

As Reported by the Senate Education Committee

136th General Assembly

Regular Session

2025-2026

Sub. S. B. No. 311

Senator Brenner

To amend sections 2151.354, 2152.19, 2919.24, 1
3313.11, 3313.41, 3313.411, 3313.413, 3313.536, 2
3318.08, 3319.2210, 3319.24, 3319.31, 3319.316, 3
3319.391, 3321.16, and 3327.10; to enact new 4
section 3314.25 and sections 303.216, 519.216, 5
713.083, 2307.59, 3313.174, 3314.252, and 6
3319.3110; and to repeal sections 3313.85 and 7
3314.25 of the Revised Code regarding the 8
operation of public and chartered nonpublic 9
schools. 10

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

Section 1. That sections 2151.354, 2152.19, 2919.24, 11
3313.11, 3313.41, 3313.411, 3313.413, 3313.536, 3318.08, 12
3319.2210, 3319.24, 3319.31, 3319.316, 3319.391, 3321.16, and 13
3327.10 be amended and new section 3314.25 and sections 303.216, 14
519.216, 713.083, 2307.59, 3313.174, 3314.252, and 3319.3110 of 15
the Revised Code be enacted to read as follows: 16

Sec. 303.216. (A) As used in this section: 17

"Nonpublic school" means a chartered nonpublic school as 18
defined in section 3310.01 of the Revised Code. 19

"Public school" means a city, local, exempted village, or 20

joint vocational school district or any other public school as 21
defined in section 3301.0711 of the Revised Code. 22

(B) Sections 303.01 to 303.25 of the Revised Code do not 23
confer on any county rural zoning commission, board of county 24
commissioners, or board of zoning appeals the authority to 25
prohibit or restrict the location of a public school or a 26
nonpublic school in any district or zone in the county. 27

(C) A county rural zoning commission, board of county 28
commissioners, or board of zoning appeals shall not deny an 29
application related to land use for the sole reason that the 30
requesting entity is seeking to establish a public school or a 31
nonpublic school. 32

Sec. 519.216. (A) As used in this section: 33

"Nonpublic school" means a chartered nonpublic school as 34
defined in section 3310.01 of the Revised Code. 35

"Public school" means a city, local, exempted village, or 36
joint vocational school district or any other public school as 37
defined in section 3301.0711 of the Revised Code. 38

(B) Sections 519.01 to 519.25 of the Revised Code do not 39
confer on any township zoning commission, board of township 40
trustees, or board of zoning appeals the authority to prohibit 41
or restrict the location of a public school or a nonpublic 42
school in any district or zone in the township. 43

(C) A township zoning commission, board of township 44
trustees, or board of zoning appeals shall not deny an 45
application related to land use for the sole reason that the 46
requesting entity is seeking to establish a public school or a 47
nonpublic school. 48

<u>Sec. 713.083. (A) As used in this section:</u>	49
<u>"Nonpublic school" means a chartered nonpublic school as defined in section 3310.01 of the Revised Code.</u>	50 51
<u>"Public school" means a city, local, exempted village, or joint vocational school district or any other public school as defined in section 3301.0711 of the Revised Code.</u>	52 53 54
<u>(B) A municipal corporation shall not prohibit or restrict the location of a public school or a nonpublic school in any district or zone in the municipal corporation.</u>	55 56 57
<u>(C) A municipal corporation shall not deny an application related to land use for the sole reason that the requesting entity is seeking to establish a public school or a nonpublic school.</u>	58 59 60 61
Sec. 2151.354. (A) If the child is adjudicated an unruly child, the court may:	62 63
(1) Make any of the dispositions authorized under section 2151.353 of the Revised Code;	64 65
(2) Place the child on community control under any sanctions, services, and conditions that the court prescribes, as described in division (A)(4) of section 2152.19 of the Revised Code, provided that, if the court imposes a period of community service upon the child, the period of community service shall not exceed one hundred seventy-five hours;	66 67 68 69 70 71
(3) Suspend the driver's license, probationary driver's license, or temporary instruction permit issued to the child for a period of time prescribed by the court and suspend the registration of all motor vehicles registered in the name of the child for a period of time prescribed by the court. A child	72 73 74 75 76

whose license or permit is so suspended is ineligible for 77
issuance of a license or permit during the period of suspension. 78
At the end of the period of suspension, the child shall not be 79
reissued a license or permit until the child has paid any 80
applicable reinstatement fee and complied with all requirements 81
governing license reinstatement. 82

(4) Commit the child to the temporary or permanent custody 83
of the court; 84

(5) Make any further disposition the court finds proper 85
that is consistent with sections 2151.312 and 2151.56 to 2151.59 86
of the Revised Code; 87

(6) If, after making a disposition under division (A) (1), 88
(2), or (3) of this section, the court finds upon further 89
hearing that the child is not amenable to treatment or 90
rehabilitation under that disposition, make a disposition 91
otherwise authorized under divisions (A) (1), (4), (5), and (8) 92
of section 2152.19 of the Revised Code that is consistent with 93
sections 2151.312 and 2151.56 to 2151.59 of the Revised Code. 94

(B) If a child is adjudicated an unruly child for 95
committing any act that, if committed by an adult, would be a 96
drug abuse offense, as defined in section 2925.01 of the Revised 97
Code, or a violation of division (B) of section 2917.11 of the 98
Revised Code, in addition to imposing, in its discretion, any 99
other order of disposition authorized by this section, the court 100
shall do both of the following: 101

(1) Require the child to participate in a drug abuse or 102
alcohol abuse counseling program; 103

(2) Suspend the temporary instruction permit, probationary 104
driver's license, or driver's license issued to the child for a 105

period of time prescribed by the court. The court, in its 106
discretion, may terminate the suspension if the child attends 107
and satisfactorily completes a drug abuse or alcohol abuse 108
education, intervention, or treatment program specified by the 109
court. During the time the child is attending a program as 110
described in this division, the court shall retain the child's 111
temporary instruction permit, probationary driver's license, or 112
driver's license, and the court shall return the permit or 113
license if it terminates the suspension. 114

(C) (1) If a child is adjudicated an unruly child for being 115
an habitual truant, in addition to or in lieu of imposing any 116
other order of disposition authorized by this section, the court 117
may do any of the following: 118

(a) Order the board of education of the child's school 119
district or the governing board of the educational service 120
center in the child's school district to require the child to 121
attend an alternative school if an alternative school has been 122
established pursuant to section 3313.533 of the Revised Code in 123
the school district in which the child is entitled to attend 124
school; 125

(b) Require the child to participate in any academic 126
program or community service program; 127

(c) Require the child to participate in a drug abuse or 128
alcohol abuse counseling program; 129

(d) Require that the child receive appropriate medical or 130
psychological treatment or counseling; 131

(e) Maintain jurisdiction over the child during the 132
subsequent school year for the purpose of monitoring the child's 133
attendance. 134

(f) Make any other order that the court finds proper to 135
address the child's habitual truancy, including an order 136
requiring the child to not be absent without legitimate excuse 137
from the public school the child is supposed to attend for 138
thirty or more consecutive hours, forty-two or more hours in one 139
school month, or seventy-two or more hours in a school year and 140
including an order requiring the child to participate in a 141
truancy prevention mediation program. 142

(2) If a child is adjudicated an unruly child for being an 143
habitual truant and the court determines that the parent, 144
guardian, or other person having care of the child has failed to 145
cause the child's attendance at school in violation of section 146
3321.38 of the Revised Code, in addition to any order of 147
disposition authorized by this section, all of the following 148
apply: 149

(a) The court may require the parent, guardian, or other 150
person having care of the child to participate in any community 151
service program, preferably a community service program that 152
requires the involvement of the parent, guardian, or other 153
person having care of the child in the school attended by the 154
child. 155

(b) The court may require the parent, guardian, or other 156
person having care of the child to participate in a truancy 157
prevention mediation program. 158

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

parent, guardian, or other person having care of the child for a 165
violation of division (C) of section 2919.21 or section 2919.24 166
of the Revised Code. 167

(d) Not later than ten days after a child is adjudicated 168
an unruly child for being an habitual truant, the court shall 169
provide notice of that fact to the school district in which the 170
child is entitled to attend school and to the school in which 171
the child was enrolled at the time of the filing of the 172
complaint. 173

Sec. 2152.19. (A) If a child is adjudicated a delinquent 174
child, the court may make any of the following orders of 175
disposition, in addition to any other disposition authorized or 176
required by this chapter: 177

(1) Any order that is authorized by section 2151.353 of 178
the Revised Code for the care and protection of an abused, 179
neglected, or dependent child; 180

(2) Commit the child to the temporary custody of any 181
school, camp, institution, or other facility operated for the 182
care of delinquent children by the county, by a district 183
organized under section 2152.41 or 2151.65 of the Revised Code, 184
or by a private agency or organization, within or without the 185
state, that is authorized and qualified to provide the care, 186
treatment, or placement required, including, but not limited to, 187
a school, camp, or facility operated under section 2151.65 of 188
the Revised Code; 189

(3) Place the child in a detention facility or district 190
detention facility operated under section 2152.41 of the Revised 191
Code, for up to ninety days; 192

(4) Place the child on community control under any 193

sanctions, services, and conditions that the court prescribes. 194
As a condition of community control in every case and in 195
addition to any other condition that it imposes upon the child, 196
the court shall require the child to abide by the law during the 197
period of community control. As referred to in this division, 198
community control includes, but is not limited to, the following 199
sanctions and conditions: 200

