

As Introduced

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

S. B. No. 311

Senator Brenner

To amend sections 2151.354, 2152.19, 2919.24, 1
3313.11, 3313.411, 3313.536, 3319.222, 3319.24, 2
3319.31, 3319.316, 3319.391, and 3327.10; to 3
enact sections 303.216, 519.216, 713.083, 4
2307.59, 3313.174, 3314.252, and 3319.3110; and 5
to repeal section 3313.85 of the Revised Code 6
regarding the operation of public and chartered 7
nonpublic schools. 8

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

Section 1. That sections 2151.354, 2152.19, 2919.24, 9
3313.11, 3313.411, 3313.536, 3319.222, 3319.24, 3319.31, 10
3319.316, 3319.391, and 3327.10 be amended and sections 303.216, 11
519.216, 713.083, 2307.59, 3313.174, 3314.252, and 3319.3110 of 12
the Revised Code be enacted to read as follows: 13

Sec. 303.216. (A) As used in this section: 14

"Nonpublic school" means a chartered nonpublic school as 15
defined in section 3310.01 of the Revised Code. 16

"Public school" means a city, local, exempted village, or 17
joint vocational school district or any other public school as 18
defined in section 3301.0711 of the Revised Code. 19

(B) Sections 303.01 to 303.25 of the Revised Code do not 20

confer on any county rural zoning commission, board of county 21
commissioners, or board of zoning appeals the authority to 22
prohibit or restrict the location of a public school or a 23
nonpublic school in any district or zone in the county. 24

(C) A county rural zoning commission, board of county 25
commissioners, or board of zoning appeals shall not deny an 26
application related to land use for the sole reason that the 27
requesting entity is seeking to establish a public school or a 28
nonpublic school. 29

Sec. 519.216. (A) As used in this section: 30

"Nonpublic school" means a chartered nonpublic school as 31
defined in section 3310.01 of the Revised Code. 32

"Public school" means a city, local, exempted village, or 33
joint vocational school district or any other public school as 34
defined in section 3301.0711 of the Revised Code. 35

(B) Sections 519.01 to 519.25 of the Revised Code do not 36
confer on any township zoning commission, board of township 37
trustees, or board of zoning appeals the authority to prohibit 38
or restrict the location of a public school or a nonpublic 39
school in any district or zone in the township. 40

(C) A township zoning commission, board of township 41
trustees, or board of zoning appeals shall not deny an 42
application related to land use for the sole reason that the 43
requesting entity is seeking to establish a public school or a 44
nonpublic school. 45

Sec. 713.083. (A) As used in this section: 46

"Nonpublic school" means a chartered nonpublic school as 47
defined in section 3310.01 of the Revised Code. 48

"Public school" means a city, local, exempted village, or 49
joint vocational school district or any other public school as 50
defined in section 3301.0711 of the Revised Code. 51

(B) A municipal corporation shall not prohibit or restrict 52
the location of a public school or a nonpublic school in any 53
district or zone in the municipal corporation. 54

(C) A municipal corporation shall not deny an application 55
related to land use for the sole reason that the requesting 56
entity is seeking to establish a public school or a nonpublic 57
school. 58

Sec. 2151.354. (A) If the child is adjudicated an unruly 59
child, the court may: 60

(1) Make any of the dispositions authorized under section 61
2151.353 of the Revised Code; 62

(2) Place the child on community control under any 63
sanctions, services, and conditions that the court prescribes, 64
as described in division (A) (4) of section 2152.19 of the 65
Revised Code, provided that, if the court imposes a period of 66
community service upon the child, the period of community 67
service shall not exceed one hundred seventy-five hours; 68

(3) Suspend the driver's license, probationary driver's 69
license, or temporary instruction permit issued to the child for 70
a period of time prescribed by the court and suspend the 71
registration of all motor vehicles registered in the name of the 72
child for a period of time prescribed by the court. A child 73
whose license or permit is so suspended is ineligible for 74
issuance of a license or permit during the period of suspension. 75
At the end of the period of suspension, the child shall not be 76
reissued a license or permit until the child has paid any 77

applicable reinstatement fee and complied with all requirements 78
governing license reinstatement. 79

(4) Commit the child to the temporary or permanent custody 80
of the court; 81

(5) Make any further disposition the court finds proper 82
that is consistent with sections 2151.312 and 2151.56 to 2151.59 83
of the Revised Code; 84

(6) If, after making a disposition under division (A)(1), 85
(2), or (3) of this section, the court finds upon further 86
hearing that the child is not amenable to treatment or 87
rehabilitation under that disposition, make a disposition 88
otherwise authorized under divisions (A)(1), (4), (5), and (8) 89
of section 2152.19 of the Revised Code that is consistent with 90
sections 2151.312 and 2151.56 to 2151.59 of the Revised Code. 91

(B) If a child is adjudicated an unruly child for 92
committing any act that, if committed by an adult, would be a 93
drug abuse offense, as defined in section 2925.01 of the Revised 94
Code, or a violation of division (B) of section 2917.11 of the 95
Revised Code, in addition to imposing, in its discretion, any 96
other order of disposition authorized by this section, the court 97
shall do both of the following: 98

(1) Require the child to participate in a drug abuse or 99
alcohol abuse counseling program; 100

(2) Suspend the temporary instruction permit, probationary 101
driver's license, or driver's license issued to the child for a 102
period of time prescribed by the court. The court, in its 103
discretion, may terminate the suspension if the child attends 104
and satisfactorily completes a drug abuse or alcohol abuse 105
education, intervention, or treatment program specified by the 106

court. During the time the child is attending a program as 107
described in this division, the court shall retain the child's 108
temporary instruction permit, probationary driver's license, or 109
driver's license, and the court shall return the permit or 110
license if it terminates the suspension. 111

(C) (1) If a child is adjudicated an unruly child for being 112
an habitual truant, in addition to or in lieu of imposing any 113
other order of disposition authorized by this section, the court 114
may do any of the following: 115

(a) Order the board of education of the child's school 116
district or the governing board of the educational service 117
center in the child's school district to require the child to 118
attend an alternative school if an alternative school has been 119
established pursuant to section 3313.533 of the Revised Code in 120
the school district in which the child is entitled to attend 121
school; 122

(b) Require the child to participate in any academic 123
program or community service program; 124

(c) Require the child to participate in a drug abuse or 125
alcohol abuse counseling program; 126

(d) Require that the child receive appropriate medical or 127
psychological treatment or counseling; 128

(e) Maintain jurisdiction over the child during the 129
subsequent school year for the purpose of monitoring the child's 130
attendance. 131

(f) Make any other order that the court finds proper to 132
address the child's habitual truancy, including an order 133
requiring the child to not be absent without legitimate excuse 134
from the public school the child is supposed to attend for 135

thirty or more consecutive hours, forty-two or more hours in one 136
school month, or seventy-two or more hours in a school year and 137
including an order requiring the child to participate in a 138
truancy prevention mediation program. 139

(2) If a child is adjudicated an unruly child for being an 140
habitual truant and the court determines that the parent, 141
guardian, or other person having care of the child has failed to 142
cause the child's attendance at school in violation of section 143
3321.38 of the Revised Code, in addition to any order of 144
disposition authorized by this section, all of the following 145
apply: 146

(a) The court may require the parent, guardian, or other 147
person having care of the child to participate in any community 148
service program, preferably a community service program that 149
requires the involvement of the parent, guardian, or other 150
person having care of the child in the school attended by the 151
child. 152

(b) The court may require the parent, guardian, or other 153
person having care of the child to participate in a truancy 154
prevention mediation program. 155

(c) The court shall warn the parent, guardian, or other 156
person having care of the child that any subsequent adjudication 157
of the child as an unruly or delinquent child for being an 158
habitual truant or for violating a court order regarding the 159
child's prior adjudication as an unruly child for being an 160
habitual truant, may result in a criminal charge against the 161
parent, guardian, or other person having care of the child for a 162
violation of division (C) of section 2919.21 or section 2919.24 163
of the Revised Code. 164

(d) Not later than ten days after a child is adjudicated 165
an unruly child for being an habitual truant, the court shall 166
provide notice of that fact to the school district in which the 167
child is entitled to attend school and to the school in which 168
the child was enrolled at the time of the filing of the 169
complaint. 170

Sec. 2152.19. (A) If a child is adjudicated a delinquent 171
child, the court may make any of the following orders of 172
disposition, in addition to any other disposition authorized or 173
required by this chapter: 174

(1) Any order that is authorized by section 2151.353 of 175
the Revised Code for the care and protection of an abused, 176
neglected, or dependent child; 177

(2) Commit the child to the temporary custody of any 178
school, camp, institution, or other facility operated for the 179
care of delinquent children by the county, by a district 180
organized under section 2152.41 or 2151.65 of the Revised Code, 181
or by a private agency or organization, within or without the 182
state, that is authorized and qualified to provide the care, 183
treatment, or placement required, including, but not limited to, 184
a school, camp, or facility operated under section 2151.65 of 185
the Revised Code; 186

(3) Place the child in a detention facility or district 187
detention facility operated under section 2152.41 of the Revised 188
Code, for up to ninety days; 189

(4) Place the child on community control under any 190
sanctions, services, and conditions that the court prescribes. 191
As a condition of community control in every case and in 192
addition to any other condition that it imposes upon the child, 193

the court shall require the child to abide by the law during the 194
period of community control. As referred to in this division, 195
community control includes, but is not limited to, the following 196
sanctions and conditions: 197

(a) A period of basic probation supervision in which the 198
child is required to maintain contact with a person appointed to 199
supervise the child in accordance with sanctions imposed by the 200
court; 201

(b) A period of intensive probation supervision in which 202
the child is required to maintain frequent contact with a person 203
appointed by the court to supervise the child while the child is 204
seeking or maintaining employment and participating in training, 205
education, and treatment programs as the order of disposition; 206

(c) A period of day reporting in which the child is 207
required each day to report to and leave a center or another 208
approved reporting location at specified times in order to 209
participate in work, education or training, treatment, and other 210
approved programs at the center or outside the center; 211

(d) A period of community service of up to five hundred 212
hours for an act that would be a felony or a misdemeanor of the 213
first degree if committed by an adult, up to two hundred hours 214
for an act that would be a misdemeanor of the second, third, or 215
fourth degree if committed by an adult, or up to thirty hours 216
for an act that would be a minor misdemeanor if committed by an 217
adult; 218

