
completes the review. Each report shall include an assessment of 2904

the efficacy of the academic intervention services provided to 2905
qualifying students, along with any recommendations the 2906
department considers necessary. The school shall post a copy of 2907
the report on its web site and shall make the report available 2908
upon request to any person. The department shall include a 2909
review completed under this division as part of the student 2910
opportunity profile on the state report card under section 2911
3302.03 of the Revised Code. 2912

(3) The department may contract with an organization that 2913
has documented expertise in supporting school improvement and 2914
academic intervention services to help with conducting its 2915
review under division (F) of this section. 2916

(G) (1) A student who receives academic intervention 2917
services in mathematics or English language arts under this 2918
section is no longer eligible for services under this section in 2919
that subject area when the student demonstrates a proficient 2920
level of skill in it on either a diagnostic assessment or a 2921
state assessment. 2922

(2) If a qualifying student receiving academic 2923
intervention services in both mathematics and English language 2924
arts demonstrates a level of skill that is proficient or higher 2925
under this section in one, but not both, subject areas, the 2926
student shall continue to receive academic intervention services 2927
for the subject area in which the student has not demonstrated a 2928
proficient level of skill. 2929

(3) Any student in any of grades nine through twelve who 2930
fails to demonstrate a level of skill that is proficient or 2931
higher on a diagnostic assessment or an end-of-course 2932
examination in mathematics or English language arts, or both, 2933
and is not required to retake the examination, continues to 2934

qualify for intervention services under this section. For such a 2935
student, the district or school shall align intervention 2936
services with the student's selected graduation pathway 2937
prescribed under section 3313.618 of the Revised Code. 2938

(H) Nothing in this section prohibits a district or school 2939
from providing academic intervention services to a student who 2940
does not meet the definition of a qualifying student under this 2941
section. 2942

Sec. 3313.90. As used in this section, "~~formula~~ enrolled 2943
ADM" has the same meaning as in section 3317.02 of the Revised 2944
Code. Notwithstanding division (D) of section 3311.19 and 2945
division (D) of section 3311.52 of the Revised Code, the 2946
provisions of this section that apply to a city school district 2947
do not apply to any joint vocational or cooperative education 2948
school district. 2949

(A) Except as provided in division (B) of this section, 2950
each city, local, and exempted village school district shall, by 2951
one of the following means, provide to students enrolled in 2952
grades seven through twelve career-technical education adequate 2953
to prepare a student enrolled therein for an occupation: 2954

(1) Establishing and maintaining a career-technical 2955
education program that meets standards adopted by the department 2956
of education and workforce; 2957

(2) Being a member of a joint vocational school district 2958
that meets standards adopted by the department; 2959

(3) Contracting for career-technical education with a 2960
joint vocational school district or another school district that 2961
meets the standards adopted by the department. 2962

The standards of the department shall include criteria for 2963

the participation by nonpublic students and by students who are 2964
receiving home education in accordance with section 3321.042 of 2965
the Revised Code in career-technical education programs without 2966
financial assessment, charge, or tuition to such student except 2967
such assessments, charges, or tuition paid by resident public 2968
school students in such programs. Such nonpublic school students 2969
and students receiving home education shall be included in the 2970
~~formula~~ enrolled ADM of the school district maintaining the 2971
career-technical education program as part-time students in 2972
proportion to the time spent in the career-technical education 2973
program. 2974

By the thirtieth day of October of each year, the director 2975
of education and workforce shall determine and certify to the 2976
superintendent of each school district subject to this section 2977
either that the district is in compliance with the requirements 2978
of this section for the current school year or that the district 2979
is not in compliance. If the director certifies that the 2980
district is not in compliance, the director shall notify the 2981
board of education of the district of the actions necessary to 2982
bring the district into compliance with this section. 2983

In meeting standards established by the department, school 2984
districts, where practicable, shall provide career-technical 2985
education programs in high schools. A minimum enrollment of two 2986
thousand two hundred fifty students in grades seven through 2987
twelve is the base for comprehensive career-technical education 2988
course offerings. A school district may meet this requirement 2989
alone, through a cooperative arrangement pursuant to section 2990
3313.92 of the Revised Code, through school district 2991
consolidation, by membership in a joint vocational school 2992
district, by contract with a school district, by contract with a 2993
school licensed by any state agency established by the Revised 2994

Code which school operates its courses offered for contracting 2995
with public schools under standards as to staffing and 2996
facilities comparable to those prescribed by the department for 2997
public schools provided no instructor in such courses shall be 2998
required to be certificated by the department, or in a 2999
combination of such ways. Exceptions to the minimum enrollment 3000
prescribed by this section may be made by the department based 3001
on sparsity of population or other factors indicating that 3002
comprehensive educational and career-technical education 3003
programs as required by this section can be provided through an 3004
alternate plan. 3005

(B) Until July 1, 2026, the department shall waive the 3006
requirement for a city, local, or exempted village school 3007
district to provide career-technical education to students 3008
enrolled in grades seven and eight for that particular school 3009
year, if the board of education of that district adopts a 3010
resolution that specifies the district's intent not to provide 3011
career-technical education to students enrolled in grades seven 3012
and eight for a particular school year and submits that 3013
resolution to the department by the thirtieth day of September 3014
of that school year. 3015