(a) A period of basic probation supervision in which the 201
child is required to maintain contact with a person appointed to 202
supervise the child in accordance with sanctions imposed by the 203
court; 204

(b) A period of intensive probation supervision in which 205
the child is required to maintain frequent contact with a person 206
appointed by the court to supervise the child while the child is 207
seeking or maintaining employment and participating in training, 208
education, and treatment programs as the order of disposition; 209

(c) A period of day reporting in which the child is 210
required each day to report to and leave a center or another 211
approved reporting location at specified times in order to 212
participate in work, education or training, treatment, and other 213
approved programs at the center or outside the center; 214

(d) A period of community service of up to five hundred 215
hours for an act that would be a felony or a misdemeanor of the 216
first degree if committed by an adult, up to two hundred hours 217
for an act that would be a misdemeanor of the second, third, or 218
fourth degree if committed by an adult, or up to thirty hours 219
for an act that would be a minor misdemeanor if committed by an 220
adult; 221

(e) A requirement that the child obtain a high school 222

diploma, a certificate of high school equivalence, vocational	223
training, or employment;	224
(f) A period of drug and alcohol use monitoring;	225
(g) A requirement of alcohol or drug assessment or	226
counseling, or a period in an alcohol or drug treatment program	227
with a level of security for the child as determined necessary	228
by the court;	229
(h) A period in which the court orders the child to	230
observe a curfew that may involve daytime or evening hours;	231
(i) A requirement that the child serve monitored time;	232
(j) A period of house arrest without electronic monitoring	233
or continuous alcohol monitoring;	234
(k) A period of electronic monitoring or continuous	235
alcohol monitoring without house arrest, or house arrest with	236
electronic monitoring or continuous alcohol monitoring or both	237
electronic monitoring and continuous alcohol monitoring, that	238
does not exceed the maximum sentence of imprisonment that could	239
be imposed upon an adult who commits the same act.	240
A period of house arrest with electronic monitoring or	241
continuous alcohol monitoring or both electronic monitoring and	242
continuous alcohol monitoring, imposed under this division shall	243
not extend beyond the child's twenty-first birthday. If a court	244
imposes a period of house arrest with electronic monitoring or	245
continuous alcohol monitoring or both electronic monitoring and	246
continuous alcohol monitoring, upon a child under this division,	247
it shall require the child: to remain in the child's home or	248
other specified premises for the entire period of house arrest	249
with electronic monitoring or continuous alcohol monitoring or	250
both except when the court permits the child to leave those	251

premises to go to school or to other specified premises. 252
Regarding electronic monitoring, the court also shall require 253
the child to be monitored by a central system that can determine 254
the child's location at designated times; to report periodically 255
to a person designated by the court; and to enter into a written 256
contract with the court agreeing to comply with all requirements 257
imposed by the court, agreeing to pay any fee imposed by the 258
court for the costs of the house arrest with electronic 259
monitoring, and agreeing to waive the right to receive credit 260
for any time served on house arrest with electronic monitoring 261
toward the period of any other dispositional order imposed upon 262
the child if the child violates any of the requirements of the 263
dispositional order of house arrest with electronic monitoring. 264
The court also may impose other reasonable requirements upon the 265
child. 266

Unless ordered by the court, a child shall not receive 267
credit for any time served on house arrest with electronic 268
monitoring or continuous alcohol monitoring or both toward any 269
other dispositional order imposed upon the child for the act for 270
which was imposed the dispositional order of house arrest with 271
electronic monitoring or continuous alcohol monitoring. As used 272
in this division and division (A) (4) (1) of this section, 273
"continuous alcohol monitoring" has the same meaning as in 274
section 2929.01 of the Revised Code. 275

(1) A suspension of the driver's license, probationary 276
driver's license, or temporary instruction permit issued to the 277
child for a period of time prescribed by the court, or a 278
suspension of the registration of all motor vehicles registered 279
in the name of the child for a period of time prescribed by the 280
court. A child whose license or permit is so suspended is 281
ineligible for issuance of a license or permit during the period 282

of suspension. At the end of the period of suspension, the child 283
shall not be reissued a license or permit until the child has 284
paid any applicable reinstatement fee and complied with all 285
requirements governing license reinstatement. 286

(5) Commit the child to the custody of the court; 287

(6) Require the child to not be absent without legitimate 288
excuse from the public school the child is supposed to attend 289
for thirty or more consecutive hours, forty-two or more hours in 290
one school month, or seventy-two or more hours in a school year; 291

(7) (a) If a child is adjudicated a delinquent child for 292
violating a court order regarding the child's prior adjudication 293
as an unruly child for being a habitual truant, do either or 294
both of the following: 295

(i) Require the child to participate in a truancy 296
prevention mediation program; 297

(ii) Make any order of disposition as authorized by this 298
section, except that the court shall not commit the child to a 299
facility described in division (A) (2) or (3) of this section 300
unless the court determines that the child violated a lawful 301
court order made pursuant to division ~~(C) (1) (e)~~ (C) (1) (f) of 302
section 2151.354 of the Revised Code or division (A) (6) of this 303
section. 304

(b) If a child is adjudicated a delinquent child for 305
violating a court order regarding the child's prior adjudication 306
as an unruly child for being a habitual truant and the court 307
determines that the parent, guardian, or other person having 308
care of the child has failed to cause the child's attendance at 309
school in violation of section 3321.38 of the Revised Code, do 310
either or both of the following: 311

(i) Require the parent, guardian, or other person having 312
care of the child to participate in a truancy prevention 313
mediation program; 314

(ii) Require the parent, guardian, or other person having 315
care of the child to participate in any community service 316
program, preferably a community service program that requires 317
the involvement of the parent, guardian, or other person having 318
care of the child in the school attended by the child. 319

(8) Make any further disposition that the court finds 320
proper, except that the child shall not be placed in a state 321
correctional institution, a county, multicounty, or municipal 322
jail or workhouse, or another place in which an adult convicted 323
of a crime, under arrest, or charged with a crime is held. 324

(B) If a child is adjudicated a delinquent child, in 325
addition to any order of disposition made under division (A) of 326
this section, the court, in the following situations and for the 327
specified periods of time, shall suspend the child's temporary 328
instruction permit, restricted license, probationary driver's 329
license, or nonresident operating privilege, or suspend the 330
child's ability to obtain such a permit: 331

(1) If the child is adjudicated a delinquent child for 332
violating section 2923.122 of the Revised Code, impose a class 333
four suspension of the child's license, permit, or privilege 334
from the range specified in division (A) (4) of section 4510.02 335
of the Revised Code or deny the child the issuance of a license 336
or permit in accordance with division (F) (1) of section 2923.122 337
of the Revised Code. 338

(2) If the child is adjudicated a delinquent child for 339
committing an act that if committed by an adult would be a drug 340

abuse offense or for violating division (B) of section 2917.11 341
of the Revised Code, suspend the child's license, permit, or 342
privilege for a period of time prescribed by the court. The 343
court, in its discretion, may terminate the suspension if the 344
child attends and satisfactorily completes a drug abuse or 345
alcohol abuse education, intervention, or treatment program 346
specified by the court. During the time the child is attending a 347
program described in this division, the court shall retain the 348
child's temporary instruction permit, probationary driver's 349
license, or driver's license, and the court shall return the 350
permit or license if it terminates the suspension as described 351
in this division. 352

(C) The court may establish a victim-offender mediation 353
program in which victims and their offenders meet to discuss the 354
offense and suggest possible restitution. If the court obtains 355
the assent of the victim of the delinquent act committed by the 356
child, the court may require the child to participate in the 357
program. 358

(D) (1) If a child is adjudicated a delinquent child for 359
committing an act that would be a felony if committed by an 360
adult and if the child caused, attempted to cause, threatened to 361
cause, or created a risk of physical harm to the victim of the 362
act, the court, prior to issuing an order of disposition under 363
this section, shall order the preparation of a victim impact 364
statement by the probation department of the county in which the 365
victim of the act resides, by the court's own probation 366
department, or by a victim assistance program that is operated 367
by the state, a county, a municipal corporation, or another 368
governmental entity. The court shall consider the victim impact 369
statement in determining the order of disposition to issue for 370
the child. 371

(2) Each victim impact statement shall identify the victim 372
of the act for which the child was adjudicated a delinquent 373
child, itemize any economic loss suffered by the victim as a 374
result of the act, identify any physical injury suffered by the 375
victim as a result of the act and the seriousness and permanence 376
of the injury, identify any change in the victim's personal 377
welfare or familial relationships as a result of the act and any 378
psychological impact experienced by the victim or the victim's 379
family as a result of the act, and contain any other information 380
related to the impact of the act upon the victim that the court 381
requires. 382

(3) A victim impact statement shall be kept confidential 383
and is not a public record. However, the court may furnish 384
copies of the statement to the department of youth services if 385
the delinquent child is committed to the department or to both 386
the adjudicated delinquent child or the adjudicated delinquent 387
child's counsel and the prosecuting attorney. The copy of a 388
victim impact statement furnished by the court to the department 389
pursuant to this section shall be kept confidential and is not a 390
public record. If an officer is preparing pursuant to section 391
2947.06 or 2951.03 of the Revised Code or Criminal Rule 32.2 a 392
presentence investigation report pertaining to a person, the 393
court shall make available to the officer, for use in preparing 394
the report, a copy of any victim impact statement regarding that 395
person. The copies of a victim impact statement that are made 396
available to the adjudicated delinquent child or the adjudicated 397
delinquent child's counsel and the prosecuting attorney pursuant 398
to this division shall be returned to the court by the person to 399
whom they were made available immediately following the 400
imposition of an order of disposition for the child under this 401
chapter. 402