(e) A requirement that the child obtain a high school 219
diploma, a certificate of high school equivalence, vocational 220
training, or employment; 221

(f) A period of drug and alcohol use monitoring; 222

(g) A requirement of alcohol or drug assessment or 223
counseling, or a period in an alcohol or drug treatment program 224
with a level of security for the child as determined necessary 225
by the court; 226

(h) A period in which the court orders the child to 227
observe a curfew that may involve daytime or evening hours; 228

(i) A requirement that the child serve monitored time; 229

(j) A period of house arrest without electronic monitoring 230
or continuous alcohol monitoring; 231

(k) A period of electronic monitoring or continuous 232
alcohol monitoring without house arrest, or house arrest with 233
electronic monitoring or continuous alcohol monitoring or both 234
electronic monitoring and continuous alcohol monitoring, that 235
does not exceed the maximum sentence of imprisonment that could 236
be imposed upon an adult who commits the same act. 237

A period of house arrest with electronic monitoring or 238
continuous alcohol monitoring or both electronic monitoring and 239
continuous alcohol monitoring, imposed under this division shall 240
not extend beyond the child's twenty-first birthday. If a court 241
imposes a period of house arrest with electronic monitoring or 242
continuous alcohol monitoring or both electronic monitoring and 243
continuous alcohol monitoring, upon a child under this division, 244
it shall require the child: to remain in the child's home or 245
other specified premises for the entire period of house arrest 246
with electronic monitoring or continuous alcohol monitoring or 247
both except when the court permits the child to leave those 248
premises to go to school or to other specified premises. 249
Regarding electronic monitoring, the court also shall require 250
the child to be monitored by a central system that can determine 251

the child's location at designated times; to report periodically 252
to a person designated by the court; and to enter into a written 253
contract with the court agreeing to comply with all requirements 254
imposed by the court, agreeing to pay any fee imposed by the 255
court for the costs of the house arrest with electronic 256
monitoring, and agreeing to waive the right to receive credit 257
for any time served on house arrest with electronic monitoring 258
toward the period of any other dispositional order imposed upon 259
the child if the child violates any of the requirements of the 260
dispositional order of house arrest with electronic monitoring. 261
The court also may impose other reasonable requirements upon the 262
child. 263

Unless ordered by the court, a child shall not receive 264
credit for any time served on house arrest with electronic 265
monitoring or continuous alcohol monitoring or both toward any 266
other dispositional order imposed upon the child for the act for 267
which was imposed the dispositional order of house arrest with 268
electronic monitoring or continuous alcohol monitoring. As used 269
in this division and division (A) (4) (1) of this section, 270
"continuous alcohol monitoring" has the same meaning as in 271
section 2929.01 of the Revised Code. 272

(1) A suspension of the driver's license, probationary 273
driver's license, or temporary instruction permit issued to the 274
child for a period of time prescribed by the court, or a 275
suspension of the registration of all motor vehicles registered 276
in the name of the child for a period of time prescribed by the 277
court. A child whose license or permit is so suspended is 278
ineligible for issuance of a license or permit during the period 279
of suspension. At the end of the period of suspension, the child 280
shall not be reissued a license or permit until the child has 281
paid any applicable reinstatement fee and complied with all 282

requirements governing license reinstatement. 283

(5) Commit the child to the custody of the court; 284

(6) Require the child to not be absent without legitimate 285
excuse from the public school the child is supposed to attend 286
for thirty or more consecutive hours, forty-two or more hours in 287
one school month, or seventy-two or more hours in a school year; 288

(7) (a) If a child is adjudicated a delinquent child for 289
violating a court order regarding the child's prior adjudication 290
as an unruly child for being a habitual truant, do either or 291
both of the following: 292

(i) Require the child to participate in a truancy 293
prevention mediation program; 294

(ii) Make any order of disposition as authorized by this 295
section, except that the court shall not commit the child to a 296
facility described in division (A) (2) or (3) of this section 297
unless the court determines that the child violated a lawful 298
court order made pursuant to division ~~(C) (1) (e)~~ (C) (1) (f) of 299
section 2151.354 of the Revised Code or division (A) (6) of this 300
section. 301

(b) If a child is adjudicated a delinquent child for 302
violating a court order regarding the child's prior adjudication 303
as an unruly child for being a habitual truant and the court 304
determines that the parent, guardian, or other person having 305
care of the child has failed to cause the child's attendance at 306
school in violation of section 3321.38 of the Revised Code, do 307
either or both of the following: 308

(i) Require the parent, guardian, or other person having 309
care of the child to participate in a truancy prevention 310
mediation program; 311

(ii) Require the parent, guardian, or other person having 312
care of the child to participate in any community service 313
program, preferably a community service program that requires 314
the involvement of the parent, guardian, or other person having 315
care of the child in the school attended by the child. 316

(8) Make any further disposition that the court finds 317
proper, except that the child shall not be placed in a state 318
correctional institution, a county, multicounty, or municipal 319
jail or workhouse, or another place in which an adult convicted 320
of a crime, under arrest, or charged with a crime is held. 321

(B) If a child is adjudicated a delinquent child, in 322
addition to any order of disposition made under division (A) of 323
this section, the court, in the following situations and for the 324
specified periods of time, shall suspend the child's temporary 325
instruction permit, restricted license, probationary driver's 326
license, or nonresident operating privilege, or suspend the 327
child's ability to obtain such a permit: 328

(1) If the child is adjudicated a delinquent child for 329
violating section 2923.122 of the Revised Code, impose a class 330
four suspension of the child's license, permit, or privilege 331
from the range specified in division (A)(4) of section 4510.02 332
of the Revised Code or deny the child the issuance of a license 333
or permit in accordance with division (F)(1) of section 2923.122 334
of the Revised Code. 335

(2) If the child is adjudicated a delinquent child for 336
committing an act that if committed by an adult would be a drug 337
abuse offense or for violating division (B) of section 2917.11 338
of the Revised Code, suspend the child's license, permit, or 339
privilege for a period of time prescribed by the court. The 340
court, in its discretion, may terminate the suspension if the 341

child attends and satisfactorily completes a drug abuse or 342
alcohol abuse education, intervention, or treatment program 343
specified by the court. During the time the child is attending a 344
program described in this division, the court shall retain the 345
child's temporary instruction permit, probationary driver's 346
license, or driver's license, and the court shall return the 347
permit or license if it terminates the suspension as described 348
in this division. 349

(C) The court may establish a victim-offender mediation 350
program in which victims and their offenders meet to discuss the 351
offense and suggest possible restitution. If the court obtains 352
the assent of the victim of the delinquent act committed by the 353
child, the court may require the child to participate in the 354
program. 355

(D) (1) If a child is adjudicated a delinquent child for 356
committing an act that would be a felony if committed by an 357
adult and if the child caused, attempted to cause, threatened to 358
cause, or created a risk of physical harm to the victim of the 359
act, the court, prior to issuing an order of disposition under 360
this section, shall order the preparation of a victim impact 361
statement by the probation department of the county in which the 362
victim of the act resides, by the court's own probation 363
department, or by a victim assistance program that is operated 364
by the state, a county, a municipal corporation, or another 365
governmental entity. The court shall consider the victim impact 366
statement in determining the order of disposition to issue for 367
the child. 368

(2) Each victim impact statement shall identify the victim 369
of the act for which the child was adjudicated a delinquent 370
child, itemize any economic loss suffered by the victim as a 371

result of the act, identify any physical injury suffered by the 372
victim as a result of the act and the seriousness and permanence 373
of the injury, identify any change in the victim's personal 374
welfare or familial relationships as a result of the act and any 375
psychological impact experienced by the victim or the victim's 376
family as a result of the act, and contain any other information 377
related to the impact of the act upon the victim that the court 378
requires. 379

(3) A victim impact statement shall be kept confidential 380
and is not a public record. However, the court may furnish 381
copies of the statement to the department of youth services if 382
the delinquent child is committed to the department or to both 383
the adjudicated delinquent child or the adjudicated delinquent 384
child's counsel and the prosecuting attorney. The copy of a 385
victim impact statement furnished by the court to the department 386
pursuant to this section shall be kept confidential and is not a 387
public record. If an officer is preparing pursuant to section 388
2947.06 or 2951.03 of the Revised Code or Criminal Rule 32.2 a 389
presentence investigation report pertaining to a person, the 390
court shall make available to the officer, for use in preparing 391
the report, a copy of any victim impact statement regarding that 392
person. The copies of a victim impact statement that are made 393
available to the adjudicated delinquent child or the adjudicated 394
delinquent child's counsel and the prosecuting attorney pursuant 395
to this division shall be returned to the court by the person to 396
whom they were made available immediately following the 397
imposition of an order of disposition for the child under this 398
chapter. 399

The copy of a victim impact statement that is made 400
available pursuant to this division to an officer preparing a 401
criminal presentence investigation report shall be returned to 402

the court by the officer immediately following its use in 403
preparing the report. 404

(4) The department of youth services shall work with local 405
probation departments and victim assistance programs to develop 406
a standard victim impact statement. 407

(E) (1) If a child is adjudicated a delinquent child for 408
violating a court order regarding the child's prior adjudication 409
as an unruly child for being a habitual truant and the court 410
determines that the parent, guardian, or other person having 411
care of the child has failed to cause the child's attendance at 412
school in violation of section 3321.38 of the Revised Code, in 413
addition to any order of disposition it makes under this 414
section, the court shall warn the parent, guardian, or other 415
person having care of the child that any subsequent adjudication 416
with regard to truancy may result in a criminal charge against 417
the parent, guardian, or other person having care of the child 418
for a violation of division (C) of section 2919.21 or section 419
2919.24 of the Revised Code. 420

(2) Not later than ten days after a child is adjudicated a 421
delinquent child for violating a court order regarding the 422
child's prior adjudication as an unruly child for being an 423
habitual truant, the court shall provide notice of that fact to 424
the school district in which the child is entitled to attend 425
school and to the school in which the child was enrolled at the 426
time of the filing of the complaint. 427