Sec. 3314.03. A copy of every contract entered into under 3016
this section shall be filed with the director of education and 3017
workforce. The department of education and workforce shall make 3018
available on its web site a copy of every approved, executed 3019
contract filed with the director under this section. 3020

(A) Each contract entered into between a sponsor and the 3021
governing authority of a community school shall specify the 3022
following: 3023

(1) That the school shall be established as either of the 3024

following:	3025
(a) A nonprofit corporation established under Chapter	3026
1702. of the Revised Code, if established prior to April 8,	3027
2003;	3028
(b) A public benefit corporation established under Chapter	3029
1702. of the Revised Code, if established after April 8, 2003.	3030
(2) The education program of the school, including the	3031
school's mission and educational philosophy, the characteristics	3032
of the students the school is expected to attract, the ages and	3033
grades of students, and the focus of the curriculum;	3034
(3) The academic goals to be achieved and the method of	3035
measurement that will be used to determine progress toward those	3036
goals, which shall include the statewide achievement	3037
assessments;	3038
(4) Performance standards, including but not limited to	3039
all applicable report card measures set forth in section 3302.03	3040
or 3314.017 of the Revised Code, by which the success of the	3041
school will be evaluated by the sponsor;	3042
(5) The admission standards of section 3314.06 of the	3043
Revised Code and, if applicable, section 3314.061 of the Revised	3044
Code;	3045
(6) (a) Dismissal procedures;	3046
(b) A requirement that the governing authority adopt an	3047
attendance policy that includes a procedure for automatically	3048
withdrawing a student from the school if the student without a	3049
legitimate excuse fails to participate in seventy-two	3050
consecutive hours of the learning opportunities offered to the	3051
student.	3052

(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	3053 3054
(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.	3055 3056 3057 3058 3059 3060
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	3061 3062
(a) A detailed description of each facility used for instructional purposes;	3063 3064
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	3065 3066
(c) The annual mortgage principal and interest payments that are paid by the school;	3067 3068
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	3069 3070 3071
(10) Qualifications of employees, including both of the following:	3072 3073
(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;	3074 3075 3076 3077 3078
(b) A prohibition against the school employing an individual described in section 3314.104 of the Revised Code in	3079 3080

any position. 3081

(11) That the school will comply with the following 3082
requirements: 3083

(a) The school will provide learning opportunities to a 3084
minimum of twenty-five students for a minimum of nine hundred 3085
twenty hours per school year. 3086

(b) The governing authority will purchase liability 3087
insurance, or otherwise provide for the potential liability of 3088
the school. 3089

(c) The school will be nonsectarian in its programs, 3090
admission policies, employment practices, and all other 3091
operations, and will not be operated by a sectarian school or 3092
religious institution. 3093

(d) The school will comply with sections 9.90, 9.91, 3094
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3095
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.24, 3301.948, 3096
3302.037, 3302.131, 3313.472, 3313.473, 3313.474, 3313.50, 3097
3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.609, 3098
3313.6012, 3313.6013, 3313.6014, 3313.6020, 3313.6024, 3099
3313.6026, 3313.6028, 3313.6029, 3313.6031, 3313.6032, 3100
3313.6034, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 3101
3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 3102
3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3103
3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 3104
3313.721, 3313.753, 3313.80, 3313.814, 3313.816, 3313.817, 3105
3313.818, 3313.819, 3313.8110, 3313.86, 3313.89, 3313.96, 3106
3319.073, 3319.077, 3319.078, 3319.0812, 3319.2214, 3319.238, 3107
3319.318, 3319.321, 3319.324, 3319.39, 3319.391, 3319.393, 3108
3319.41, 3319.46, 3319.90, 3319.614, 3320.01, 3320.02, 3320.03, 3109

3320.04, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 3110
3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 3111
4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 117., 3112
1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. of 3113
the Revised Code as if it were a school district and will comply 3114
with section 3301.0714 of the Revised Code in the manner 3115
specified in section 3314.17 of the Revised Code. 3116

(e) The school shall comply with Chapter 102. and section 3117
2921.42 of the Revised Code. 3118

(f) The school will comply with sections 3313.61, 3119
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 3120
Revised Code, except that for students who enter ninth grade for 3121
the first time before July 1, 2010, the requirement in sections 3122
3313.61 and 3313.611 of the Revised Code that a person must 3123
successfully complete the curriculum in any high school prior to 3124
receiving a high school diploma may be met by completing the 3125
curriculum adopted by the governing authority of the community 3126
school rather than the curriculum specified in Title XXXIII of 3127
the Revised Code or any rules of the department. Beginning with 3128
students who enter ninth grade for the first time on or after 3129
July 1, 2010, the requirement in sections 3313.61 and 3313.611 3130
of the Revised Code that a person must successfully complete the 3131
curriculum of a high school prior to receiving a high school 3132
diploma shall be met by completing the requirements prescribed 3133
in section 3313.6027 and division (C) of section 3313.603 of the 3134
Revised Code, unless the person qualifies under division (D) or 3135
(F) of that section. Each school shall comply with the plan for 3136
awarding high school credit based on demonstration of subject 3137
area competency, and beginning with the 2017-2018 school year, 3138
with the updated plan that permits students enrolled in seventh 3139
and eighth grade to meet curriculum requirements based on 3140

subject area competency adopted by the department under 3141
divisions (J) (1) and (2) of section 3313.603 of the Revised 3142
Code. Beginning with the 2018-2019 school year, the school shall 3143
comply with the framework for granting units of high school 3144
credit to students who demonstrate subject area competency 3145
through work-based learning experiences, internships, or 3146
cooperative education developed by the department under division 3147
(J) (3) of section 3313.603 of the Revised Code. 3148