The copy of a victim impact statement that is made 403
available pursuant to this division to an officer preparing a 404
criminal presentence investigation report shall be returned to 405
the court by the officer immediately following its use in 406
preparing the report. 407

(4) The department of youth services shall work with local 408
probation departments and victim assistance programs to develop 409
a standard victim impact statement. 410

(E) (1) If a child is adjudicated a delinquent child for 411
violating a court order regarding the child's prior adjudication 412
as an unruly child for being a habitual truant and the court 413
determines that the parent, guardian, or other person having 414
care of the child has failed to cause the child's attendance at 415
school in violation of section 3321.38 of the Revised Code, in 416
addition to any order of disposition it makes under this 417
section, the court shall warn the parent, guardian, or other 418
person having care of the child that any subsequent adjudication 419
with regard to truancy may result in a criminal charge against 420
the parent, guardian, or other person having care of the child 421
for a violation of division (C) of section 2919.21 or section 422
2919.24 of the Revised Code. 423

(2) Not later than ten days after a child is adjudicated a 424
delinquent child for violating a court order regarding the 425
child's prior adjudication as an unruly child for being an 426
habitual truant, the court shall provide notice of that fact to 427
the school district in which the child is entitled to attend 428
school and to the school in which the child was enrolled at the 429
time of the filing of the complaint. 430

(F) (1) During the period of a delinquent child's community 431
control granted under this section, authorized probation 432

officers who are engaged within the scope of their supervisory 433
duties or responsibilities may search, with or without a 434
warrant, the person of the delinquent child, the place of 435
residence of the delinquent child, and a motor vehicle, another 436
item of tangible or intangible personal property, or other real 437
property in which the delinquent child has a right, title, or 438
interest or for which the delinquent child has the express or 439
implied permission of a person with a right, title, or interest 440
to use, occupy, or possess if the probation officers have 441
reasonable grounds to believe that the delinquent child is not 442
abiding by the law or otherwise is not complying with the 443
conditions of the delinquent child's community control. The 444
court that places a delinquent child on community control under 445
this section shall provide the delinquent child with a written 446
notice that informs the delinquent child that authorized 447
probation officers who are engaged within the scope of their 448
supervisory duties or responsibilities may conduct those types 449
of searches during the period of community control if they have 450
reasonable grounds to believe that the delinquent child is not 451
abiding by the law or otherwise is not complying with the 452
conditions of the delinquent child's community control. The 453
court also shall provide the written notice described in 454
division (E) (2) of this section to each parent, guardian, or 455
custodian of the delinquent child who is described in that 456
division. 457

(2) The court that places a child on community control 458
under this section shall provide the child's parent, guardian, 459
or other custodian with a written notice that informs them that 460
authorized probation officers may conduct searches pursuant to 461
division (E) (1) of this section. The notice shall specifically 462
state that a permissible search might extend to a motor vehicle, 463

another item of tangible or intangible personal property, or a 464
place of residence or other real property in which a notified 465
parent, guardian, or custodian has a right, title, or interest 466
and that the parent, guardian, or custodian expressly or 467
impliedly permits the child to use, occupy, or possess. 468

(G) If a juvenile court commits a delinquent child to the 469
custody of any person, organization, or entity pursuant to this 470
section and if the delinquent act for which the child is so 471
committed is a sexually oriented offense or is a child-victim 472
oriented offense, the court in the order of disposition shall do 473
one of the following: 474

(1) Require that the child be provided treatment as 475
described in division (A) (2) of section 5139.13 of the Revised 476
Code; 477

(2) Inform the person, organization, or entity that it is 478
the preferred course of action in this state that the child be 479
provided treatment as described in division (A) (2) of section 480
5139.13 of the Revised Code and encourage the person, 481
organization, or entity to provide that treatment. 482

Sec. 2307.59. (A) As used in this section: 483

(1) "Assigned task" means any task assigned, directed, or 484
otherwise given to a learner by a sponsor or its 485
representatives, the performance on which will be evaluated for 486
credit, including any of the following: 487

(a) Writing a term paper, thesis, dissertation, essay, or 488
report; 489

(b) Providing responses to, participating in, or otherwise 490
engaging in an examination; 491

<u>(c) Preparing any other work product in response to an assignment;</u>	492 493
<u>(d) Attending classes or other instructional interactions when the task is assigned, directed, or otherwise given to a learner by a sponsor or its representatives.</u>	494 495 496
<u>(2) "Assignment" means anything in written, electronic, recorded, pictorial, artistic, or any other form issued by a sponsor or its representatives setting forth, conveying, or soliciting learner performance of or on one or more assigned tasks, including materials, whether presented on paper or a computer, setting forth problems for the learner to solve, questions for the learner's response, examination content, scenarios to which the learner is to react, and similar tasks.</u>	497 498 499 500 501 502 503 504
<u>(3) "Confidential examination or assignment" means any assignment, including any examination that a sponsor provides to a learner under confidential conditions.</u>	505 506 507
<u>(4) "For credit" means for evaluation by a sponsor or its representatives in connection with issuance of any grade, evaluation, degree, diploma, certification, certificate, credential, examination score, or professional license.</u>	508 509 510 511
<u>(5) "Organization" means a company, partnership, corporation, institution, association, body, state agency, or other entity.</u>	512 513 514
<u>(6) "Sale" or "sell" means any transfer, exchange, or barter, in any manner, for any consideration or by any agreement.</u>	515 516 517
<u>(7) "Sponsor" means any of the following:</u>	518
<u>(a) Any state institution of higher education, as defined</u>	519

<u>under section 3345.011 of the Revised Code;</u>	520
<u>(b) Any organization that owns, sponsors, grants, awards,</u>	521
<u>or otherwise issues professional licenses to individuals or</u>	522
<u>organizations bearing the organization's name or trademark and</u>	523
<u>signifying completion of a set of requirements associated with</u>	524
<u>that license;</u>	525
<u>(c) Any organization that owns, sponsors, grants, awards,</u>	526
<u>or otherwise issues credentials or certifications bearing the</u>	527
<u>organization's name or trademark to individuals or organizations</u>	528
<u>in this state and signifying completion of a set of requirements</u>	529
<u>associated with that credential or certification;</u>	530
<u>(d) Any organization that owns, sponsors, administers, or</u>	531
<u>otherwise delivers examinations bearing the organization's name</u>	532
<u>or trademark to individuals or organizations in this state.</u>	533
<u>(8) "Learner" means an individual whose performance on one</u>	534
<u>or more assigned tasks will be evaluated for credit and</u>	535
<u>includes, but is not limited to, students, candidates for</u>	536
<u>professional certification and licensure, test takers,</u>	537
<u>examinees, and workforce skills trainees.</u>	538
<u>(9) "Work product" means anything in written, electronic,</u>	539
<u>recorded, pictorial, artistic, or any other form that is</u>	540
<u>submitted to a sponsor showing full or partial completion of an</u>	541
<u>assigned task, including a term paper, thesis, dissertation,</u>	542
<u>essay, report, and response to an examination.</u>	543
<u>(B) No organization or individual shall, for a fee or</u>	544
<u>other compensation, engage in any of the following activities:</u>	545
<u>(1) Prepare, advertise to prepare, offer to prepare, or</u>	546
<u>cause to be prepared, any work product for or on behalf of a</u>	547
<u>learner;</u>	548

<u>(2) Sell, advertise to sell, offer to sell, or cause to be</u>	549
<u>sold any work product to a learner;</u>	550
<u>(3) Complete or otherwise perform an assigned task for or</u>	551
<u>on behalf of a learner, whether in whole or in part, with the</u>	552
<u>knowledge, or under circumstances in which the organization or</u>	553
<u>individual should reasonably have known that the work product or</u>	554
<u>the completion of the assigned task will be submitted by or on</u>	555
<u>behalf of the learner as the learner's own work for credit.</u>	556
<u>(C) No organization or individual shall sell or advertise</u>	557
<u>for sale a confidential examination, a portion thereof, or</u>	558
<u>detailed description of its contents, when the organization or</u>	559
<u>individual reasonably should know that the sale or advertisement</u>	560
<u>is a violation of a provision of this section.</u>	561
<u>(D) An organization or individual shall not issue a</u>	562
<u>disclaimer or draft contractual language attempting to exempt</u>	563
<u>the organization or individual from any provision of this</u>	564
<u>section, including the following statements:</u>	565
<u>(1) That the learner will not use any work product in</u>	566
<u>completing all or part of the assigned tasks;</u>	567
<u>(2) That the learner has not been required to complete the</u>	568
<u>assigned tasks personally;</u>	569
<u>(3) That provision of the work product or completion of</u>	570
<u>the assigned tasks has been approved by the sponsor.</u>	571
<u>(E) Nothing contained in this section shall prevent any</u>	572
<u>individual or organization from providing tutorial assistance,</u>	573
<u>research material, information, or other assistance to learners,</u>	574
<u>provided that it is expressly permitted by the sponsor and the</u>	575
<u>individual or organization providing assistance has reasonable</u>	576
<u>belief that the work product will not be represented as the</u>	577