(F) (1) During the period of a delinquent child's community 428
control granted under this section, authorized probation 429
officers who are engaged within the scope of their supervisory 430
duties or responsibilities may search, with or without a 431
warrant, the person of the delinquent child, the place of 432

residence of the delinquent child, and a motor vehicle, another 433
item of tangible or intangible personal property, or other real 434
property in which the delinquent child has a right, title, or 435
interest or for which the delinquent child has the express or 436
implied permission of a person with a right, title, or interest 437
to use, occupy, or possess if the probation officers have 438
reasonable grounds to believe that the delinquent child is not 439
abiding by the law or otherwise is not complying with the 440
conditions of the delinquent child's community control. The 441
court that places a delinquent child on community control under 442
this section shall provide the delinquent child with a written 443
notice that informs the delinquent child that authorized 444
probation officers who are engaged within the scope of their 445
supervisory duties or responsibilities may conduct those types 446
of searches during the period of community control if they have 447
reasonable grounds to believe that the delinquent child is not 448
abiding by the law or otherwise is not complying with the 449
conditions of the delinquent child's community control. The 450
court also shall provide the written notice described in 451
division (E) (2) of this section to each parent, guardian, or 452
custodian of the delinquent child who is described in that 453
division. 454

(2) The court that places a child on community control 455
under this section shall provide the child's parent, guardian, 456
or other custodian with a written notice that informs them that 457
authorized probation officers may conduct searches pursuant to 458
division (E) (1) of this section. The notice shall specifically 459
state that a permissible search might extend to a motor vehicle, 460
another item of tangible or intangible personal property, or a 461
place of residence or other real property in which a notified 462
parent, guardian, or custodian has a right, title, or interest 463

and that the parent, guardian, or custodian expressly or 464
impliedly permits the child to use, occupy, or possess. 465

(G) If a juvenile court commits a delinquent child to the 466
custody of any person, organization, or entity pursuant to this 467
section and if the delinquent act for which the child is so 468
committed is a sexually oriented offense or is a child-victim 469
oriented offense, the court in the order of disposition shall do 470
one of the following: 471

(1) Require that the child be provided treatment as 472
described in division (A)(2) of section 5139.13 of the Revised 473
Code; 474

(2) Inform the person, organization, or entity that it is 475
the preferred course of action in this state that the child be 476
provided treatment as described in division (A)(2) of section 477
5139.13 of the Revised Code and encourage the person, 478
organization, or entity to provide that treatment. 479

Sec. 2307.59. (A) As used in this section: 480

(1) "Assigned task" means any task assigned, directed, or 481
otherwise given to a learner by a sponsor or its 482
representatives, the performance on which will be evaluated for 483
credit, including any of the following: 484

(a) Writing a term paper, thesis, dissertation, essay, or 485
report; 486

(b) Providing responses to, participating in, or otherwise 487
engaging in an examination; 488

(c) Preparing any other work product in response to an 489
assignment; 490

(d) Attending classes or other instructional interactions 491

when the task is assigned, directed, or otherwise given to a 492
learner by a sponsor or its representatives. 493

(2) "Assignment" means anything in written, electronic, 494
recorded, pictorial, artistic, or any other form issued by a 495
sponsor or its representatives setting forth, conveying, or 496
soliciting learner performance of or on one or more assigned 497
tasks, including materials, whether presented on paper or a 498
computer, setting forth problems for the learner to solve, 499
questions for the learner's response, examination content, 500
scenarios to which the learner is to react, and similar tasks. 501

(3) "Confidential examination or assignment" means any 502
assignment, including any examination that a sponsor provides to 503
a learner under confidential conditions. 504

(4) "For credit" means for evaluation by a sponsor or its 505
representatives in connection with issuance of any grade, 506
evaluation, degree, diploma, certification, certificate, 507
credential, examination score, or professional license. 508

(5) "Organization" means a company, partnership, 509
corporation, institution, association, body, state agency, or 510
other entity. 511

(6) "Sale" or "sell" means any transfer, exchange, or 512
barter, in any manner, for any consideration or by any 513
agreement. 514

(7) "Sponsor" means any of the following: 515

(a) Any state institution of higher education, as defined 516
under section 3345.011 of the Revised Code; 517

(b) Any organization that owns, sponsors, grants, awards, 518
or otherwise issues professional licenses to individuals or 519

organizations bearing the organization's name or trademark and 520
signifying completion of a set of requirements associated with 521
that license; 522

(c) Any organization that owns, sponsors, grants, awards, 523
or otherwise issues credentials or certifications bearing the 524
organization's name or trademark to individuals or organizations 525
in this state and signifying completion of a set of requirements 526
associated with that credential or certification; 527

(d) Any organization that owns, sponsors, administers, or 528
otherwise delivers examinations bearing the organization's name 529
or trademark to individuals or organizations in this state. 530

(8) "Learner" means an individual whose performance on one 531
or more assigned tasks will be evaluated for credit and 532
includes, but is not limited to, students, candidates for 533
professional certification and licensure, test takers, 534
examinees, and workforce skills trainees. 535

(9) "Work product" means anything in written, electronic, 536
recorded, pictorial, artistic, or any other form that is 537
submitted to a sponsor showing full or partial completion of an 538
assigned task, including a term paper, thesis, dissertation, 539
essay, report, and response to an examination. 540

(B) No organization or individual shall, for a fee or 541
other compensation, engage in any of the following activities: 542

(1) Prepare, advertise to prepare, offer to prepare, or 543
cause to be prepared, any work product for or on behalf of a 544
learner; 545

(2) Sell, advertise to sell, offer to sell, or cause to be 546
sold any work product to a learner; 547

(3) Complete or otherwise perform an assigned task for or 548
on behalf of a learner, whether in whole or in part, with the 549
knowledge, or under circumstances in which the organization or 550
individual should reasonably have known that the work product or 551
the completion of the assigned task will be submitted by or on 552
behalf of the learner as the learner's own work for credit. 553

(C) No organization or individual shall sell or advertise 554
for sale a confidential examination, a portion thereof, or 555
detailed description of its contents, when the organization or 556
individual reasonably should know that the sale or advertisement 557
is a violation of a provision of this section. 558

(D) An organization or individual shall not issue a 559
disclaimer or draft contractual language attempting to exempt 560
the organization or individual from any provision of this 561
section, including the following statements: 562

(1) That the learner will not use any work product in 563
completing all or part of the assigned tasks; 564

(2) That the learner has not been required to complete the 565
assigned tasks personally; 566

(3) That provision of the work product or completion of 567
the assigned tasks has been approved by the sponsor. 568

(E) Nothing contained in this section shall prevent any 569
individual or organization from providing tutorial assistance, 570
research material, information, or other assistance to learners, 571
provided that it is expressly permitted by the sponsor and the 572
individual or organization providing assistance has reasonable 573
belief that the work product will not be represented as the 574
learner's own work. 575

(F) (1) The attorney general may investigate an alleged 576

violation of this section and may bring in the appropriate court 577
of common pleas of this state a civil action against the alleged 578
violator. In an action brought under this division, an 579
individual or organization that violates any provision of this 580
section shall be subject to a civil penalty of not more than 581
five thousand dollars per violation, to be deposited in the 582
state treasury to the credit of the general revenue fund. 583

(2) Any sponsor aggrieved by a violation of this section 584
may bring a civil action against the individual or organization 585
who violated this section in any court of competent 586
jurisdiction. In any action brought under this division, the 587
plaintiff may recover all the following for each violation: 588

(a) Liquidated damages of two thousand five hundred 589
dollars or actual damages, whichever is greater; 590

(b) Reasonable attorney's fees and costs, including expert 591
witness fees and other litigation expenses; 592

(c) Injunctive relief and punitive damages; 593

(d) Other relief as the court determines appropriate. 594

(3) In any action brought under this section, the court 595
shall preserve the secrecy of an alleged confidential 596
examination or assignment by reasonable means, which may include 597
any of the following: 598

(a) Granting protective orders in connection with 599
discovery proceedings; 600

(b) Holding in-camera hearings; 601

(c) Sealing the records of the action; 602

(d) Ordering any individual involved in the litigation not 603

to disclose an alleged confidential examination or assignment 604
without prior court approval. 605

Sec. 2919.24. (A) As used in this section: 606

(1) "Delinquent child" has the same meaning as in section 607
2152.02 of the Revised Code. 608

(2) "Unruly child" has the same meaning as in section 609
2151.022 of the Revised Code. 610

(B) No person, including a parent, guardian, or other 611
custodian of a child, shall do any of the following: 612

(1) Aid, abet, induce, cause, encourage, or contribute to 613
a child or a ward of the juvenile court becoming an unruly child 614
or a delinquent child; 615

(2) Act in a way tending to cause a child or a ward of the 616
juvenile court to become an unruly child or a delinquent child; 617

(3) Act in a way that contributes to ~~an adjudication of~~ 618
~~the child as a delinquent child based on the child's violation~~ 619
~~of a court order adjudicating the child an unruly a child for~~ 620
being ~~an~~ a habitual truant; 621

(4) If the person is the parent, guardian, or custodian of 622
a child who has the duties under Chapters 2152. and 2950. of the 623
Revised Code to register, register a new residence address, and 624
periodically verify a residence address, and, if applicable, to 625
send a notice of intent to reside, and if the child is not 626
emancipated, as defined in section 2919.121 of the Revised Code, 627
fail to ensure that the child complies with those duties under 628
Chapters 2152. and 2950. of the Revised Code. 629

(C) An adjudication of a child as being unruly or 630
delinquent is unnecessary for a conviction under this section. 631

(D) Whoever violates this section is guilty of 632
contributing to the unruliness or delinquency of a child, a 633
misdemeanor of the first degree. Each day of violation of this 634
section is a separate offense. 635

Sec. 3313.11. Notwithstanding division (D) of section 636
3311.19 and division (D) of section 3311.52 of the Revised Code, 637
this section does not apply to any joint vocational or 638
cooperative education school district. 639

A vacancy in any school district board of education or 640
governing board of an educational service center may be caused 641
by death, nonresidence, resignation, removal from office, 642
failure of a person elected or appointed to qualify within ten 643
days after the organization of the board or of appointment or 644
election, removal from the district, or absence from meetings of 645
the board for a period of ninety days, if such absence is caused 646
by reasons declared insufficient by a two-thirds vote of the 647
remaining members of the board, which vote must be taken and 648
entered upon the records of the board not less than thirty days 649
after such absence. 650

If the board members are selected by appointment pursuant 651
to division (B) or (F) of section 3311.71 of the Revised Code, 652
the appointing authority responsible for the appointment shall 653
fill any such vacancy by appointment of an individual to serve 654
the remainder of the unexpired term from a slate of at least 655
three persons proposed by the municipal school district 656
nominating panel established under that section. If the member 657
creating the vacancy resides in a municipal school district but 658
not in the municipal corporation containing the greatest portion 659
of the district's territory, the individuals included on such 660
slate shall also reside in the municipal school district but not 661

in the municipal corporation containing the greatest portion of
the district's territory.