(g) The school governing authority will submit within four 3149
months after the end of each school year a report of its 3150
activities and progress in meeting the goals and standards of 3151
divisions (A) (3) and (4) of this section and its financial 3152
status to the sponsor and the parents of all students enrolled 3153
in the school. 3154

(h) The school, unless it is an internet- or computer- 3155
based community school, will comply with section 3313.801 of the 3156
Revised Code as if it were a school district. 3157

(i) If the school is the recipient of moneys from a grant 3158
awarded under the federal race to the top program, Division (A), 3159
Title XIV, Sections 14005 and 14006 of the "American Recovery 3160
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 3161
the school will pay teachers based upon performance in 3162
accordance with section 3317.141 and will comply with section 3163
3319.111 of the Revised Code as if it were a school district. 3164

(j) If the school operates a preschool program that is 3165
licensed by the department under sections 3301.52 to 3301.59 of 3166
the Revised Code, the school shall comply with sections 3301.50 3167
to 3301.59 of the Revised Code and the minimum standards for 3168
preschool programs prescribed in rules adopted by the department 3169
of children and youth under section 3301.53 of the Revised Code. 3170

(k) The school will comply with sections 3313.6021 and 3171
3313.6023 of the Revised Code as if it were a school district 3172
unless it is either of the following: 3173

(i) An internet- or computer-based community school; 3174

(ii) A community school in which a majority of the 3175
enrolled students are children with disabilities as described in 3176
division (B) (2) of section 3314.35 of the Revised Code. 3177

(l) The school will comply with section 3321.191 of the 3178
Revised Code, unless it is an internet- or computer-based 3179
community school that is subject to section 3314.261 of the 3180
Revised Code. 3181

(m) The school will comply with section 3313.7118 of the 3182
Revised Code if it serves elementary school students. 3183

(12) Arrangements for providing health and other benefits 3184
to employees; 3185

(13) The length of the contract, which shall begin at the 3186
beginning of an academic year. No contract shall exceed five 3187
years unless such contract has been renewed pursuant to division 3188
(D) of this section. 3189

(14) The governing authority of the school, which shall be 3190
responsible for carrying out the provisions of the contract; 3191

(15) A financial plan detailing an estimated school budget 3192
for each year of the period of the contract and specifying the 3193
total estimated per pupil expenditure amount for each such year. 3194

(16) Requirements and procedures regarding the disposition 3195
of employees of the school in the event the contract is 3196
terminated or not renewed pursuant to section 3314.07 of the 3197
Revised Code; 3198

(17) Whether the school is to be created by converting all 3199
or part of an existing public school or educational service 3200
center building or is to be a new start-up school, and if it is 3201
a converted public school or service center building, both of 3202
the following: 3203

(a) Specification of any duties or responsibilities of an 3204
employer that the board of education or service center governing 3205
board that operated the school or building before conversion is 3206
delegating to the governing authority of the community school 3207
with respect to all or any specified group of employees provided 3208
the delegation is not prohibited by a collective bargaining 3209
agreement applicable to such employees; 3210

(b) Alternative arrangements for current public school 3211
students who choose not to attend the converted school and for 3212
teachers who choose not to teach in the school or building after 3213
conversion. 3214

(18) Provisions establishing procedures for resolving 3215
disputes or differences of opinion between the sponsor and the 3216
governing authority of the community school; 3217

(19) A provision requiring the governing authority to 3218
adopt a policy regarding the admission of students who reside 3219
outside the district in which the school is located. That policy 3220
shall comply with the admissions procedures specified in 3221
sections 3314.06 and 3314.061 of the Revised Code and, at the 3222
sole discretion of the authority, shall do one of the following: 3223

(a) Prohibit the enrollment of students who reside outside 3224
the district in which the school is located; 3225

(b) Permit the enrollment of students who reside in 3226
districts adjacent to the district in which the school is 3227

located;	3228
(c) Permit the enrollment of students who reside in any	3229
other district in the state.	3230
(20) A provision recognizing the authority of the	3231
department to take over the sponsorship of the school in	3232
accordance with the provisions of division (C) of section	3233
3314.015 of the Revised Code;	3234
(21) A provision recognizing the sponsor's authority to	3235
assume the operation of a school under the conditions specified	3236
in division (B) of section 3314.073 of the Revised Code;	3237
(22) A provision recognizing both of the following:	3238
(a) The authority of public health and safety officials to	3239
inspect the facilities of the school and to order the facilities	3240
closed if those officials find that the facilities are not in	3241
compliance with health and safety laws and regulations;	3242
(b) The authority of the department as the community	3243
school oversight body to suspend the operation of the school	3244
under section 3314.072 of the Revised Code if the department has	3245
evidence of conditions or violations of law at the school that	3246
pose an imminent danger to the health and safety of the school's	3247
students and employees and the sponsor refuses to take such	3248
action.	3249
(23) A description of the learning opportunities that will	3250
be offered to students including both classroom-based and non-	3251
classroom-based learning opportunities that is in compliance	3252
with criteria for student participation established by the	3253
department under division (H) (2) of section 3314.08 of the	3254
Revised Code;	3255