<u>learner's own work.</u>	578
<u>(F) (1) The attorney general may investigate an alleged</u>	579
<u>violation of this section and may bring in the appropriate court</u>	580
<u>of common pleas of this state a civil action against the alleged</u>	581
<u>violator. In an action brought under this division, an</u>	582
<u>individual or organization that violates any provision of this</u>	583
<u>section shall be subject to a civil penalty of not more than</u>	584
<u>five thousand dollars per violation, to be deposited in the</u>	585
<u>state treasury to the credit of the general revenue fund.</u>	586
<u>(2) Any sponsor aggrieved by a violation of this section</u>	587
<u>may bring a civil action against the individual or organization</u>	588
<u>who violated this section in any court of competent</u>	589
<u>jurisdiction. In any action brought under this division, the</u>	590
<u>plaintiff may recover all the following for each violation:</u>	591
<u>(a) Liquidated damages of two thousand five hundred</u>	592
<u>dollars or actual damages, whichever is greater;</u>	593
<u>(b) Reasonable attorney's fees and costs, including expert</u>	594
<u>witness fees and other litigation expenses;</u>	595
<u>(c) Injunctive relief and punitive damages;</u>	596
<u>(d) Other relief as the court determines appropriate.</u>	597
<u>(3) In any action brought under this section, the court</u>	598
<u>shall preserve the secrecy of an alleged confidential</u>	599
<u>examination or assignment by reasonable means, which may include</u>	600
<u>any of the following:</u>	601
<u>(a) Granting protective orders in connection with</u>	602
<u>discovery proceedings;</u>	603
<u>(b) Holding in-camera hearings;</u>	604

<u>(c) Sealing the records of the action;</u>	605
<u>(d) Ordering any individual involved in the litigation not to disclose an alleged confidential examination or assignment without prior court approval.</u>	606 607 608
Sec. 2919.24. (A) As used in this section:	609
(1) "Delinquent child" has the same meaning as in section 2152.02 of the Revised Code.	610 611
(2) "Unruly child" has the same meaning as in section 2151.022 of the Revised Code.	612 613
(B) No person, including a parent, guardian, or other custodian of a child, shall do any of the following:	614 615
(1) Aid, abet, induce, cause, encourage, or contribute to a child or a ward of the juvenile court becoming an unruly child or a delinquent child;	616 617 618
(2) Act in a way tending to cause a child or a ward of the juvenile court to become an unruly child or a delinquent child;	619 620
(3) Act in a way that contributes to an adjudication of the child as a delinquent child based on the child's violation of a court order adjudicating the child an unruly a child for being an <u>a</u> habitual truant;	621 622 623 624
(4) If the person is the parent, guardian, or custodian of a child who has the duties under Chapters 2152. and 2950. of the Revised Code to register, register a new residence address, and periodically verify a residence address, and, if applicable, to send a notice of intent to reside, and if the child is not emancipated, as defined in section 2919.121 of the Revised Code, fail to ensure that the child complies with those duties under Chapters 2152. and 2950. of the Revised Code.	625 626 627 628 629 630 631 632

(C) An adjudication of a child as being unruly or delinquent is unnecessary for a conviction under this section. 633
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(D) Whoever violates this section is guilty of contributing to the unruliness or delinquency of a child, a misdemeanor of the first degree. Each day of violation of this section is a separate offense. 635
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Sec. 3313.11. Notwithstanding division (D) of section 3311.19 and division (D) of section 3311.52 of the Revised Code, this section does not apply to any joint vocational or cooperative education school district. 639
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A vacancy in any school district board of education or governing board of an educational service center may be caused by death, nonresidence, resignation, removal from office, failure of a person elected or appointed to qualify within ten days after the organization of the board or of appointment or election, removal from the district, or absence from meetings of the board for a period of ninety days, if such absence is caused by reasons declared insufficient by a two-thirds vote of the remaining members of the board, which vote must be taken and entered upon the records of the board not ~~less~~ more than ~~thirty~~ forty-five days after such absence. 643
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If the board members are selected by appointment pursuant to division (B) or (F) of section 3311.71 of the Revised Code, the appointing authority responsible for the appointment shall fill any such vacancy by appointment of an individual to serve the remainder of the unexpired term from a slate of at least three persons proposed by the municipal school district nominating panel established under that section. If the member creating the vacancy resides in a municipal school district but not in the municipal corporation containing the greatest portion 654
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of the district's territory, the individuals included on such 663
slate shall also reside in the municipal school district but not 664
in the municipal corporation containing the greatest portion of 665
the district's territory. 666

If the board members are selected by election, the board 667
shall fill any such vacancy at ~~its next~~ any regular or special 668
meeting, ~~not earlier than ten days~~ within forty-five days after 669
~~such the~~ vacancy occurs. A majority vote of all the remaining 670
members of the board may fill any such vacancy. Immediately 671
after such a vote, the treasurer of the board of education or 672
governing board shall give written notice to the board of 673
elections responsible for conducting elections for that school 674
district or educational service center that a vacancy has been 675
filled, and the name of the person appointed to fill the 676
vacancy. ~~Each~~ 677

If the board of education of any city, exempted village, 678
or local school district or the governing board of any 679
educational service center fails to fill a vacancy in that board 680
within a period of forty-five days after the vacancy occurs, the 681
probate court of the county in which the district or service 682
center is located, upon being advised and satisfied of that 683
failure, shall act as that board to fill any vacancy as promptly 684
as possible. 685

Each person selected by the board or probate court to fill 686
a vacancy shall hold office for the shorter of the following 687
periods: until the completion of the unexpired term, or until 688
the first day of January immediately following the next regular 689
board of education or governing board election taking place more 690
than ninety days after a person is selected by the board or 691
probate court to fill the vacancy. At that election, a special 692

election to fill the vacancy shall be held in accordance with 693
laws controlling regular elections for board of education or 694
governing board members, except that no such special election 695
shall be held if the unexpired term ends on or before the first 696
day of January immediately following that regular board of 697
education or governing board election. The term of a person 698
chosen at a special election under this section shall begin on 699
the first day of January immediately following the election, and 700
the person shall serve for the remainder of the unexpired term. 701
Whenever the need for a special election under this section 702
becomes known, the board of education or governing board shall 703
immediately give written notice of this fact to the board of 704
elections responsible for conducting the regular board of 705
education or governing board election for that school district. 706

The term of a board of education or governing board member 707
shall not be lengthened by the member's resignation and 708
subsequent selection by the board or probate court under this 709
section. 710

Sec. 3313.174. A school district or member of a school 711
district board of education is not immune from liability in 712
damages in a civil action if the board of education of the city, 713
exempted village, or local school district or a majority of its 714
members knowingly instructs the superintendent of the district 715
to violate any provision of the Revised Code or common law of 716
this state. This section does not apply to a member of a school 717
district board of education who does not knowingly instruct the 718
district superintendent to violate the Revised Code or common 719
law of this state or who votes against instructing the 720
superintendent to do so. 721

This section does not eliminate, limit, or reduce any 722

other immunity or defense that a school district or member of a 723
school district board of education may be entitled to under 724
Chapter 2744. or any other provision of the Revised Code or 725
under the common law of this state. 726

Sec. 3313.41. (A) Except as provided in divisions (C), 727
(D), and (F) of this section and in sections 3313.412 and 728
3313.413 of the Revised Code, when a board of education decides 729
to dispose of real or personal property that it owns in its 730
corporate capacity and that exceeds in value ten thousand 731
dollars, it shall sell the property at public auction, after 732
giving at least thirty days' notice of the auction by 733
publication in a newspaper of general circulation in the school 734
district, by publication as provided in section 7.16 of the 735
Revised Code, or by posting notices in five of the most public 736
places in the school district in which the property, if it is 737
real property, is situated, or, if it is personal property, in 738
the school district of the board of education that owns the 739
property. The board may offer real property for sale as an 740
entire tract or in parcels. 741

(B) When the board of education has offered real or 742
personal property for sale at public auction at least once 743
pursuant to division (A) of this section, and the property has 744
not been sold, the board may sell it at a private sale. 745
Regardless of how it was offered at public auction, at a private 746
sale, the board shall, as it considers best, sell real property 747
as an entire tract or in parcels, and personal property in a 748
single lot or in several lots. 749

(C) If a board of education decides to dispose of real or 750
personal property that it owns in its corporate capacity and 751
that exceeds in value ten thousand dollars, it may sell the 752

property to the adjutant general; to any subdivision or taxing 753
authority as respectively defined in section 5705.01 of the 754
Revised Code, township park district, board of park 755
commissioners established under Chapter 755. of the Revised 756
Code, or park district established under Chapter 1545. of the 757
Revised Code; to a wholly or partially tax-supported university, 758
university branch, or college; to a nonprofit institution of 759
higher education that has a certificate of authorization under 760
Chapter 1713. of the Revised Code; to the governing authority of 761
a chartered nonpublic school; to the governing board of an 762
educational service center; or to the board of trustees of a 763
school district library, upon such terms as are agreed upon. The 764
sale of real or personal property to the board of trustees of a 765
school district library is limited, in the case of real 766
property, to a school district library within whose boundaries 767
the real property is situated, or, in the case of personal 768
property, to a school district library whose boundaries lie in 769
whole or in part within the school district of the selling board 770
of education. 771