If the board members are selected by election, the board
shall fill any such vacancy at its next regular or special
meeting, not earlier than ten days and not later than thirty
days after such vacancy occurs. A majority vote of all the
remaining members of the board may fill any such vacancy.
Immediately after such a vote, the treasurer of the board of
education or governing board shall give written notice to the
board of elections responsible for conducting elections for that
school district or educational service center that a vacancy has
been filled, and the name of the person appointed to fill the
vacancy. ~~Each~~

If the board of education of any city, exempted village,
or local school district or the governing board of any
educational service center fails to fill a vacancy in that board
within a period of thirty days after the vacancy occurs, the
probate court of the county in which the district or service
center is located, upon being advised and satisfied of that
failure, shall act as that board to fill any vacancy as promptly
as possible.

Each person selected by the board or probate court to fill
a vacancy shall hold office for the shorter of the following
periods: until the completion of the unexpired term, or until
the first day of January immediately following the next regular
board of education or governing board election taking place more
than ninety days after a person is selected by the board or
probate court to fill the vacancy. At that election, a special
election to fill the vacancy shall be held in accordance with
laws controlling regular elections for board of education or

governing board members, except that no such special election 692
shall be held if the unexpired term ends on or before the first 693
day of January immediately following that regular board of 694
education or governing board election. The term of a person 695
chosen at a special election under this section shall begin on 696
the first day of January immediately following the election, and 697
the person shall serve for the remainder of the unexpired term. 698
Whenever the need for a special election under this section 699
becomes known, the board of education or governing board shall 700
immediately give written notice of this fact to the board of 701
elections responsible for conducting the regular board of 702
education or governing board election for that school district. 703

The term of a board of education or governing board member 704
shall not be lengthened by the member's resignation and 705
subsequent selection by the board or probate court under this 706
section. 707

Sec. 3313.174. A school district or member of a school 708
district board of education is not immune from liability in 709
damages in a civil action if the board of education of the city, 710
exempted village, or local school district or a majority of its 711
members knowingly instructs the superintendent of the district 712
to violate any provision of the Revised Code or common law of 713
this state. This section does not apply to a member of a school 714
district board of education who does not knowingly instruct the 715
district superintendent to violate the Revised Code or common 716
law of this state or who votes against instructing the 717
superintendent to do so. 718

This section does not eliminate, limit, or reduce any 719
other immunity or defense that a school district or member of a 720
school district board of education may be entitled to under 721

Chapter 2744. or any other provision of the Revised Code or 722
under the common law of this state. 723

Sec. 3313.411. (A) As used in this section: 724

(1) "College-preparatory boarding school" means a college- 725
preparatory boarding school established under Chapter 3328. of 726
the Revised Code. 727

(2) "Community school" means a community school 728
established under Chapter 3314. of the Revised Code. 729

(3) "High-performing community school" has the same 730
meaning as in section 3313.413 of the Revised Code. 731

(4) "STEM school" means a science, technology, 732
engineering, and mathematics school established under Chapter 733
3326. of the Revised Code. 734

(5) "Unused school facilities" means either: 735

(a) Any real property that has been used by a school 736
district for school operations, including, but not limited to, 737
academic instruction or administration, since July 1, 1998, but 738
has not been used in that capacity for one year; 739

(b) Any school building that has been used for direct 740
academic instruction-~~but~~ and, in the two most recent school 741
years, the building's student enrollment is less than sixty per 742
cent of either of the building was used for that purpose in the 743
preceding school year. following: 744

(i) The maximum student enrollment established for the 745
building in its certificate of occupancy; 746

(ii) The greatest student enrollment of the building in 747
the ten most recent school years, including the current school 748

year. 749

(B) (1) Except as provided in section 3313.412 of the 750
Revised Code, on and after June 30, 2011, any school district 751
board of education shall offer any unused school facilities it 752
owns in its corporate capacity for lease or sale to the 753
governing authorities of community schools, the boards of 754
trustees of any college-preparatory boarding schools, ~~and the~~ 755
governing bodies of any STEM schools, and the governing 756
authorities of any chartered nonpublic schools, that are located 757
within the territory of the district. Not later than sixty days 758
after the district board makes the offer, interested governing 759
authorities, boards of trustees, and governing bodies shall 760
notify the district treasurer in writing of the intention to 761
lease or purchase the property. 762

The district board shall give priority to the governing 763
authorities of high-performing community schools that are 764
located within the territory of the district. 765

(2) At the same time that a district board makes the offer 766
required under division (B) (1) of this section, the board also 767
may, but shall not be required to, offer that property for sale 768
or lease to the governing authorities of community schools with 769
plans, stipulated in their contracts entered into under section 770
3314.03 of the Revised Code, either to relocate their operations 771
to the territory of the district or to add facilities, as 772
authorized ~~by division (B) (3) or (4) of~~ under section 3314.05 of 773
the Revised Code, to be located within the territory of the 774
district. 775

(C) (1) If, not later than sixty days after the district 776
board makes the offer, only one governing authority of a high- 777
performing community school offered the property under division 778

(B) of this section notifies the district treasurer in writing 779
of the intention to purchase the property pursuant to that 780
division, the district board shall sell the property to that 781
party for the appraised fair market value of the property for 782
operation as an educational facility as determined in an 783
appraisal of the property that is not more than one year old. 784

If, not later than sixty days after the district board 785
makes the offer, more than one governing authority of a high- 786
performing community school offered the property under division 787
(B) of this section notifies the district treasurer in writing 788
of the intention to purchase the property pursuant to that 789
division, the board shall conduct a public auction in the manner 790
required for auctions of district property under division (A) of 791
section 3313.41 of the Revised Code. Only ~~the~~ those governing 792
authorities of high-performing community schools that notified 793
the district treasurer of the intention to purchase the property 794
pursuant to division (B) of this section are eligible to bid at 795
the auction. The district board is not obligated to accept any 796
bid for the property that is lower than the appraised fair 797
market value of the property for operation as an educational 798
facility, as determined in an appraisal that is not more than 799
one year old. 800

(2) If, not later than sixty days after the district board 801
makes the offer, no governing authority of a high-performing 802
community school notifies the district treasurer of its 803
intention to purchase the property pursuant to division (B) of 804
this section, the board shall then proceed to offer the property 805
for sale or lease to the governing authorities of high- 806
performing community schools located outside of the district. 807
If, not later than sixty days after the district board makes the 808
offer, only one governing authority of a high-performing 809

community school offered the property under division (C) (2) of 810
this section notifies the district treasurer in writing of the 811
intention to purchase the property, the district board shall 812
sell the property to that entity for the appraised fair market 813
value of the property for operation as an educational facility, 814
as determined in an appraisal of the property that is not more 815
than one year old. 816

If, not later than sixty days after the district board 817
makes the offer, more than one governing authority of a high- 818
performing community school offered the property under division 819
(C) (2) of this section notifies the district treasurer in 820
writing of the intention to purchase the property, the district 821
board shall conduct a public auction in the manner required for 822
auctions of district property under division (A) of section 823
3313.41 of the Revised Code. Only those governing authorities 824
that notified the district treasurer of the intention to 825
purchase the property pursuant to division (C) (2) of this 826
section are eligible to bid at the auction. The district board 827
is not obligated to accept any bid for the property that is 828
lower than the appraised fair market value of the property for 829
operation as an educational facility, as determined in an 830
appraisal that is not more than one year old. 831

(3) If, not later than sixty days after the district board 832
makes the offer, no governing authority of a high-performing 833
community school notifies the district treasurer of its 834
intention to purchase the property pursuant to division (C) (2) 835
of this section, the district board shall then proceed with the 836
offers from all other start-up community schools, college- 837
preparatory boarding schools, ~~and~~ STEM schools, and chartered 838
nonpublic schools made pursuant to ~~that division~~ this section. 839

If more than one such entity notifies the district treasurer of its intention to purchase the property pursuant to division ~~(B)~~ (C) (3) of this section, the board shall conduct a public auction in the manner required for auctions of district property under division (A) of section 3313.41 of the Revised Code. Only the entities that notified the district treasurer pursuant to division ~~(B)~~ (C) (3) of this section are eligible to bid at the auction. The district board is not obligated to accept any payment for the property that is lower than the appraised fair market value of the property for operation as an educational facility, as determined in an appraisal that is not more than one year old.

~~(3)~~ (4) If more than one governing authority of a high-performing community school notifies the district treasurer in writing of the intention to lease the property pursuant to division (B) or (C) of this section, the district board shall conduct a lottery to select from among those governing authorities the one qualified governing authority to which the district board shall lease the property.

If no such governing authority of a high-performing community school notifies the district treasurer of its intention to lease the property pursuant to division (B) or (C) of this section, the board shall then proceed with the offers from all other start-up community schools, college-preparatory boarding schools, ~~and STEM schools,~~ and chartered nonpublic schools made pursuant to that division. If more than one other start-up community school, college-preparatory boarding school, ~~or STEM school,~~ or chartered nonpublic school notified the district treasurer of its intention to lease the property pursuant to division (B) or (C) of this section, the district board shall conduct a lottery to select from among those parties

the one qualified party to which the district board shall lease
the property.

~~(4)~~(5) The lease price offered by a district board to a
community school, college-preparatory boarding school, ~~or~~STEM
school, or chartered nonpublic school under this section shall
not be higher than the fair market value for such a leasehold
for operation as an educational facility, as determined in an
appraisal that is not more than one year old.

~~(5)~~(6) If no qualified party offered the property under
division (B) or (C) of this section accepts the offer to lease
or buy the property within sixty days after the offer is made,
the district board ~~may~~shall offer the property ~~to any other~~
~~entity in accordance with divisions~~ for sale at a public auction
in the manner required for auctions of district property under
division (A) to (F) of section 3313.41 of the Revised Code.