(24) The school will comply with sections 3302.04 and 3256
3302.041 of the Revised Code, except that any action required to 3257
be taken by a school district pursuant to those sections shall 3258
be taken by the sponsor of the school. 3259

(25) Beginning in the 2006-2007 school year, the school 3260
will open for operation not later than the thirtieth day of 3261
September each school year, unless the mission of the school as 3262
specified under division (A) (2) of this section is solely to 3263
serve dropouts. In its initial year of operation, if the school 3264
fails to open by the thirtieth day of September, or within one 3265
year after the adoption of the contract pursuant to division (D) 3266
of section 3314.02 of the Revised Code if the mission of the 3267
school is solely to serve dropouts, the contract shall be void. 3268

(26) Whether the school's governing authority is planning 3269
to seek designation for the school as a STEM school equivalent 3270
under section 3326.032 of the Revised Code; 3271

(27) That the school's attendance and participation 3272
policies will be available for public inspection; 3273

(28) That the school's attendance and participation 3274
records shall be made available to the department, auditor of 3275
state, and school's sponsor to the extent permitted under and in 3276
accordance with the "Family Educational Rights and Privacy Act 3277
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 3278
regulations promulgated under that act, and section 3319.321 of 3279
the Revised Code; 3280

(29) If a school operates using the blended learning 3281
model, as defined in section 3301.079 of the Revised Code, all 3282
of the following information: 3283

(a) An indication of what blended learning model or models 3284

will be used;	3285
(b) A description of how student instructional needs will be determined and documented;	3286 3287
(c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level;	3288 3289
(d) The school's attendance requirements, including how the school will document participation in learning opportunities;	3290 3291 3292
(e) A statement describing how student progress will be monitored;	3293 3294
(f) A statement describing how private student data will be protected;	3295 3296
(g) A description of the professional development activities that will be offered to teachers.	3297 3298
(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;	3299 3300 3301 3302
(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.	3303 3304 3305 3306 3307
(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.	3308 3309 3310 3311 3312

(33) A provision requiring the governing authority to 3313
adopt a student residence and address verification policy for 3314
students enrolling in or attending the school. 3315

(34) A provision establishing the process by which the 3316
governing authority of the school will be selected in the 3317
future. 3318

(35) A description of the management and administration of 3319
the school. 3320

(36) A provision requiring the governing authority to 3321
adopt policies and procedures to establish internal financial 3322
controls for the school. 3323

(B) A contract entered into under section 3314.02 of the 3324
Revised Code between a sponsor and the governing authority of a 3325
community school may provide for the community school governing 3326
authority to make payments to the sponsor, which is hereby 3327
authorized to receive such payments as set forth in the contract 3328
between the governing authority and the sponsor. The total 3329
amount of such payments for monitoring, oversight, and technical 3330
assistance of the school shall not exceed three per cent of the 3331
total amount of payments for operating expenses that the school 3332
receives from the state. 3333

(C) The contract shall specify the duties of the sponsor 3334
which shall be in accordance with the written agreement entered 3335
into with the department under division (B) of section 3314.015 3336
of the Revised Code and shall include the following: 3337

(1) Monitor the community school's compliance with all 3338
laws applicable to the school and with the terms of the 3339
contract; 3340

(2) Monitor and evaluate the academic and fiscal 3341

performance and the organization and operation of the community 3342
school on at least an annual basis; 3343

(3) Provide technical assistance to the community school 3344
in complying with laws applicable to the school and terms of the 3345
contract; 3346

(4) Take steps to intervene in the school's operation to 3347
correct problems in the school's overall performance, declare 3348
the school to be on probationary status pursuant to section 3349
3314.073 of the Revised Code, suspend the operation of the 3350
school pursuant to section 3314.072 of the Revised Code, or 3351
terminate the contract of the school pursuant to section 3314.07 3352
of the Revised Code as determined necessary by the sponsor; 3353

(5) Have in place a plan of action to be undertaken in the 3354
event the community school experiences financial difficulties or 3355
closes prior to the end of a school year. 3356

(D) Upon the expiration of a contract entered into under 3357
this section, the sponsor of a community school may, with the 3358
approval of the governing authority of the school, renew that 3359
contract for a period of time determined by the sponsor, but not 3360
ending earlier than the end of any school year, if the sponsor 3361
finds that the school's compliance with applicable laws and 3362
terms of the contract and the school's progress in meeting the 3363
academic goals prescribed in the contract have been 3364
satisfactory. Any contract that is renewed under this division 3365
remains subject to the provisions of sections 3314.07, 3314.072, 3366
and 3314.073 of the Revised Code. 3367