(D) When a board of education decides to trade as a part 772
or an entire consideration, an item of personal property on the 773
purchase price of an item of similar personal property, it may 774
trade the same upon such terms as are agreed upon by the parties 775
to the trade. 776

(E) The president and the treasurer of the board of 777
education shall execute and deliver deeds or other necessary 778
instruments of conveyance to complete any sale or trade under 779
this section. 780

(F) When a board of education has identified a parcel of 781
real property that it determines is needed for school purposes, 782

the board may, upon a majority vote of the members of the board, 783
acquire that property by exchanging real property that the board 784
owns in its corporate capacity for the identified real property 785
or by using real property that the board owns in its corporate 786
capacity as part or an entire consideration for the purchase 787
price of the identified real property. Any exchange or 788
acquisition made pursuant to this division shall be made by a 789
conveyance executed by the president and the treasurer of the 790
board. 791

(G) When a school district board of education has property 792
that the board, by resolution, finds is not needed for school 793
district use, is obsolete, or is unfit for the use for which it 794
was acquired, the board may donate that property in accordance 795
with this division if the fair market value of the property is, 796
in the opinion of the board, two thousand five hundred dollars 797
or less. 798

The property may be donated to an eligible nonprofit 799
organization that is located in this state and is exempt from 800
federal income taxation pursuant to 26 U.S.C. 501(a) and (c)(3). 801
Before donating any property under this division, the board 802
shall adopt a resolution expressing its intent to make unneeded, 803
obsolete, or unfit-for-use school district property available to 804
these organizations. The resolution shall include guidelines and 805
procedures the board considers to be necessary to implement the 806
donation program and shall indicate whether the school district 807
will conduct the donation program or the board will contract 808
with a representative to conduct it. If a representative is 809
known when the resolution is adopted, the resolution shall 810
provide contact information such as the representative's name, 811
address, and telephone number. 812

The resolution shall include within its procedures a requirement that any nonprofit organization desiring to obtain donated property under this division shall submit a written notice to the board or its representative. The written notice shall include evidence that the organization is a nonprofit organization that is located in this state and is exempt from federal income taxation pursuant to 26 U.S.C. 501(a) and (c)(3); a description of the organization's primary purpose; a description of the type or types of property the organization needs; and the name, address, and telephone number of a person designated by the organization's governing board to receive donated property and to serve as its agent. The written notice may be submitted electronically to the board or its representative.

After adoption of the resolution, the board shall continually post in the board's office notice of its intent to donate school district property that is unneeded, obsolete, or unfit for use to eligible nonprofit organizations. If the school district maintains a web site on the internet, the notice shall be posted continually at that web site.

The board or its representatives shall maintain a list of all nonprofit organizations that notify the board or its representative of their desire to obtain donated property under this division and that the board or its representative determines to be eligible, in accordance with the requirements set forth in this section and in the donation program's guidelines and procedures, to receive donated property.

The board or its representative also shall maintain a list of all school district property the board finds to be unneeded, obsolete, or unfit for use and to be available for donation

under this division. The list shall be posted continually in a 843
conspicuous location in the board's office, and, if the school 844
district maintains a web site on the internet, the list shall be 845
posted continually at that web site. An item of property on the 846
list shall be donated to the eligible nonprofit organization 847
that first declares to the board or its representative its 848
desire to obtain the item unless the board previously has 849
established, by resolution, a list of eligible nonprofit 850
organizations that shall be given priority with respect to the 851
item's donation. Priority may be given on the basis that the 852
purposes of a nonprofit organization have a direct relationship 853
to specific school district purposes of programs provided or 854
administered by the board. A resolution giving priority to 855
certain nonprofit organizations with respect to the donation of 856
an item of property shall specify the reasons why the 857
organizations are given that priority. 858

Members of the board shall consult with the Ohio ethics 859
commission, and comply with Chapters 102. and 2921. of the 860
Revised Code, with respect to any donation under this division 861
to a nonprofit organization of which a board member, any member 862
of a board member's family, or any business associate of a board 863
member is a trustee, officer, board member, or employee. 864

Sec. 3313.411. (A) As used in this section: 865

(1) "College-preparatory boarding school" means a college- 866
preparatory boarding school established under Chapter 3328. of 867
the Revised Code. 868

(2) "Community school" means a community school 869
established under Chapter 3314. of the Revised Code. 870

(3) "High-performing community school" has the same 871

meaning as in section 3313.413 of the Revised Code. 872

(4) "STEM school" means a science, technology, 873
engineering, and mathematics school established under Chapter 874
3326. of the Revised Code. 875

(5) "Unused school facilities" means either: 876

(a) Any real property that has been used by a school 877
district for school operations, including, but not limited to, 878
academic instruction or administration, since July 1, 1998, but 879
has not been used in that capacity for one year; 880

(b) Any school building that has been used for direct 881
academic instruction ~~but~~ and, in the two most recent school 882
years, the building's student enrollment is less than sixty per 883
cent of either of the building was used for that purpose in the 884
preceding school year. following: 885

(i) The maximum student enrollment established for the 886
building in its certificate of occupancy; 887

(ii) The greatest student enrollment of the building in 888
the ten most recent school years, including the current school 889
year. 890

(B) (1) Except as provided in section 3313.412 of the 891
Revised Code, on and after June 30, 2011, any school district 892
board of education shall offer any unused school facilities it 893
owns in its corporate capacity for lease or sale to the 894
governing authorities of community schools, the boards of 895
trustees of any college-preparatory boarding schools, ~~and~~ the 896
governing bodies of any STEM schools, and the governing 897
authorities of any chartered nonpublic schools, that are located 898
within the territory of the district. Not later than sixty days 899
after the district board makes the offer, interested governing 900

authorities, boards of trustees, and governing bodies shall 901
notify the district treasurer in writing of the intention to 902
lease or purchase the property. 903

The district board shall give priority to the governing 904
authorities of high-performing community schools that are 905
located within the territory of the district. 906

(2) At the same time that a district board makes the offer 907
required under division (B)(1) of this section, the board also 908
may, but shall not be required to, offer that property for sale 909
or lease to the governing authorities of community schools with 910
plans, stipulated in their contracts entered into under section 911
3314.03 of the Revised Code, either to relocate their operations 912
to the territory of the district or to add facilities, as 913
authorized ~~by division (B)(3) or (4) of~~ under section 3314.05 of 914
the Revised Code, to be located within the territory of the 915
district. 916

(C)(1) If, not later than sixty days after the district 917
board makes the offer, only one governing authority of a high- 918
performing community school offered the property under division 919
(B) of this section notifies the district treasurer in writing 920
of the intention to purchase the property pursuant to that 921
division, the district board shall sell the property to that 922
party for the appraised fair market value of the property for 923
operation as an educational facility as determined in an 924
appraisal of the property that is not more than one year old. 925

If, not later than sixty days after the district board 926
makes the offer, more than one governing authority of a high- 927
performing community school offered the property under division 928
(B) of this section notifies the district treasurer in writing 929
of the intention to purchase the property pursuant to that 930

division, the board shall conduct a public auction in the manner 931
required for auctions of district property under division (A) of 932
section 3313.41 of the Revised Code. Only ~~the~~ those governing 933
authorities of high-performing community schools that notified 934
the district treasurer of the intention to purchase the property 935
pursuant to division (B) of this section are eligible to bid at 936
the auction. The district board is not obligated to accept any 937
bid for the property that is lower than the appraised fair 938
market value of the property for operation as an educational 939
facility, as determined in an appraisal that is not more than 940
one year old. 941

(2) If, not later than sixty days after the district board 942
makes the offer, no governing authority of a high-performing 943
community school notifies the district treasurer of its 944
intention to purchase the property pursuant to division (B) of 945
this section, the board shall then proceed to offer the property 946
for sale or lease to the governing authorities of high- 947
performing community schools located outside of the district. 948
If, not later than sixty days after the district board makes the 949
offer, only one governing authority of a high-performing 950
community school offered the property under division (C) (2) of 951
this section notifies the district treasurer in writing of the 952
intention to purchase the property, the district board shall 953
sell the property to that entity for the appraised fair market 954
value of the property for operation as an educational facility, 955
as determined in an appraisal of the property that is not more 956
than one year old. 957

If, not later than sixty days after the district board 958
makes the offer, more than one governing authority of a high- 959
performing community school offered the property under division 960
(C) (2) of this section notifies the district treasurer in 961

writing of the intention to purchase the property, the district 962
board shall conduct a public auction in the manner required for 963
auctions of district property under division (A) of section 964
3313.41 of the Revised Code. Only those governing authorities 965
that notified the district treasurer of the intention to 966
purchase the property pursuant to division (C)(2) of this 967
section are eligible to bid at the auction. The district board 968
is not obligated to accept any bid for the property that is 969
lower than the appraised fair market value of the property for 970
operation as an educational facility, as determined in an 971
appraisal that is not more than one year old. 972

(3) If, not later than sixty days after the district board 973
makes the offer, no governing authority of a high-performing 974
community school notifies the district treasurer of its 975
intention to purchase the property pursuant to division (C)(2) 976
of this section, the district board shall then proceed with the 977
offers from all other start-up community schools, college- 978
preparatory boarding schools, ~~and~~ STEM schools, and chartered 979
nonpublic schools made pursuant to ~~that division~~ this section. 980