(D) Notwithstanding division (B) or (C) of this section, a
school district board may renew any agreement it originally
entered into prior to June 30, 2011, to lease real property to
an entity other than a community school, college-preparatory
boarding school, ~~or~~STEM school, or chartered nonpublic school.
Nothing in this section shall affect the leasehold arrangements
between the district board and that other entity.

(E) (1) Except as provided in division (E) (2) of this
section, the governing authority of a community school, board of
trustees of a college-preparatory boarding school, ~~or~~governing
body of a STEM school, or governing authority of a chartered
nonpublic school shall not sell any property purchased under
division (B) or (C) of this section within five years of
purchasing that property.

(2) The governing authority, board of trustees, or 900
governing body may sell a property purchased under division (B) 901
or (C) of this section within five years of the purchase, only 902
if the governing authority, board of trustees, or governing body 903
sells or transfers that property to another entity described in 904
that division. 905

(F) (1) A school district board of education is not 906
required to offer any unused school facilities it owns in its 907
corporate capacity for lease or sale under this section if 908
either of the following apply: 909

(a) The facility is less than ten years old. 910

(b) The facility is located on, or adjacent to, a tract or 911
parcel of land where other school district facilities are 912
located. 913

(c) The facility is a school building described in 914
division (A) (5) (b) of this section and is the only district 915
building that provides direct academic instruction to one or 916
more grade levels. 917

(d) The facility is a school building described in 918
division (A) (5) (b) of this section and the building's student 919
enrollment decreased because it was undergoing repairs or 920
renovations that caused a significant portion of the building's 921
instructional space to be unusable. 922

(e) The facility is a school building that is primarily 923
used to provide career-technical education or has specialized 924
classroom facilities necessary for the district to operate its 925
career-technical education program. 926

(2) If a school district board of education believes 927
extraordinary circumstances should exempt it from offering an 928

unused facility for lease or sale under this section, the board 929
may appeal the requirement to the director of education and 930
workforce. The director shall approve or deny the appeal within 931
sixty days of receiving the request from the board. 932

(G) (1) Not later than November 30, 2025, and annually 933
thereafter, each school district shall report to the department 934
of education and workforce, in the manner determined by the 935
department, both of the following: 936

(a) Any real district property described in division (A) 937
(5) (a) of this section; 938

(b) The enrollment data specified in division (A) (5) (b) of 939
this section and the current enrollment for each school building 940
operated by the district. 941

(2) Not later than December 31, 2025, and annually 942
thereafter, the department shall publish on its web site a list 943
of unused school facilities in each school district. 944

Sec. 3313.536. (A) The superintendent of any school 945
district may afford a student enrolled in another school 946
district the opportunity to participate in ice hockey as an 947
interscholastic athletic activity at a school of the 948
superintendent's district if all of the following conditions 949
apply: 950

(1) The school district in which the student is enrolled 951
does not offer ice hockey as an interscholastic athletic 952
activity. 953

(2) The school district in which the student is enrolled 954
is located less than twenty miles away from the superintendent's 955
school district. 956

(3) The superintendents of both school districts enter 957
into an agreement approving the student's participation in ice 958
hockey at the school district in which the student is not 959
enrolled. 960

(B) If a student enrolled in the district consents, a 961
school district superintendent may afford that student the 962
opportunity to participate in ice hockey as an interscholastic 963
athletic activity at any school of the district where it is 964
offered. 965

(C) A student shall not be required to enroll in the 966
~~school district that offers at which the student participates in~~ 967
ice hockey as an interscholastic athletic activity ~~or under this~~ 968
section. A student shall not be required to be a resident of 969
~~that a school district to participate in ice hockey at the~~ 970
district under division (A) of this section. 971

~~(C)~~ (D) To participate in ice hockey under this section, a 972
student shall be of the appropriate age and grade level for the 973
school at which the student participates in ice hockey, as 974
determined by the superintendent of that school district, and 975
shall fulfill and be subject to the same academic, nonacademic, 976
and financial requirements as any other participant, including 977
trying out for a position on the team. 978

Sec. 3314.252. (A) As used in this section: 979

(1) "Internet- or computer-based community school" has the 980
same meaning as in section 3314.02 of the Revised Code. 981

(2) "State assessment" means statewide achievement and 982
diagnostic assessments prescribed under sections 3301.079, 983
3301.0710, 3301.0712, and 3301.0715 of the Revised Code. 984

(B) Any student enrolled in an internet- or computer-based 985

community school shall be permitted to complete any of the state 986
assessments remotely in an online format with a remote proctor 987
if the following conditions are met: 988

(1) The student takes the assessment using a device in 989
which the student will be monitored by the assessment proctor 990
through video and audio for the duration of the assessment 991
administration. 992

(2) The assessment proctor actively monitors each student 993
completing a remote assessment and is available to respond to 994
student questions and troubleshoot issues. 995

(3) The school maintains a ratio of nine to one, or less, 996
for students taking an assessment to an assessment proctor. 997

(4) Each teacher or school personnel assigned to proctor a 998
remote assessment completes a remote proctoring certification 999
course. 1000

(5) Each teacher, assessment proctor, or other school 1001
staff of each participating school understands the technical 1002
requirements and is familiar with the remote testing features 1003
prior to the remote administration of assessments. 1004

(6) For parents and students, the school does all of the 1005
following prior to administering assessments: 1006

(a) Ensures that all testing equipment functions 1007
correctly; 1008

(b) Provides training and support, including an 1009
opportunity to gain experience with remote testing features; 1010

(c) Communicates test security provisions and procedures. 1011

(C) Each internet- or computer-based community school that 1012

offers remotely administered and proctored assessments shall 1013
provide students and parents with the option of in-person 1014
administering and proctoring. 1015

Sec. 3319.222. (A) Notwithstanding the amendments to and 1016
repeal of statutes by H.B. 1 of the 128th general assembly, the 1017
state board of education shall accept applications for new, and 1018
renewal and upgrade of, temporary, associate, provisional, and 1019
professional educator licenses, alternative educator licenses, 1020
one-year conditional teaching permits, and school nurse licenses 1021
through December 31, 2010, and issue them on the basis of the 1022
applications received by that date in accordance with the former 1023
statutes in effect immediately prior to amendment or repeal by 1024
H.B. 1 of the 128th general assembly. 1025

(B) A permanent teacher's certificate issued under former 1026
sections 3319.22 to 3319.31 of the Revised Code prior to October 1027
29, 1996, or under former section 3319.222 of the Revised Code 1028
as it existed prior to October 16, 2009, shall be valid for 1029
teaching in the subject areas and grades for which the 1030
certificate was issued, except as the certificate is limited, 1031
suspended, or revoked under section 3319.31 of the Revised Code. 1032

(C) The following certificates, permits, or licenses shall 1033
be valid until the certificate, permit, or license expires for 1034
teaching in the subject areas and grades for which the 1035
certificate, permit, or license was issued, except as the 1036
certificate, permit, or license is limited, suspended, or 1037
revoked under section 3319.31 of the Revised Code: 1038

(1) Any professional teacher's certificate issued under 1039
former section 3319.222 of the Revised Code, as it existed prior 1040
to October 16, 2009; 1041

(2) Any temporary, associate, provisional, or professional educator license issued under former section 3319.22 of the Revised Code, as it existed prior to October 16, 2009, or under division (A) of this section;

(3) Any alternative educator license issued under former section 3319.26 of the Revised Code, as it existed prior to October 16, 2009, or under division (A) of this section;

(4) Any one-year conditional teaching permit issued under former section 3319.302 or 3319.304 of the Revised Code, as it existed prior to October 16, 2009, or under division (A) of this section.

(D) Any school nurse license issued under former section 3319.22 of the Revised Code, as it existed prior to October 16, 2009, or under division (A) of this section shall be valid until the license expires for employment as a school nurse, except as the license is limited, suspended, or revoked under section 3319.31 of the Revised Code.

(E) Nothing in this section shall be construed to prohibit a person from applying to the state board for an educator license issued under section 3319.22 of the Revised Code, a school nurse license or a school nurse wellness coordinator license issued under former section 3319.221 of the Revised Code, or an alternative resident educator license issued under section 3319.26 of the Revised Code, as the section exists on and after October 16, 2009.

(F) On and after October 16, 2009, any reference in the Revised Code to educator licensing is hereby deemed to refer also to certification or licensure under divisions (A) to (D) or (G) of this section.

(G) (1) On and after ~~the effective date of this amendment~~ April 6, 2023, the state board shall accept an application from and issue a nonrenewable, two-year temporary educator license to an individual who has an expired professional teacher's certificate or professional educator license issued under any version of section 3319.22 or 3319.222 of the Revised Code and who, at the time of expiration of the license or certificate, had no disciplinary sanctions on the certificate or license. The temporary educator license shall be valid for teaching in the same subject areas and grades for which the expired certificate or license was issued including any endorsements attached to the expired certificate or license, except as the temporary license is subsequently limited, suspended, or revoked under section 3319.31 of the Revised Code.

(2) Prior to providing instruction at an employing school district or school under a temporary educator license issued under division (G) (1) of this section, an individual shall complete any training required by the employing school district or school.

(3) The state board shall issue a professional educator license with any applicable license endorsements to an individual who receives a temporary educator license issued under division (G) (1) of this section and who, during the duration of that license, completes ~~either eighteen continuing education units or six semester hours of coursework~~ in the area of licensure or in an area related to the teaching field. The license and endorsements shall be valid for teaching in the same subject areas and grades for which the individual's expired certificate or license and endorsements were issued, except as the professional educator license is subsequently limited, suspended, or revoked under section 3319.31 of the Revised Code.