(E) If a community school fails to open for operation 3368
within one year after the contract entered into under this 3369
section is adopted pursuant to division (D) of section 3314.02 3370

of the Revised Code or permanently closes prior to the 3371
expiration of the contract, the contract shall be void and the 3372
school shall not enter into a contract with any other sponsor. A 3373
school shall not be considered permanently closed because the 3374
operations of the school have been suspended pursuant to section 3375
3314.072 of the Revised Code. 3376

Sec. 3317.25. (A) As used in this section, "disadvantaged 3377
pupil impact aid" means the following: 3378

(1) For a city, local, or exempted village school 3379
district, the funds received under division (A) (4) (a) of section 3380
3317.022 of the Revised Code; 3381

(2) For a joint vocational school district, the funds 3382
received under division (A) (3) of section 3317.16 of the Revised 3383
Code; 3384

(3) For a community school established under Chapter 3314. 3385
of the Revised Code, the funds received under division (A) (4) (b) 3386
of section 3317.022 of the Revised Code; 3387

(4) For a STEM school established under Chapter 3326. of 3388
the Revised Code, the funds received under division (A) (4) (b) of 3389
section 3317.022 of the Revised Code. 3390

(B) (1) For fiscal years 2026 and 2027, a city, local, 3391
exempted village, or joint vocational school district, community 3392
school, or STEM school shall spend the disadvantaged pupil 3393
impact aid it receives for any of the following initiatives or a 3394
combination of any of the following initiatives: 3395

(a) Extended school day and school year; 3396

(b) Reading improvement and intervention that is aligned 3397
with the science of reading and evidence-based strategies for 3398

effective literacy instruction;	3399
(c) Instructional technology or blended learning;	3400
(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;	3401 3402 3403
(e) Dropout prevention;	3404
(f) School safety and security measures;	3405
(g) Community learning centers that address barriers to learning;	3406 3407
(h) Academic interventions for students in any of grades six through twelve;	3408 3409
(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;	3410 3411 3412 3413
(j) Mental health services, including telehealth services, community-based behavioral health services, and recovery supports;	3414 3415 3416
(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;	3417 3418 3419 3420
(l) Services for homeless youth;	3421
(m) Services for child welfare involved youth;	3422
(n) Community liaisons or programs that connect students to community resources, including behavioral wellness coordinators and city connects, communities in schools, and	3423 3424 3425

other similar programs;	3426
(o) Physical health care services, including telehealth services and community-based health services;	3427 3428
(p) Family engagement and support services;	3429
(q) Student services provided prior to or after the regularly scheduled school day or any time school is not in session, including mentoring programs;	3430 3431 3432
<u>(r) Professional development on evidence-based strategies for effective mathematics instruction;</u>	3433 3434
<u>(s) Implementation of high-quality core curriculum in math identified by the department of education and workforce under section 3301.0734 of the Revised Code.</u>	3435 3436 3437
(2) For fiscal year 2028 and each fiscal year thereafter, each city, local, exempted village, and joint vocational school district, community school, and STEM school shall spend the disadvantaged pupil impact aid it receives for one or more initiatives specified by the general assembly.	3438 3439 3440 3441 3442
(C) (1) For fiscal years 2026 and 2027, each city, local, exempted village, and joint vocational school district, community school, and STEM school that is subject to the requirements of this section shall develop a plan for utilizing the disadvantaged pupil impact aid it receives in coordination with at least one of the following community partners:	3443 3444 3445 3446 3447 3448
(a) A board of alcohol, drug addiction, and mental health services established under Chapter 340. of the Revised Code;	3449 3450
(b) An educational service center;	3451
(c) A county board of developmental disabilities;	3452

(d) A community mental health prevention or treatment provider;	3453 3454
(e) A board of health of a city or general health district;	3455 3456
(f) A county department of job and family services;	3457
(g) A nonprofit organization with experience serving children;	3458 3459
(h) A public hospital agency.	3460
(2) For fiscal year 2028 and each fiscal year thereafter, each city, local, exempted village, and joint vocational school district, community school, and STEM school that is subject to the requirements of this section shall develop a plan for utilizing the disadvantaged pupil impact aid it receives in the manner specified by the general assembly, if the general assembly requires city, local, exempted village, and joint vocational school districts, community schools, and STEM schools to develop such a plan.	3461 3462 3463 3464 3465 3466 3467 3468 3469
(D) After the end of each fiscal year, each city, local, exempted village, or joint vocational school district, community school, and STEM school shall submit a report to the department of education and workforce describing the initiative or initiatives on which the district's or school's disadvantaged pupil impact aid were spent during that fiscal year. For fiscal years 2026 and 2027, this report shall be submitted in a manner prescribed by the department and shall also describe the amount of money that was spent on each initiative.	3470 3471 3472 3473 3474 3475 3476 3477 3478
(E) Starting in 2015, the department shall submit a report of the information it receives under division (C) of this section to the general assembly not later than the first day of	3479 3480 3481

December of each odd-numbered year in accordance with section 3482
101.68 of the Revised Code. 3483