If more than one such entity notifies the district 981
treasurer of its intention to purchase the property pursuant to 982
division ~~(B)~~ (C)(3) of this section, the board shall conduct a 983
public auction in the manner required for auctions of district 984
property under division (A) of section 3313.41 of the Revised 985
Code. Only the entities that notified the district treasurer 986
pursuant to division ~~(B)~~ (C)(3) of this section are eligible to 987
bid at the auction. The district board is not obligated to 988
accept any payment for the property that is lower than the 989
appraised fair market value of the property for operation as an 990
educational facility, as determined in an appraisal that is not 991
more than one year old. 992

~~(3)~~(4) If more than one governing authority of a high- 993
performing community school notifies the district treasurer in 994
writing of the intention to lease the property pursuant to 995
division (B) or (C) of this section, the district board shall 996
conduct a lottery to select from among those governing 997
authorities the one qualified governing authority to which the 998
district board shall lease the property. 999

If no such governing authority of a high-performing 1000
community school notifies the district treasurer of its 1001
intention to lease the property pursuant to division (B) or (C) 1002
of this section, the board shall then proceed with the offers 1003
from all other start-up community schools, college-preparatory 1004
boarding schools, ~~and~~ STEM schools, and chartered nonpublic 1005
schools made pursuant to that division. If more than one other 1006
start-up community school, college-preparatory boarding school, 1007
~~or~~ STEM school, or chartered nonpublic school notified the 1008
district treasurer of its intention to lease the property 1009
pursuant to division (B) or (C) of this section, the district 1010
board shall conduct a lottery to select from among those parties 1011
the one qualified party to which the district board shall lease 1012
the property. 1013

~~(4)~~(5) The lease price offered by a district board to a 1014
community school, college-preparatory boarding school, ~~or~~ STEM 1015
school, or chartered nonpublic school under this section shall 1016
not be higher than the fair market value for such a leasehold 1017
for operation as an educational facility, as determined in an 1018
appraisal that is not more than one year old. 1019

~~(5)~~(6) If no qualified party offered the property under 1020
division (B) or (C) of this section accepts the offer to lease 1021
or buy the property within sixty days after the offer is made, 1022

the district board ~~may shall~~ offer the property ~~to any other~~ 1023
~~entity in accordance with divisions~~ for sale at a public auction 1024
in the manner required for auctions of district property under 1025
division (A) ~~to (F)~~ of section 3313.41 of the Revised Code. 1026

(D) Notwithstanding division (B) or (C) of this section, a 1027
school district board may renew any agreement it originally 1028
entered into prior to June 30, 2011, to lease real property to 1029
an entity other than a community school, college-preparatory 1030
boarding school, ~~or~~ STEM school, or chartered nonpublic school. 1031
Nothing in this section shall affect the leasehold arrangements 1032
between the district board and that other entity. 1033

(E) (1) ~~Except as provided in division (E) (2) of this~~ 1034
~~section, the~~ The governing authority of a community school, 1035
board of trustees of a college-preparatory boarding school, ~~or~~ 1036
governing body of a STEM school, or governing authority of a 1037
chartered nonpublic school shall not sell use any property 1038
purchased under division (B) or (C) of this section ~~within five~~ 1039
~~years of~~ as an educational facility for at least ten years after 1040
purchasing that property. 1041

(2) ~~The~~ If a governing authority, board of trustees, or 1042
governing body ~~may sell~~ ceases to use a property purchased under 1043
division (B) or (C) of this section ~~within five years of the~~ 1044
~~purchase, only if the governing authority, board of trustees, or~~ 1045
~~governing body sells or transfers~~ as an educational facility 1046
within ten years of purchasing that property, the governing 1047
authority, board of trustees, or governing body shall sell the 1048
property back to another entity described in that division ~~the~~ 1049
seller it purchased the property from at the appraised fair 1050
market value of the property as determined in an appraisal of 1051
the property that is not more than one year old. If the seller 1052

refuses to purchase the property, the governing authority, board 1053
of trustees, or governing body shall offer the property for 1054
lease or sale to other governing authorities of community 1055
schools, boards of trustees of any college-preparatory boarding 1056
schools, governing bodies of any STEM schools, and governing 1057
authorities of any chartered nonpublic schools in the same 1058
manner as a school district under divisions (B) and (C) of this 1059
section. 1060

(F) (1) A school district board of education is not 1061
required to offer any unused school facilities it owns in its 1062
corporate capacity for lease or sale under this section if 1063
either of the following apply: 1064

(a) The facility is less than ten years old. 1065

(b) The facility is located on, or adjacent to, a tract or 1066
parcel of land where other school district facilities are 1067
located. 1068

(c) The facility is a school building described in 1069
division (A) (5) (b) of this section and is the only district 1070
building that provides direct academic instruction to one or 1071
more grade levels. 1072

(d) The facility is a school building described in 1073
division (A) (5) (b) of this section and the building's student 1074
enrollment decreased because it was undergoing repairs or 1075
renovations that caused a significant portion of the building's 1076
instructional space to be unusable. 1077

(e) The facility is a school building that is primarily 1078
used to provide career-technical education. 1079

(2) If a school district board of education believes 1080
extraordinary circumstances should exempt it from offering an 1081

unused facility for lease or sale under this section, the board 1082
may appeal the requirement to the director of education and 1083
workforce. The director shall approve or deny the appeal within 1084
sixty days of receiving the request from the board. 1085

(G) (1) A school district shall not demolish or permit any 1086
other entity, including a municipal corporation, to demolish an 1087
unused school facility unless both of the following conditions 1088
are satisfied: 1089

(a) The district has offered to sell or lease the unused 1090
facility to the governing authorities of community schools, the 1091
boards of trustees of any college-preparatory boarding schools, 1092
the governing bodies of any STEM schools, and the governing 1093
authorities of any chartered nonpublic schools in accordance 1094
with this section. 1095

(b) No community school, college-preparatory boarding 1096
school, STEM school, or chartered nonpublic school that was 1097
offered the property under this section accepts the offer to 1098
lease or buy the unused facility. 1099

(2) If a school district fails to comply with this 1100
division, the Ohio facilities construction commission shall 1101
impose a fine that is not less than the appraised fair market 1102
value of the property, as determined in an appraisal of the 1103
property that was completed before demolition began. 1104

(H) No school district shall redevelop or otherwise 1105
substantially renovate an unused school facility for 1106
noneducational purposes without first offering the facility for 1107
sale as required under this section. 1108

(I) (1) Not later than November 30, 2026, and annually 1109
thereafter, each school district shall report to the department 1110

of education and workforce, in the manner determined by the 1111
department, both of the following: 1112

(a) Any real district property described in division (A) 1113
(5) (a) of this section; 1114

(b) The enrollment data specified in division (A) (5) (b) of 1115
this section and the current enrollment for each school building 1116
operated by the district. 1117

(2) Not later than December 31, 2026, and annually 1118
thereafter, the department shall publish on its web site a list 1119
of unused school facilities in each school district. 1120

Sec. 3313.413. (A) As used in this section, "high- 1121
performing community school" means a community school 1122
established under Chapter 3314. of the ~~Revise~~-Revised Code that 1123
meets any of the following conditions: 1124

(1) Except as provided for in division (A) (2) or (3) of 1125
this section, the community school does both of the following: 1126

(a) The school has a higher performance index score than 1127
the school district in which the school is located on the two 1128
most recent report cards issued under section 3302.03 of the 1129
Revised Code. 1130

(b) The school either has a performance rating of four 1131
stars or higher for progress on the most recent report card 1132
issued under section 3302.03 of the Revised Code or is a school 1133
described under division (B) (1) of section 3314.35 of the 1134
Revised Code and did not receive a rating for progress on the 1135
most recent report card. 1136

(2) If the community school serves only grades 1137
kindergarten through three, the school received a performance 1138

rating of four stars or higher for early literacy on its most 1139
recent report card issued under section 3302.03 of the Revised 1140
Code. 1141

(3) If the community school has not commenced operations 1142
or has been in operation for less than one school year, the 1143
school meets the following conditions: 1144

(a) The school is replicating an operational and 1145
instructional model used by a community school described in 1146
division (A) (1) or (2) of this section. 1147

(b) The school either: 1148

(i) Has an operator that received an overall rating of 1149
three stars or higher, or a "C" or higher, on its most recent 1150
performance report published under section 3314.031 of the 1151
Revised Code; 1152

(ii) Does not have an operator and is sponsored by a 1153
sponsor that was rated "exemplary" or "effective" on its most 1154
recent evaluation conducted under section 3314.016 of the 1155
Revised Code. 1156

(B) When a school district board of education decides to 1157
dispose of real property it owns in its corporate capacity under 1158
section 3313.41 of the Revised Code, the board shall first offer 1159
that property to the governing authorities of all start-up 1160
community schools, the boards of trustees of any college- 1161
preparatory boarding schools, and the governing bodies of any 1162
STEM schools that are located within the territory of the 1163
district. Not later than sixty days after the district board 1164
makes the offer, interested governing authorities, boards of 1165
trustees, and governing bodies shall notify the district 1166
treasurer in writing of the intention to purchase the property. 1167

The district board shall give priority to the governing 1168
authorities of high-performing community schools that are 1169
located within the territory of the district. 1170