Sec. 3319.24. This section does not apply to any applicant 1102
for an educator license that is designed for persons 1103
specializing in teaching children in kindergarten through 1104
twelfth grade, or the equivalent, in the area of dance, drama, 1105
theater, music, visual arts, or physical education or a 1106
specialty area substantially equivalent to any of these when 1107
such applicant will be teaching children in the specialty area 1108
specified in the license. 1109

(A) As used in this section: 1110

(1) "Coursework in the teaching of reading" means 1111
coursework that includes training in a range of instructional 1112
strategies for teaching reading, in the assessment of reading 1113
skills, and in the diagnosis and remediation of reading 1114
difficulties; 1115

(2) "Phonics" means the techniques and strategies used to 1116
teach children to match, blend, and translate letters of the 1117
alphabet into the sounds they represent, which techniques and 1118
strategies are systematically integrated and thoroughly 1119
practiced in a developmentally appropriate instructional program 1120
to assist the child in learning to read, write, and spell; 1121

(3) "Course in the teaching of phonics" means a course 1122
providing the background necessary for effectively teaching and 1123
assessing phonics, phonemic awareness, and word recognition, 1124
including, but not limited to, the following topics: 1125

(a) Phonological and morphological underpinnings of 1126
English spellings and the history thereof; 1127

(b) The nature and role of word recognition in proficient 1128
reading; 1129

(c) Methods and rationale for the instruction of phonemic 1130

awareness, decoding, spelling, and the application thereof in 1131
reading and writing; 1132

(d) Methods and rationale for the assessment of phonemic 1133
awareness, decoding, spelling, and the application thereof in 1134
reading and writing; 1135

(e) The relation of deficits in phonemic awareness, 1136
decoding, spelling, and word recognition to reading 1137
disabilities; 1138

(4) "Phonemic awareness" means the awareness of sounds 1139
that make up spoken words and the ability to use this awareness 1140
of sounds in reading. 1141

(B) The rules adopted under section 3319.22 of the Revised 1142
Code shall require an applicant for a resident educator license 1143
designated for teaching children in grades kindergarten through 1144
six or the equivalent to have successfully completed at least 1145
six semester hours, or the equivalent, of coursework in the 1146
teaching of reading that includes at least one separate course 1147
of at least three semester hours, or the equivalent, in the 1148
teaching of phonics in the context of reading, writing, and 1149
spelling. In addition, except as provided in division (C) of 1150
this section, such rules shall require that the subsequent 1151
issuance of a professional educator license be contingent upon 1152
the applicant having completed six additional semester hours or 1153
the equivalent of coursework in the teaching of reading. The 1154
rules shall permit an applicant to apply undergraduate 1155
coursework in order to meet this requirement for additional 1156
coursework. 1157

(C) An applicant for a professional educator license who 1158
holds a one-year nonrenewable out-of-state educator license 1159

issued under section 3319.2210 of the Revised Code and who 1160
successfully completed Ohio's foundations of reading exam on the 1161
applicant's first attempt prior to receipt of that license shall 1162
not be required to complete the required six semester hours of 1163
coursework in the teaching of reading to receive a professional 1164
educator license. 1165

Sec. 3319.31. (A) As used in this section and sections 1166
3123.41 to 3123.50 and 3319.311 of the Revised Code, "license" 1167
means a certificate, license, or permit described in this 1168
chapter or in division (B) of section 3301.071 or in section 1169
3301.074 of the Revised Code or a registration described in 1170
division (B) of section 3302.151, section 3310.411, or section 1171
3319.221 of the Revised Code. 1172

(B) For any of the following reasons, the state board of 1173
education, except as provided in division (H) of this section 1174
and in accordance with Chapter 119. and section 3319.311 of the 1175
Revised Code, may refuse to issue a license to an applicant; may 1176
limit a license it issues to an applicant; may suspend, revoke, 1177
or limit a license that has been issued to any person; or may 1178
revoke a license that has been issued to any person and has 1179
expired: 1180

(1) Engaging in an immoral act, incompetence, negligence, 1181
or conduct that is unbecoming to the applicant's or person's 1182
position; 1183

(2) A plea of guilty to, a finding of guilt by a jury or 1184
court of, or a conviction of any of the following: 1185

(a) A felony other than a felony listed in division (C) of 1186
this section; 1187

(b) An offense of violence other than an offense of 1188

violence listed in division (C) of this section; 1189

(c) A theft offense, as defined in section 2913.01 of the 1190
Revised Code, other than a theft offense listed in division (C) 1191
of this section; 1192

(d) A drug abuse offense, as defined in section 2925.01 of 1193
the Revised Code, that is not a minor misdemeanor, other than a 1194
drug abuse offense listed in division (C) of this section; 1195

(e) A violation of an ordinance of a municipal corporation 1196
that is substantively comparable to an offense listed in 1197
divisions (B) (2) (a) to (d) of this section. 1198

(3) A judicial finding of eligibility for intervention in 1199
lieu of conviction under section 2951.041 of the Revised Code, 1200
or agreeing to participate in a pre-trial diversion program 1201
under section 2935.36 of the Revised Code, or a similar 1202
diversion program under rules of a court, for any offense listed 1203
in division (B) (2) or (C) of this section; 1204

(4) Failure to comply with section 3314.40, 3319.313, 1205
3326.24, 3328.19, 5126.253, or 5502.262 of the Revised Code; 1206

(5) Purposely using or intentionally releasing information 1207
that is confidential under state or federal law concerning a 1208
student or student's family members for purposes other than 1209
student instruction in violation of the licensure code of 1210
professional conduct for Ohio educators developed by the state 1211
board of education; 1212

(6) Violating section 3319.3110 of the Revised Code, 1213
unless such violation is at the direction of the 1214
superintendent's employing board of education or a majority of 1215
its members. 1216

(C) Upon learning of a plea of guilty to, a finding of 1217
guilt by a jury or court of, or a conviction of any of the 1218
offenses listed in this division by a person who holds a current 1219
or expired license or is an applicant for renewal of a license, 1220
the state board or the superintendent of public instruction, if 1221
the state board has delegated the duty pursuant to division (D) 1222
of this section, shall by a written order revoke the person's 1223
license or deny renewal of the license to the person. The state 1224
board or the superintendent shall revoke a license that has been 1225
issued to a person to whom this division applies and has expired 1226
in the same manner as a license that has not expired. 1227

Revocation of a license or denial of renewal of a license 1228
under this division is effective immediately at the time and 1229
date that the board or superintendent issues the written order 1230
and is not subject to appeal in accordance with Chapter 119. of 1231
the Revised Code. Revocation of a license or denial of renewal 1232
of license under this division remains in force during the 1233
pendency of an appeal by the person of the plea of guilty, 1234
finding of guilt, or conviction that is the basis of the action 1235
taken under this division. 1236

The state board or superintendent shall take the action 1237
required by this division for a violation of division (B) (1), 1238
(2), (3), or (4) of section 2919.22 of the Revised Code; a 1239
violation of section 2903.01, 2903.02, 2903.03, 2903.04, 1240
2903.041, 2903.11, 2903.12, 2903.15, 2905.01, 2905.02, 2905.05, 1241
2905.11, 2905.32, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 1242
2907.07, 2907.21, 2907.22, 2907.23, 2907.24, 2907.241, 2907.25, 1243
2907.31, 2907.311, 2907.32, 2907.321, 2907.322, 2907.323, 1244
2907.33, 2907.34, 2909.02, 2909.22, 2909.23, 2909.24, 2911.01, 1245
2911.02, 2911.11, 2911.12, 2913.44, 2917.01, 2917.02, 2917.03, 1246
2917.31, 2917.33, 2919.12, 2919.121, 2919.13, 2921.02, 2921.03, 1247

2921.04, 2921.05, 2921.11, 2921.34, 2921.41, 2923.122, 2923.123, 1248
2923.161, 2923.17, 2923.21, 2925.02, 2925.03, 2925.04, 2925.041, 1249
2925.05, 2925.06, 2925.13, 2925.22, 2925.23, 2925.24, 2925.32, 1250
2925.36, 2925.37, 2927.24, or 3716.11 of the Revised Code; a 1251
violation of section 2907.231 of the Revised Code unless the 1252
offender was coerced into committing a violation of that 1253
section; a violation of section 2905.04 of the Revised Code as 1254
it existed prior to July 1, 1996; a violation of section 2919.23 1255
of the Revised Code that would have been a violation of section 1256
2905.04 of the Revised Code as it existed prior to July 1, 1996, 1257
had the violation been committed prior to that date; felonious 1258
sexual penetration in violation of former section 2907.12 of the 1259
Revised Code; or a violation of an ordinance of a municipal 1260
corporation that is substantively comparable to an offense 1261
listed in this paragraph. 1262

(D) The state board may delegate to the superintendent of 1263
public instruction the authority to revoke a person's license or 1264
to deny renewal of a license to a person under division (C) or 1265
(F) of this section. 1266

(E) (1) If the plea of guilty, finding of guilt, or 1267
conviction that is the basis of the action taken under division 1268
(B) (2) or (C) of this section, or under the version of division 1269
(F) of section 3319.311 of the Revised Code in effect prior to 1270
September 12, 2008, is overturned on appeal, upon exhaustion of 1271
the criminal appeal, the clerk of the court that overturned the 1272
plea, finding, or conviction or, if applicable, the clerk of the 1273
court that accepted an appeal from the court that overturned the 1274
plea, finding, or conviction, shall notify the state board that 1275
the plea, finding, or conviction has been overturned. Within 1276
thirty days after receiving the notification, the state board 1277
shall initiate proceedings to reconsider the revocation or 1278

denial of the person's license in accordance with division (E) 1279
(2) of this section. In addition, the person whose license was 1280
revoked or denied may file with the state board a petition for 1281
reconsideration of the revocation or denial along with 1282
appropriate court documents. 1283

(2) Upon receipt of a court notification or a petition and 1284
supporting court documents under division (E) (1) of this 1285
section, the state board, after offering the person an 1286
opportunity for an adjudication hearing under Chapter 119. of 1287
the Revised Code, shall determine whether the person committed 1288
the act in question in the prior criminal action against the 1289
person that is the basis of the revocation or denial and may 1290
continue the revocation or denial, may reinstate the person's 1291
license, with or without limits, or may grant the person a new 1292
license, with or without limits. The decision of the board shall 1293
be based on grounds for revoking, denying, suspending, or 1294
limiting a license adopted by rule under division (G) of this 1295
section and in accordance with the evidentiary standards the 1296
board employs for all other licensure hearings. The decision of 1297
the board under this division is subject to appeal under Chapter 1298
119. of the Revised Code. 1299

(3) A person whose license is revoked or denied under 1300
division (C) of this section shall not apply for any license if 1301
the plea of guilty, finding of guilt, or conviction that is the 1302
basis of the revocation or denial, upon completion of the 1303
criminal appeal, either is upheld or is overturned but the state 1304
board continues the revocation or denial under division (E) (2) 1305
of this section and that continuation is upheld on final appeal. 1306

(F) The state board may take action under division (B) of 1307
this section, and the state board or the superintendent shall 1308

take the action required under division (C) of this section, on 1309
the basis of substantially comparable conduct occurring in a 1310
jurisdiction outside this state or occurring before a person 1311
applies for or receives any license. 1312