Sec. 3317.28. Not later than the thirty-first day of 3484
December of each fiscal year, the department of education and 3485
workforce shall designate as a community school of quality each 3486
community school established under Chapter 3314. of the Revised 3487
Code that meets the criteria established in division (A), (B), 3488
(C), (D), or (E) of this section. 3489

(A) A community school qualifies as a community school of 3490
quality if the school meets all of the following criteria: 3491

(1) The school's sponsor was rated "exemplary" or 3492
"effective" on the sponsor's most recent evaluation conducted 3493
under section 3314.016 of the Revised Code. 3494

(2) The school received a higher performance index score 3495
than the school district in which the school is located on the 3496
two most recent report cards issued for the school under section 3497
3302.03 of the Revised Code. 3498

(3) The school received a performance rating of four stars 3499
or higher for the progress component on the most recent report 3500
card issued for the school under section 3302.03 of the Revised 3501
Code or is a school described under division (B) of section 3502
3314.35 of the Revised Code and did not receive a rating for the 3503
progress component on the most recent report card. 3504

(4) At least fifty per cent of the students enrolled in 3505
the school in the prior fiscal year were economically 3506
disadvantaged, as determined by the department. 3507

(B) A community school qualifies as a community school of 3508
quality if the school meets all of the following criteria: 3509

(1) The school's sponsor was rated "exemplary" or 3510
"effective" on the sponsor's most recent evaluation conducted 3511
under section 3314.016 of the Revised Code. 3512

(2) The school received a higher performance index score 3513
than the school district in which the school is located on the 3514
most recent report card issued for the school under section 3515
3302.03 of the Revised Code. 3516

(3) The school received a performance rating of three 3517
stars or higher for the progress component on the most recent 3518
report card issued for the school under section 3302.03 of the 3519
Revised Code. 3520

(4) The school received a performance rating of three 3521
stars or higher for the achievement component on the most recent 3522
report card issued for the school under section 3302.03 of the 3523
Revised Code. 3524

(C) A community school qualifies as a community school of 3525
quality if the school meets all of the following criteria: 3526

(1) The school's sponsor was rated "exemplary" or 3527
"effective" on the sponsor's most recent evaluation conducted 3528
under section 3314.016 of the Revised Code. 3529

(2) The school is in its first year of operation or the 3530
school opened as a kindergarten school and has added one grade 3531
per year and has been in operation for less than four school 3532
years. 3533

(3) The school is replicating an operational and 3534
instructional model used by a community school described in 3535
division (A) of this section. 3536

(4) If the school has an operator, the operator received a 3537

rating of three stars or better on its most recent performance 3538
report published under section 3314.031 of the Revised Code. 3539

(D) A community school qualifies as a community school of 3540
quality if the school meets all of the following criteria: 3541

(1) The school's sponsor was rated "exemplary" or 3542
"effective" on the sponsor's most recent evaluation conducted 3543
under section 3314.016 of the Revised Code. 3544

(2) The school satisfies either of the following: 3545

(a) The school contracts with an operator that operates 3546
schools in other states and meets at least one of the following 3547
criteria: 3548

(i) Has operated a school that received a grant funded 3549
through the federal charter school program established under 20 3550
U.S.C. 7221 within the five years prior to the date of 3551
application or received funding from the charter school growth 3552
fund; 3553

(ii) Meets all of the following criteria: 3554

(I) One of the operator's schools in another state 3555
performed better than the school district in which the school is 3556
located, as determined by the department. 3557

(II) At least fifty per cent of the total number of 3558
students enrolled in all of the operator's schools are 3559
economically disadvantaged, as determined by the department. 3560

(III) The operator is in good standing in all states where 3561
it operates schools, as determined by the department. 3562

(IV) The department has determined that the operator does 3563
not have any financial viability issues that would prevent it 3564

from effectively operating a community school in Ohio. 3565

(b) The school is replicating an operational and 3566
instructional model through an agreement with a college or 3567
university used by a community school or its equivalent in 3568
another state that performed better than the school district in 3569
which the school is located, as determined by the department. 3570

(3) The school is in its first year of operation or, if 3571
not in its first year of operation and qualifying under division 3572
(D) (2) (b) of this section, meets either of the following 3573
conditions: 3574

(a) The school opened on July 1, 2022, and has not 3575
previously been designated as a community school of quality 3576
under this section, in which case the first payment under 3577
section 3317.27 of the Revised Code shall be made on or before 3578
January 31, 2024, and shall be calculated based on the adjusted 3579
full-time equivalent number of students enrolled in the school 3580
for fiscal year 2024. 3581

(b) The school opened on or after July 1, 2019, and has 3582
not previously been designated as a community school of quality 3583
under this section, in which case the first payment under 3584
section 3317.27 of the Revised Code shall be made within thirty 3585
days of ~~the effective date of this section~~ September 30, 2025, 3586
and shall be calculated based on the adjusted full-time 3587
equivalent number of students enrolled in the school for the 3588
fiscal year for which the payment is being made. 3589

(E) A community school qualifies as a community school of 3590
quality if it meets all of the following criteria: 3591

(1) The school is a dropout prevention and recovery school 3592
as defined under section 3314.02 of the Revised Code. 3593

(2) The school's sponsor was rated "exemplary" or 3594
"effective" on the sponsor's most recent evaluation conducted 3595
under section 3314.016 of the Revised Code. 3596