(1) If more than one governing authority of a high- 1171
performing community school notifies the district treasurer of 1172
its intention to purchase the property pursuant to division (B) 1173
of this section, the board shall conduct a public auction in the 1174
manner required for auctions of district property under division 1175
(A) of section 3313.41 of the Revised Code. Only the governing 1176
authorities of high-performing community schools that notified 1177
the district treasurer pursuant to division (B) of this section 1178
are eligible to bid at the auction. 1179

(2) If no governing authority of a high-performing 1180
community school notifies the district treasurer of its 1181
intention to purchase the property pursuant to division (B) of 1182
this section, the board shall then proceed with the offers from 1183
all other start-up community schools, college-preparatory 1184
boarding schools, and STEM schools made pursuant to that 1185
division. If more than one such entity notifies the district 1186
treasurer of its intention to purchase the property pursuant to 1187
division (B) of this section, the board shall conduct a public 1188
auction in the manner required for auctions of district property 1189
under division (A) of section 3313.41 of the Revised Code. Only 1190
the entities that notified the district treasurer pursuant to 1191
division (B) of this section are eligible to bid at the auction. 1192

(3) If no governing authority, board of trustees, or 1193
governing body notifies the district treasurer of its intention 1194
to purchase the property pursuant to division (B) of this 1195
section, the district may then offer the property for sale in 1196
the manner prescribed under divisions (A) to (F) of section 1197

3313.41 of the Revised Code.	1198
(C) Notwithstanding anything to the contrary in sections 3313.41 and 3313.411 of the Revised Code, the purchase price of any real property sold to any of the entities in accordance with division (B) of this section shall not be more than the appraised fair market value of that property as determined in an appraisal of the property that is not more than one year old.	1199 1200 1201 1202 1203 1204
(D) Not later than the first day of October of each year, the department of education and workforce shall post in a prominent location on its web site a list of schools that qualify as high-performing community schools for purposes of this section and section 3313.411 of the Revised Code.	1205 1206 1207 1208 1209
<u>(E) No district shall offer the property for sale in the manner prescribed under divisions (A) to (F) of section 3313.41 of the Revised Code to a municipal corporation unless the conditions under this section are satisfied.</u>	1210 1211 1212 1213
Sec. 3313.536. (A) The superintendent of any school district may afford a student enrolled in another school district the opportunity to participate in ice hockey as an interscholastic athletic activity at a school of the superintendent's district if all of the following conditions apply:	1214 1215 1216 1217 1218 1219
(1) The school district in which the student is enrolled does not offer ice hockey as an interscholastic athletic activity.	1220 1221 1222
(2) The school district in which the student is enrolled is located less than twenty miles away from the superintendent's school district.	1223 1224 1225
(3) The superintendents of both school districts enter	1226

into an agreement approving the student's participation in ice 1227
hockey at the school district in which the student is not 1228
enrolled. 1229

(B) If a student enrolled in the district consents, a 1230
school district superintendent may afford that student the 1231
opportunity to participate in ice hockey as an interscholastic 1232
athletic activity at any school of the district where it is 1233
offered. 1234

(C) A student shall not be required to enroll in the 1235
school district that offers at which the student participates in 1236
ice hockey as an interscholastic athletic activity ~~or~~ under this 1237
section. A student shall not be required to be a resident of 1238
that a school district to participate in ice hockey at the 1239
district under division (A) of this section. 1240

~~(C)~~(D) To participate in ice hockey under this section, a 1241
student shall be of the appropriate age and grade level for the 1242
school at which the student participates in ice hockey, as 1243
determined by the superintendent of that school district, and 1244
shall fulfill and be subject to the same academic, nonacademic, 1245
and financial requirements as any other participant, including 1246
trying out for a position on the team. 1247

Sec. 3314.25. (A) As used in this section and section 1248
3314.252 of the Revised Code: 1249

(1) "Internet- or computer-based community school" has the 1250
same meaning as in section 3314.02 of the Revised Code. 1251

(2) "State assessment" means statewide achievement 1252
assessments prescribed under sections 3301.0710 and 3301.0712 of 1253
the Revised Code. 1254

(B) Any student enrolled in an internet- or computer-based 1255

community school shall be permitted to complete any of the state 1256
assessments remotely in an online format with a remote proctor 1257
if the following conditions are met: 1258

(1) The student takes the assessment using a device in 1259
which the student will be monitored by the assessment proctor 1260
through video and audio for the duration of the assessment 1261
administration. 1262

(2) The assessment proctor actively monitors each student 1263
completing a remote assessment and is available to respond to 1264
student questions and troubleshoot issues. 1265

(3) The school maintains a ratio of eleven to one, or 1266
less, for students taking an assessment to an assessment 1267
proctor. 1268

(4) Each teacher or school personnel assigned to proctor a 1269
remote assessment completes a remote proctoring certification 1270
course. 1271

(5) Each teacher, assessment proctor, or other school 1272
staff of each participating school understands the technical 1273
requirements and is familiar with the remote testing features 1274
prior to the remote administration of assessments. 1275

(6) For parents and students, the school does all of the 1276
following prior to administering assessments: 1277

(a) Ensures that all testing equipment functions 1278
correctly; 1279

(b) Provides training and support, including an 1280
opportunity to gain experience with remote testing features; 1281

(c) Communicates test security provisions and procedures. 1282

(C) An internet- or computer-based community school and a student's parent or guardian shall determine whether a student takes state assessments remotely under this section in accordance with section 3314.252 of the Revised Code. 1283
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(D) The department of education and workforce shall, by the fifteenth day of September of each year, publish on its publicly accessible web site a report that analyzes the results of assessments that were remotely administered and proctored under this section in the prior school year to identify whether there were any signs of cheating or any anomalous results. 1287
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Sec. 3314.252. (A) Each internet- or computer-based community school that administers state assessments using remote proctoring under section 3314.25 of the Revised Code shall provide parents with information regarding available testing and proctoring options for enrolled students. 1293
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(B) Not later than two weeks after a student's initial enrollment, the school shall conduct a meeting or consultation with the student's parent or guardian, which may occur in person, by telephone, or through electronic communication, including electronic mail or other digital means, to discuss the available testing administration and proctoring options for the student. 1298
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During the meeting or consultation, the school shall inform the student's parent or guardian of the school's preferred method of administration and proctoring of state assessments and any available alternative options. A parent or guardian may elect an alternative state assessment administration and proctoring option, and the school shall accommodate such election to the extent practicable, taking into consideration the student's educational needs and the 1305
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feasibility of available testing options. 1313

If a student's parent or guardian does not respond to the 1314
school's reasonable attempts to conduct the meeting or 1315
consultation within two weeks of the student's initial 1316
enrollment, the school may proceed with the school's preferred 1317
method of administration and proctoring of state assessments. 1318

Notwithstanding anything in this division to the contrary, 1319
if the student has an individualized education program developed 1320
under Chapter 3323. of the Revised Code that includes in-person 1321
administration and proctoring of state assessments, the school 1322
shall provide in-person testing for the student. 1323

(C) If in-person administration and proctoring is 1324
determined to be the appropriate option for the student, the 1325
school shall provide the student with access to a testing 1326
location within a fifty-mile radius of the student's residence 1327
at which the student may complete state assessments. 1328

(D) The school shall review the determination made under 1329
division (B) of this section annually with the student's parent 1330
or guardian and may revise the testing administration method if 1331
the school and parent agree that a different proctoring method 1332
better serves the student's needs. The school shall not revise a 1333
student's testing administration method without the approval of 1334
the student's parent. 1335

(E) Nothing in this section shall be construed to permit a 1336
school to use a method of administration and proctoring of state 1337
assessments for a student that conflicts with the services 1338
included in the student's individualized education program 1339
developed under Chapter 3323. of the Revised Code. 1340

Sec. 3318.08. Except in the case of a joint vocational 1341

school district that receives assistance under sections 3318.40 1342
to 3318.45 of the Revised Code, if the requisite favorable vote 1343
on the election is obtained, or if the school district board has 1344
resolved to apply the proceeds of a property tax levy or the 1345
proceeds of an income tax, or a combination of proceeds from 1346
such taxes, as authorized in section 3318.052 of the Revised 1347
Code, the Ohio facilities construction commission, upon 1348
certification to it of either the results of the election or the 1349
resolution under section 3318.052 of the Revised Code, shall 1350
enter into a written agreement with the school district board 1351
for the construction and sale of the project. In the case of a 1352
joint vocational school district that receives assistance under 1353
sections 3318.40 to 3318.45 of the Revised Code, if the school 1354
district board of education and the school district electors 1355
have satisfied the conditions prescribed in division (D) (1) of 1356
section 3318.41 of the Revised Code, the commission shall enter 1357
into an agreement with the school district board for the 1358
construction and sale of the project. In either case, the 1359
agreement shall include, but need not be limited to, the 1360
following provisions: 1361