(G) The state board may adopt rules in accordance with 1313
Chapter 119. of the Revised Code to carry out this section and 1314
section 3319.311 of the Revised Code. 1315

(H) The state board shall not refuse to issue a license to 1316
an applicant because of a conviction of, a plea of guilty to, or 1317
a finding of guilt by a jury or court of an offense unless the 1318
refusal is in accordance with section 9.79 of the Revised Code. 1319

Sec. 3319.316. As used in this section, "participating 1320
public office" and "participating private party" have the same 1321
meanings as in section 109.5721 of the Revised Code. 1322

(A) The state board of education shall be a participating 1323
public office for purposes of the retained applicant fingerprint 1324
database established under section 109.5721 of the Revised Code 1325
and shall receive notification from the bureau of criminal 1326
identification and investigation of the arrest or conviction of 1327
the following persons: 1328

~~(A)~~ (1) Persons to whom the state board has issued a 1329
license, as defined in section 3319.31 of the Revised Code; 1330

~~(B)~~ (2) On behalf of employers described in section 1331
3319.391 or 3327.10 of the Revised Code, persons who are not 1332
required to hold a license issued by the state board and are 1333
employed in or contracted for a position that the district, 1334
service center, or school reasonably determines may involve 1335
routine interaction with a child or regular responsibility for 1336
the care, custody, or control of a child, including persons who 1337

operate a school bus or motor van. Notwithstanding anything to 1338
the contrary in division (E) of section 109.5721 of the Revised 1339
Code, the state board is authorized to and promptly shall 1340
transmit any notification received regarding a person under this 1341
division to the person's employer. 1342

(B) An employing school district, educational service 1343
center, community school, chartered nonpublic school, or 1344
employer may identify a designee serving on its behalf, either 1345
as a contractor or agent, to receive notifications for arrests 1346
or convictions under this section. Any such designation shall be 1347
made in writing to the state board. 1348

(C) An employer or designee receiving notifications under 1349
this section shall comply with the applicable requirements of a 1350
participating private party or participating public office. 1351

Sec. 3319.3110. No superintendent shall knowingly violate 1352
any provision of the Revised Code or common law of this state. 1353

Sec. 3319.391. This section applies to any person hired by 1354
a school district, educational service center, or chartered 1355
nonpublic school and any contractor or person hired by a 1356
contractor engaged in providing services that may involve 1357
routine interaction with a child or regular responsibility for 1358
the care, custody, or control of a child to a school district, 1359
educational service center, or chartered nonpublic school in any 1360
position that does not require a "license" issued by the state 1361
board of education, as defined in section 3319.31 of the Revised 1362
Code, or a registration issued by the state board of education 1363
under Chapter 3319. of the Revised Code, and is not for the 1364
operation of a vehicle for pupil transportation. This section 1365
does not apply to any person who volunteers at a school building 1366
within a district, educational service center, or chartered 1367

nonpublic school, including a parent volunteer in a student's 1368
classroom. 1369

(A) (1) For each person to whom this section applies who is 1370
hired on or after November 14, 2007, the employer shall request 1371
a criminal records check in accordance with section 3319.39 of 1372
the Revised Code and shall request a subsequent criminal records 1373
check by the fifth day of September every fifth year thereafter. 1374

(2) For each person to whom this section applies who is 1375
hired prior to November 14, 2007, the employer shall request a 1376
criminal records check by a date prescribed by the state board 1377
and shall request a subsequent criminal records check by the 1378
fifth day of September every fifth year thereafter. 1379

(3) If, on October 3, 2023, the most recent criminal 1380
records check requested for a person under division (A) (1) or 1381
(2) of this section was completed more than one year prior to 1382
that date or does not include information gathered pursuant to 1383
division (A) of section 109.57 of the Revised Code, the employer 1384
shall request a new criminal records check that includes 1385
information gathered pursuant to division (A) of section 109.57 1386
of the Revised Code by a date prescribed by the state board and 1387
shall request a subsequent criminal records check by the fifth 1388
day of September every fifth year thereafter. 1389

(B) (1) Each request for a criminal records check under 1390
this section shall be made to the superintendent of the bureau 1391
of criminal identification and investigation in the manner 1392
prescribed in section 3319.39 of the Revised Code, except that 1393
if both of the following conditions apply to the person subject 1394
to the records check, the employer shall request the 1395
superintendent only to obtain any criminal records that the 1396
federal bureau of investigation has on the person: 1397

(a) The employer previously requested the superintendent 1398
to determine whether the bureau of criminal identification and 1399
investigation has any information, gathered pursuant to division 1400
(A) of section 109.57 of the Revised Code, on the person in 1401
conjunction with a criminal records check requested under 1402
section 3319.39 of the Revised Code or under this section. 1403

(b) The person presents proof that the person has been a 1404
resident of this state for the five-year period immediately 1405
prior to the date upon which the person becomes subject to a 1406
criminal records check under this section. 1407

(2) Upon receipt of a request under division (B) (1) of 1408
this section, the superintendent of the bureau of criminal 1409
identification and investigation shall conduct the criminal 1410
records check in accordance with section 109.572 of the Revised 1411
Code as if the request had been made under section 3319.39 of 1412
the Revised Code. However, as specified in division (B) (2) of 1413
section 109.572 of the Revised Code, if the employer requests 1414
the superintendent only to obtain any criminal records that the 1415
federal bureau of investigation has on the person for whom the 1416
request is made, the superintendent shall not conduct the review 1417
prescribed by division (B) (1) of that section. 1418

(C) Notwithstanding division (D) of section 3319.39 of the 1419
Revised Code, the bureau of criminal identification and 1420
investigation shall make the initial criminal records check of a 1421
person requested by an employer under division (A) of this 1422
section on or after October 3, 2023, available to the state 1423
board. The state board shall use the information received to 1424
enroll the person in the retained applicant fingerprint 1425
database, established under section 109.5721 of the Revised 1426
Code, in the same manner as any teacher licensed under sections 1427

3319.22 to 3319.31 of the Revised Code. If the state board is 1428
unable to enroll the person in the retained applicant 1429
fingerprint database because the person has not satisfied the 1430
requirements for enrollment, the state board shall notify the 1431
employer that the person has not satisfied the requirements for 1432
enrollment. However, the bureau shall not be required to make 1433
available to the state board the criminal records check of any 1434
person who is already enrolled in the retained applicant 1435
fingerprint database on the date the person's employer requests 1436
a records check of the person under division (A) of this 1437
section. 1438

If the state board receives notification of the arrest, 1439
guilty plea, or conviction of a person who is subject to this 1440
section, the state board shall promptly notify the employing 1441
school district, chartered nonpublic school, or educational 1442
service center in accordance with division ~~(B)~~ (A) (2) of section 1443
3319.316 of the Revised Code. 1444

(D) Any person who is the subject of a criminal records 1445
check under this section and has been convicted of or pleaded 1446
guilty to any offense described in division (B) (1) of section 1447
3319.39 of the Revised Code shall not be hired or shall be 1448
released from employment, as applicable, unless the person meets 1449
the rehabilitation standards adopted by the state board under 1450
division (E) of that section. 1451

Sec. 3327.10. (A) Except as provided in division (L) of 1452
this section, no person shall be employed as driver of a school 1453
bus or motor van, owned and operated by any school district or 1454
educational service center or privately owned and operated under 1455
contract with any school district or service center in this 1456
state, who has not received a certificate from either the 1457

educational service center governing board that has entered into 1458
an agreement with the school district under section 3313.843 or 1459
3313.845 of the Revised Code or the superintendent of the school 1460
district, certifying that such person is at least eighteen years 1461
of age and is qualified physically and otherwise for such 1462
position. The service center governing board or the 1463
superintendent, as the case may be, shall provide for an annual 1464
physical examination that conforms with rules adopted by the 1465
department of education and workforce of each driver to 1466
ascertain the driver's physical fitness for such employment. The 1467
examination shall be performed by one of the following: 1468

(1) A person licensed under Chapter 4731. or 4734. of the 1469
Revised Code or by another state to practice medicine and 1470
surgery, osteopathic medicine and surgery, or chiropractic; 1471

(2) A physician assistant; 1472

(3) A certified nurse practitioner; 1473

(4) A clinical nurse specialist; 1474

(5) A certified nurse-midwife; 1475

(6) A medical examiner who is listed on the national 1476
registry of certified medical examiners established by the 1477
federal motor carrier safety administration in accordance with 1478
49 C.F.R. part 390. 1479

Any certificate may be revoked by the authority granting 1480
the same on proof that the holder has been guilty of failing to 1481
comply with division (D) (1) of this section, or upon a 1482
conviction or a guilty plea for a violation, or any other 1483
action, that results in a loss or suspension of driving rights. 1484
Failure to comply with such division may be cause for 1485
disciplinary action or termination of employment under division 1486

(C) of section 3319.081, or section 124.34 of the Revised Code. 1487

(B) Except as provided in division (L) of this section, no 1488
person shall be employed as driver of a school bus or motor van 1489
not subject to the rules of the department pursuant to division 1490
(A) of this section who has not received a certificate from the 1491
school administrator or contractor certifying that such person 1492
is at least eighteen years of age and is qualified physically 1493
and otherwise for such position. Each driver shall have an 1494
annual physical examination which conforms to the state highway 1495
patrol rules, ascertaining the driver's physical fitness for 1496
such employment. The examination shall be performed by one of 1497
the following: 1498

(1) A person licensed under Chapter 4731. or 4734. of the 1499
Revised Code or by another state to practice medicine and 1500
surgery, osteopathic medicine and surgery, or chiropractic; 1501

(2) A physician assistant; 1502

(3) A certified nurse practitioner; 1503

(4) A clinical nurse specialist; 1504

(5) A certified nurse-midwife; 1505

(6) A medical examiner who is listed on the national 1506
registry of certified medical examiners established by the 1507
federal motor carrier safety administration in accordance with 1508
49 C.F.R. part 390. 1509

Any written documentation of the physical examination 1510
shall be completed by the individual who performed the 1511
examination. 1512

Any certificate may be revoked by the authority granting 1513
the same on proof that the holder has been guilty of failing to 1514

comply with division (D) (2) of this section. 1515

(C) Any person who drives a school bus or motor van must 1516
give satisfactory and sufficient bond except a driver who is an 1517
employee of a school district and who drives a bus or motor van 1518
owned by the school district. 1519