(3) The school received an "exceeds standards" on the 3597
performance indicator prescribed under division (C) (2) of 3598
section 3314.017 of the Revised Code on the two most recent 3599
report cards issued for the school under section 3314.017 of the 3600
Revised Code. 3601

(4) The school is not an internet- or computer-based 3602
community school. 3603

(F) A school designated as a community school of quality 3604
under division (A), (B), (C), or (E) of this section shall 3605
maintain that designation for the two fiscal years following the 3606
fiscal year in which the school was initially designated as a 3607
community school of quality. A school designated as a community 3608
school of quality under division (D) of this section shall 3609
maintain that designation for the four fiscal years following 3610
the fiscal year in which the school was initially designated as 3611
a community school of quality. 3612

(G) A school designated a community school of quality may 3613
renew its designation each year that it satisfies the criteria 3614
under division (A) or (B) of this section. The school shall 3615
maintain that designation for the two fiscal years following 3616
each fiscal year in which the criteria under division (A) or (B) 3617
of this section are satisfied. 3618

(H) A school that was designated as a community school of 3619
quality for the first time under either division (C) or 3620
divisions (D) (1) and (D) (2) (a) of this section for the 2022-2023 3621
school year shall be considered to have maintained that 3622

designation for the 2022-2023 school year, shall maintain that 3623
designation through the 2029-2030 school year, and may renew its 3624
designation under division (G) of this section after that year. 3625

(I) If two or more community schools have merged or merge 3626
in accordance with division (B) of section 3314.0211 of the 3627
Revised Code on or after June 30, 2022, the surviving community 3628
school is eligible to receive funds under this program, provided 3629
it otherwise qualifies as a community school of quality under 3630
division (A), (B), (C), (D), or (E) of this section. In such a 3631
case, the payment for a fiscal year shall be calculated using 3632
the adjusted full-time equivalent number of students enrolled in 3633
the school for that fiscal year as of the date the payments are 3634
made, as reported by the surviving community school under 3635
section 3314.08 of the Revised Code, regardless of whether those 3636
students were previously enrolled in a community school that was 3637
dissolved as part of the merger. A community school qualified to 3638
receive funds under the program prior to merging on or after 3639
June 30, 2022, and was dissolved due to the merger, shall be 3640
considered to have been eligible for funds under the program 3641
prior to ~~the effective date of this section~~ September 30, 2025, 3642
and shall not be required to return any funds received prior to 3643
that date. 3644

Sec. 3319.2214. This section applies to each individual 3645
who applies for a new valid educator license under section 3646
3319.22 of the Revised Code with a grade band specification of 3647
grades pre-kindergarten through eight and who may be assigned to 3648
teach mathematics. 3649

The state board of education shall assess whether each 3650
individual to whom this section applies is proficient in 3651
mathematics at the time that individual applies for a license. 3652

The chancellor of higher education, in consultation with the 3653
department of education and workforce, shall define the level of 3654
proficiency at which individuals are prepared to provide high- 3655
quality math instruction. The chancellor and the department 3656
shall collaborate with the state board to set appropriate 3657
benchmarks. Whether that individual is proficient in mathematics 3658
does not affect the state board's duty to issue that applicant a 3659
license. 3660

However, the state board shall certify to each school 3661
district or other school that employs that individual whether 3662
the individual is proficient in mathematics based on the state 3663
board's assessment. If the individual has not demonstrated 3664
proficiency in mathematics, the district or school shall not 3665
assign that individual to teach mathematics. Nevertheless, the 3666
district or school may permit that individual to teach in other 3667
subject areas. 3668

An individual who has not demonstrated proficiency in 3669
mathematics according to the state board's assessment may retake 3670
the assessment. If the individual demonstrates proficiency in 3671
mathematics in the subsequent assessment, the state board shall 3672
certify to each school district or other school that employs the 3673
individual that the individual is proficient in mathematics. In 3674
that case, the district or school may assign the individual to 3675
teach mathematics. 3676

The state board shall adopt rules to implement this 3677
section. 3678

Sec. 3319.2311. The department of education and workforce 3679
shall do both of the following: 3680

(A) Develop a professional development course that focuses 3681

on foundational knowledge in mathematics and integrates life 3682
skills; 3683

(B) Not later than December 31, 2026, develop a pilot 3684
series of professional development programs for school and 3685
regional educational leaders on evidence-based mathematics 3686
instruction. 3687

Sec. 3324.10. (A) The department of education and 3688
workforce shall adopt a model student acceleration policy 3689
addressing recommendations in the former department of 3690
education's 2005 study conducted under the gifted research and 3691
demonstration grant program. The policy shall address, but not 3692
be limited to, whole grade acceleration, subject area 3693
acceleration, and early high school graduation. The policy also 3694
shall include providing advanced learning opportunities in 3695
mathematics under section 3313.6032 of the Revised Code. 3696

(B) The board of education of each city, local, and 3697
exempted village school district shall implement a student 3698
acceleration policy to take effect beginning in the 2006-2007 3699
school year. The policy shall either be the model adopted by the 3700
department under division (A) of this section or a policy 3701
covering similar issues that is adopted by the district board. 3702
If the district board does not adopt the department's model, it 3703
shall submit its policy to the department for review and 3704
approval. The department, upon request, shall provide technical 3705
assistance to the district board in developing the policy. 3706

Sec. 3326.11. Each science, technology, engineering, and 3707
mathematics school established under this chapter and its 3708
governing body shall comply with sections 9.90, 9.91, 109.65, 3709
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 3710
3301.0714, 3301.0715, 3301.0729, 3301.24, 3301.948, 3302.037, 3711

3302.131, 3313.14, 3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3712
3313.472, 3313.473, 3313.474, 3313.48, 3313.481, 3313.482, 3713
3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3714
3313.6012, 3313.6013, 3313.6014, 3313.6020, 3313.6021, 3715
3313.6023, 3313.6024, 3313.6026, 3313.6028, 3313.6029, 3716
3313.6031, 3313.6032, 3313.6034, 3313.61, 3313.611, 3313.614, 3717
3313.615, 3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3718
3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3719
3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3720
3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.717, 3721
3313.718, 3313.719, 3313.7112, 3313.7117, 3313.7118, 3313.721, 3722
3313.753, 3313.80, 3313.801, 3313.814, 3313.816, 3313.817, 3723
3313.818, 3313.819, 3313.8110, 3313.86, 3313.89, 3313.96, 3724
3319.073, 3319.077, 3319.078, 3319.0812, 3319.21, 3319.2214, 3725
3319.238, 3319.318, 3319.32, 3319.321, 3319.324, 3319.35, 3726
3319.39, 3319.391, 3319.393, 3319.41, 3319.45, 3319.46, 3727
3319.614, 3319.90, 3320.01, 3320.02, 3320.03, 3320.04, 3321.01, 3728
3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3729
3321.19, 3321.191, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 3730
4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 102., 3731
117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 4123., 3732
4141., and 4167. of the Revised Code as if it were a school 3733
district. 3734

Section 2. That existing sections 3301.079, 3301.0714, 3735
3301.0715, 3302.03, 3302.07, 3302.13, 3310.41, 3313.6028, 3736
3313.90, 3314.03, 3317.25, 3317.28, 3324.10, and 3326.11 of the 3737
Revised Code are hereby repealed. 3738

Section 3. That section 3313.6032 of the Revised Code is 3739
hereby repealed. 3740

Section 4. Not later than thirty days after the effective 3741

date of this section, the Department of Education and Workforce 3742
shall open an application period to update its list of high- 3743
quality tutoring programs under section 3301.136 of the Revised 3744
Code and update the list accordingly. 3745

Section 5. (A) As used in this section, "classical school" 3746
has the same meaning as in section 3301.0711 of the Revised 3747
Code. 3748

(B) Notwithstanding any provision of the Revised Code to 3749
the contrary, any requirement regarding the science of reading 3750
for English language arts curriculum, instructional materials, 3751
or reading intervention programs does not apply to a classical 3752
school for the 2025-2026 or 2026-2027 school year. 3753

Section 6. For the next request for qualifications issued 3754
by the Department of Education and Workforce for the approval of 3755
diagnostic assessments under section 3301.079 of the Revised 3756
Code that occurs after the effective date of this section, the 3757
Department shall enter into a contract with an entity to review 3758
the Department's selection of diagnostic assessments before 3759
finalizing the approved lists. 3760

Section 7. Notwithstanding anything to the contrary in 3761
section 3301.079 of the Revised Code, a school district, 3762
community school established under Chapter 3314., or STEM school 3763
established under Chapter 3326. of the Revised Code that has a 3764
contract that existed prior to September 30, 2025, with a 3765
provider for a reading diagnostic assessment approved under 3766
division (D)(1) of section 3301.079 of the Revised Code, as it 3767
existed prior to that date, may continue to use that provider's 3768
diagnostic assessment. A school district or school shall cease 3769
using that assessment when the terms of the contract expire, or 3770
by July 1, 2028, whichever occurs first, or upon a review by the 3771

Department of Education and Workforce that demonstrates that the 3772
assessment does not meet the minimum requirements for the 3773
science of reading under section 3313.6028 of the Revised Code. 3774
Not later than February 28, 2028, the Department shall submit a 3775
report to the Speaker of the House of Representatives, the 3776
President of the Senate, and the chairpersons of the standing 3777
committees of the House of Representatives and the Senate that 3778
consider education legislation regarding the number of school 3779
districts, community schools, and STEM schools that used 3780
diagnostic assessments under this section. 3781

Section 8. The General Assembly, applying the principle 3782
stated in division (B) of section 1.52 of the Revised Code that 3783
amendments are to be harmonized if reasonably capable of 3784
simultaneous operation, finds that the following sections, 3785
presented in this act as composites of the sections as amended 3786
by the acts indicated, are the resulting versions of the 3787
sections in effect prior to the effective date of the sections 3788
as presented in this act: 3789

Section 3314.03 of the Revised Code as amended by both 3790
H.B. 10 and H.B. 96 of the 136th General Assembly. 3791

Section 3326.11 of the Revised Code as amended by both 3792
H.B. 10 and H.B. 96 of the 136th General Assembly. 3793