(D) No person employed as driver of a school bus or motor 1520
van under this section who is convicted of a traffic violation 1521
or who has had the person's commercial driver's license 1522
suspended shall drive a school bus or motor van until the person 1523
has filed a written notice of the conviction or suspension, as 1524
follows: 1525

(1) If the person is employed under division (A) of this 1526
section, the person shall file the notice with the 1527
superintendent, or a person designated by the superintendent, of 1528
the school district for which the person drives a school bus or 1529
motor van as an employee or drives a privately owned and 1530
operated school bus or motor van under contract. 1531

(2) If employed under division (B) of this section, the 1532
person shall file the notice with the employing school 1533
administrator or contractor, or a person designated by the 1534
administrator or contractor. 1535

(E) In addition to resulting in possible revocation of a 1536
certificate as authorized by divisions (A) and (B) of this 1537
section, violation of division (D) of this section is a minor 1538
misdemeanor. 1539

(F) (1) Not later than thirty days after June 30, 2007, 1540
each owner of a school bus or motor van shall obtain the 1541
complete driving record for each person who is currently 1542
employed or otherwise authorized to drive the school bus or 1543

motor van. An owner of a school bus or motor van shall not 1544
permit a person to operate the school bus or motor van for the 1545
first time before the owner has obtained the person's complete 1546
driving record. Thereafter, the owner of a school bus or motor 1547
van shall obtain the person's driving record not less frequently 1548
than semiannually if the person remains employed or otherwise 1549
authorized to drive the school bus or motor van. An owner of a 1550
school bus or motor van shall not permit a person to resume 1551
operating a school bus or motor van, after an interruption of 1552
one year or longer, before the owner has obtained the person's 1553
complete driving record. 1554

(2) The owner of a school bus or motor van shall not 1555
permit a person to operate the school bus or motor van for ten 1556
years after the date on which the person pleads guilty to or is 1557
convicted of a violation of section 4511.19 of the Revised Code 1558
or a substantially equivalent municipal ordinance. 1559

(3) An owner of a school bus or motor van shall not permit 1560
any person to operate such a vehicle unless the person meets all 1561
other requirements contained in rules adopted by the department 1562
prescribing qualifications of drivers of school buses and other 1563
student transportation. 1564

(G) No superintendent of a school district, educational 1565
service center, community school, or public or private employer 1566
shall permit the operation of a vehicle used for pupil 1567
transportation within this state by an individual unless both of 1568
the following apply: 1569

(1) Information pertaining to that driver has been 1570
submitted to the department, pursuant to procedures adopted by 1571
that department. Information to be reported shall include the 1572
name of the employer or school district, name of the driver, 1573

driver license number, date of birth, date of hire, status of 1574
physical evaluation, and status of training. 1575

(2) The most recent criminal records check required by 1576
division (J) of this section has been completed and received by 1577
the superintendent or public or private employer. 1578

(H) A person, school district, educational service center, 1579
community school, nonpublic school, or other public or nonpublic 1580
entity that owns a school bus or motor van, or that contracts 1581
with another entity to operate a school bus or motor van, may 1582
impose more stringent restrictions on drivers than those 1583
prescribed in this section, in any other section of the Revised 1584
Code, and in rules adopted by the department. 1585

(I) For qualified drivers who, on July 1, 2007, are 1586
employed by the owner of a school bus or motor van to drive the 1587
school bus or motor van, any instance in which the driver was 1588
convicted of or pleaded guilty to a violation of section 4511.19 1589
of the Revised Code or a substantially equivalent municipal 1590
ordinance prior to two years prior to July 1, 2007, shall not be 1591
considered a disqualifying event with respect to division (F) of 1592
this section. 1593

(J) (1) This division applies to persons hired by a school 1594
district, educational service center, community school, 1595
chartered nonpublic school, or science, technology, engineering, 1596
and mathematics school established under Chapter 3326. of the 1597
Revised Code to operate a vehicle used for pupil transportation. 1598

(a) For each person to whom this division applies who is 1599
hired on or after November 14, 2007, the employer shall request 1600
a criminal records check in accordance with section 3319.39 of 1601
the Revised Code and every six years thereafter. 1602

(b) For each person to whom this division applies who is 1603
hired prior to November 14, 2007, the employer shall request a 1604
criminal records check by a date prescribed by the department 1605
and every six years thereafter. 1606

(c) If, on October 3, 2023, the most recent criminal 1607
records check requested for a person to whom division (J) (1) of 1608
this section applies was completed more than one year prior to 1609
that date or does not include information gathered pursuant to 1610
division (A) of section 109.57 of the Revised Code, the employer 1611
shall request a new criminal records check that includes 1612
information gathered pursuant to division (A) of section 109.57 1613
of the Revised Code by a date prescribed by the state board of 1614
education and every six years thereafter. 1615

(2) This division applies to persons hired by a public or 1616
private employer not described in division (J) (1) of this 1617
section to operate a vehicle used for pupil transportation. 1618

(a) For each person to whom this division applies who is 1619
hired on or after November 14, 2007, the employer shall request 1620
a criminal records check prior to the person's hiring and every 1621
six years thereafter. 1622

(b) For each person to whom this division applies who is 1623
hired prior to November 14, 2007, the employer shall request a 1624
criminal records check by a date prescribed by the department 1625
and every six years thereafter. 1626

(c) If, on October 3, 2023, the most recent criminal 1627
records check requested for a person to whom division (J) (2) of 1628
this section applies was completed more than one year prior to 1629
that date or does not include information gathered pursuant to 1630
division (A) of section 109.57 of the Revised Code, the employer 1631

shall request a new criminal records check that includes 1632
information gathered pursuant to division (A) of section 109.57 1633
of the Revised Code by a date prescribed by the state board and 1634
every six years thereafter. 1635

(3) Each request for a criminal records check under 1636
division (J) of this section shall be made to the superintendent 1637
of the bureau of criminal identification and investigation in 1638
the manner prescribed in section 3319.39 of the Revised Code, 1639
except that if both of the following conditions apply to the 1640
person subject to the records check, the employer shall request 1641
the superintendent only to obtain any criminal records that the 1642
federal bureau of investigation has on the person: 1643

(a) The employer previously requested the superintendent 1644
to determine whether the bureau of criminal identification and 1645
investigation has any information, gathered pursuant to division 1646
(A) of section 109.57 of the Revised Code, on the person in 1647
conjunction with a criminal records check requested under 1648
section 3319.39 of the Revised Code or under division (J) of 1649
this section. 1650

(b) The person presents proof that the person has been a 1651
resident of this state for the five-year period immediately 1652
prior to the date upon which the person becomes subject to a 1653
criminal records check under this section. 1654

Upon receipt of a request, the superintendent shall 1655
conduct the criminal records check in accordance with section 1656
109.572 of the Revised Code as if the request had been made 1657
under section 3319.39 of the Revised Code. However, as specified 1658
in division (B) (2) of section 109.572 of the Revised Code, if 1659
the employer requests the superintendent only to obtain any 1660
criminal records that the federal bureau of investigation has on 1661

the person for whom the request is made, the superintendent 1662
shall not conduct the review prescribed by division (B) (1) of 1663
that section. 1664

(4) Notwithstanding anything in the Revised Code to the 1665
contrary, the bureau of criminal identification and 1666
investigation shall make the initial criminal records check 1667
requested of a person by an employer under division (J) (1) or 1668
(2) of this section on or after October 3, 2023, available to 1669
the state board of education. The state board shall use the 1670
information received to enroll the person in the retained 1671
applicant fingerprint database, established under section 1672
109.5721 of the Revised Code, in the same manner as any teacher 1673
licensed under sections 3319.22 to 3319.31 of the Revised Code. 1674
If the state board is unable to enroll the person in the 1675
retained applicant fingerprint database because the person has 1676
not satisfied the requirements for enrollment, the state board 1677
shall notify the employer that the person has not satisfied the 1678
requirements for enrollment. However, the bureau shall not be 1679
required to make available to the state board the criminal 1680
records check of any person who is already enrolled in the 1681
retained applicant fingerprint database on the date the person's 1682
employer requests a records check of the person under division 1683
(J) (1) or (2) of this section. 1684

If the state board receives notification of the arrest, 1685
guilty plea, or conviction of a person who is subject to this 1686
section, the state board shall promptly notify the person's 1687
employer in accordance with division ~~(B)~~ (A) (2) of section 1688
3319.316 of the Revised Code. 1689

(K) (1) Until the effective date of the amendments to rule 1690
3301-83-23 of the Ohio Administrative Code required by the 1691

second paragraph of division (E) of section 3319.39 of the Revised Code, any person who is the subject of a criminal records check under division (J) of this section and has been convicted of or pleaded guilty to any offense described in division (B)(1) of section 3319.39 of the Revised Code shall not be hired or shall be released from employment, as applicable, unless the person meets the rehabilitation standards prescribed for nonlicensed school personnel by rule 3301-20-03 of the Ohio Administrative Code.

(2) Beginning on the effective date of the amendments to rule 3301-83-23 of the Ohio Administrative Code required by the second paragraph of division (E) of section 3319.39 of the Revised Code, any person who is the subject of a criminal records check under division (J) of this section and has been convicted of or pleaded guilty to any offense that, under the rule, disqualifies a person for employment to operate a vehicle used for pupil transportation shall not be hired or shall be released from employment, as applicable, unless the person meets the rehabilitation standards prescribed by the rule.

(L) The superintendent of a school district or an educational service center governing board shall issue a certificate as a driver of a school bus or motor van or a certificate to operate a vehicle used for pupil transportation in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a certificate in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a school bus or motor van driver or a pupil transportation vehicle operator in a state that does not

issue one or both of those certificates. 1722

(M) As used in this section, "school bus" includes a 1723
multifunction school activity bus, as defined in section 4511.01 1724
of the Revised Code. 1725

Section 2. That existing sections 2151.354, 2152.19, 1726
2919.24, 3313.11, 3313.411, 3313.536, 3319.222, 3319.24, 1727
3319.31, 3319.316, 3319.391, and 3327.10 of the Revised Code are 1728
hereby repealed. 1729

Section 3. That section 3313.85 of the Revised Code is 1730
hereby repealed. 1731