(A) The sale and issuance of bonds or notes in 1362
anticipation thereof, as soon as practicable after the execution 1363
of the agreement, in an amount equal to the school district's 1364
portion of the basic project cost, including any securities 1365
authorized under division (J) of section 133.06 of the Revised 1366
Code and dedicated by the school district board to payment of 1367
the district's portion of the basic project cost of the project; 1368
provided, that if at that time the county treasurer of each 1369
county in which the school district is located has not commenced 1370
the collection of taxes on the general duplicate of real and 1371
public utility property for the year in which the controlling 1372

board approved the project, the school district board shall 1373
authorize the issuance of a first installment of bond 1374
anticipation notes in an amount specified by the agreement, 1375
which amount shall not exceed an amount necessary to raise the 1376
net bonded indebtedness of the school district as of the date of 1377
the controlling board's approval to within five thousand dollars 1378
of the required level of indebtedness for the preceding year. In 1379
the event that a first installment of bond anticipation notes is 1380
issued, the school district board shall, as soon as practicable 1381
after the county treasurer of each county in which the school 1382
district is located has commenced the collection of taxes on the 1383
general duplicate of real and public utility property for the 1384
year in which the controlling board approved the project, 1385
authorize the issuance of a second and final installment of bond 1386
anticipation notes or a first and final issue of bonds. 1387

The combined value of the first and second installment of 1388
bond anticipation notes or the value of the first and final 1389
issue of bonds shall be equal to the school district's portion 1390
of the basic project cost. The proceeds of any such bonds shall 1391
be used first to retire any bond anticipation notes. Otherwise, 1392
the proceeds of such bonds and of any bond anticipation notes, 1393
except the premium and accrued interest thereon, shall be 1394
deposited in the school district's project construction fund. In 1395
determining the amount of net bonded indebtedness for the 1396
purpose of fixing the amount of an issue of either bonds or bond 1397
anticipation notes, gross indebtedness shall be reduced by 1398
moneys in the bond retirement fund only to the extent of the 1399
moneys therein on the first day of the year preceding the year 1400
in which the controlling board approved the project. Should 1401
there be a decrease in the tax valuation of the school district 1402
so that the amount of indebtedness that can be incurred on the 1403

tax duplicates for the year in which the controlling board 1404
approved the project is less than the amount of the first 1405
installment of bond anticipation notes, there shall be paid from 1406
the school district's project construction fund to the school 1407
district's bond retirement fund to be applied against such notes 1408
an amount sufficient to cause the net bonded indebtedness of the 1409
school district, as of the first day of the year following the 1410
year in which the controlling board approved the project, to be 1411
within five thousand dollars of the required level of 1412
indebtedness for the year in which the controlling board 1413
approved the project. The maximum amount of indebtedness to be 1414
incurred by any school district board as its share of the cost 1415
of the project is either an amount that will cause its net 1416
bonded indebtedness, as of the first day of the year following 1417
the year in which the controlling board approved the project, to 1418
be within five thousand dollars of the required level of 1419
indebtedness, or an amount equal to the required percentage of 1420
the basic project costs, whichever is greater. All bonds and 1421
bond anticipation notes shall be issued in accordance with 1422
Chapter 133. of the Revised Code, and notes may be renewed as 1423
provided in section 133.22 of the Revised Code. 1424

(B) The transfer of such funds of the school district 1425
board available for the project, together with the proceeds of 1426
the sale of the bonds or notes, except premium, accrued 1427
interest, and interest included in the amount of the issue, to 1428
the school district's project construction fund; 1429

(C) For all school districts except joint vocational 1430
school districts that receive assistance under sections 3318.40 1431
to 3318.45 of the Revised Code, the following provisions as 1432
applicable: 1433

(1) If section 3318.052 of the Revised Code applies, the 1434
earmarking of the proceeds of a tax levied under section 5705.21 1435
of the Revised Code for general permanent improvements or under 1436
section 5705.218 of the Revised Code for the purpose of 1437
permanent improvements, or the proceeds of a school district 1438
income tax levied under Chapter 5748. of the Revised Code, or 1439
the proceeds from a combination of those two taxes, in an amount 1440
to pay all or part of the service charges on bonds issued to pay 1441
the school district portion of the project and an amount 1442
equivalent to all or part of the tax required under division (B) 1443
of section 3318.05 of the Revised Code; 1444

(2) If section 3318.052 of the Revised Code does not 1445
apply, one of the following: 1446

(a) The levy of the tax authorized at the election for the 1447
payment of maintenance costs, as specified in division (B) of 1448
section 3318.05 of the Revised Code; 1449

(b) If the school district electors have approved a 1450
continuing tax for general permanent improvements under section 1451
5705.21 of the Revised Code and that tax can be used for 1452
maintenance, the earmarking of an amount of the proceeds from 1453
such tax for maintenance of classroom facilities as specified in 1454
division (B) of section 3318.05 of the Revised Code; 1455

(c) If, in lieu of the tax otherwise required under 1456
division (B) of section 3318.05 of the Revised Code, the 1457
commission has approved the transfer of money to the maintenance 1458
fund in accordance with section 3318.051 of the Revised Code, a 1459
requirement that the district board comply with the provisions 1460
of that section. The district board may rescind the provision 1461
prescribed under division (C) (2) (c) of this section only so long 1462
as the electors of the district have approved, in accordance 1463

with section 3318.063 of the Revised Code, the levy of a tax for 1464
the maintenance of the classroom facilities acquired under the 1465
district's project and that levy continues to be collected as 1466
approved by the electors. 1467

(D) For joint vocational school districts that receive 1468
assistance under sections 3318.40 to 3318.45 of the Revised 1469
Code, provision for deposit of school district moneys dedicated 1470
to maintenance of the classroom facilities acquired under those 1471
sections as prescribed in section 3318.43 of the Revised Code; 1472

(E) Dedication of any local donated contribution as 1473
provided for under section 3318.084 of the Revised Code, 1474
including a schedule for depositing such moneys applied as an 1475
offset of the district's obligation to levy the tax described in 1476
division (B) of section 3318.05 of the Revised Code as required 1477
under division (D) (2) of section 3318.084 of the Revised Code; 1478

(F) Ownership of or interest in the project during the 1479
period of construction, which shall be divided between the 1480
commission and the school district board in proportion to their 1481
respective contributions to the school district's project 1482
construction fund; 1483

(G) Maintenance of the state's interest in the project 1484
until any obligations issued for the project under section 1485
3318.26 of the Revised Code are no longer outstanding; 1486

(H) The insurance of the project by the school district 1487
from the time there is an insurable interest therein and so long 1488
as the state retains any ownership or interest in the project 1489
pursuant to division (F) of this section, in such amounts and 1490
against such risks as the commission shall require; provided, 1491
that the cost of any required insurance until the project is 1492

completed shall be a part of the basic project cost;	1493
(I) The certification by the director of budget and management that funds are available and have been set aside to meet the state's share of the basic project cost as approved by the controlling board pursuant to either section 3318.04 or division (B) (1) of section 3318.41 of the Revised Code;	1494 1495 1496 1497 1498
(J) Authorization of the school district board to advertise for and receive construction bids for the project, for and on behalf of the commission, and to award contracts in the name of the state subject to approval by the commission;	1499 1500 1501 1502
(K) Provisions for the disbursement of moneys from the school district's project account upon issuance by the commission or the commission's designated representative of vouchers for work done to be certified to the commission by the treasurer of the school district board;	1503 1504 1505 1506 1507
(L) Disposal of any balance left in the school district's project construction fund upon completion of the project;	1508 1509
(M) Limitations upon use of the project or any part of it so long as any obligations issued to finance the project under section 3318.26 of the Revised Code are outstanding;	1510 1511 1512
(N) Provision for vesting the state's interest in the project to the school district board when the obligations issued to finance the project under section 3318.26 of the Revised Code are outstanding;	1513 1514 1515 1516
(O) Provision for deposit of an executed copy of the agreement in the office of the commission;	1517 1518
(P) Provision for termination of the contract and release of the funds encumbered at the time of the conditional approval,	1519 1520

if the proceeds of the sale of the bonds of the school district 1521
board are not paid into the school district's project 1522
construction fund and if bids for the construction of the 1523
project have not been taken within such period after the 1524
execution of the agreement as may be fixed by the commission; 1525

(Q) A provision that requires the school district to 1526
adhere to a facilities maintenance plan approved by the 1527
commission; 1528

(R) Provision that all state funds reserved and encumbered 1529
to pay the state share of the cost of the project and the funds 1530
provided by the school district to pay for its share of the 1531
project cost, including the respective shares of the cost of a 1532
segment if the project is divided into segments, be spent on the 1533
construction and acquisition of the project or segment 1534
simultaneously in proportion to the state's and the school 1535
district's respective shares of that basic project cost as 1536
determined under section 3318.032 of the Revised Code or, if the 1537
district is a joint vocational school district, under section 1538
3318.42 of the Revised Code. However, if the school district 1539
certifies to the commission that expenditure by the school 1540
district is necessary to maintain the federal tax status or tax- 1541
exempt status of notes or bonds issued by the school district to 1542
pay for its share of the project cost or to comply with 1543
applicable temporary investment periods or spending exceptions 1544
to rebate as provided for under federal law in regard to those 1545
notes or bonds, the school district may commit to spend, or 1546
spend, a greater portion of the funds it provides during any 1547
specific period than would otherwise be required under this 1548
division. 1549

(S) A provision stipulating that the commission may 1550

prohibit the district from proceeding with any project if the 1551
commission determines that the site is not suitable for 1552
construction purposes. The commission may perform soil tests in 1553
its determination of whether a site is appropriate for 1554
construction purposes. 1555

(T) A provision stipulating that, unless otherwise 1556
authorized by the commission, any contingency reserve portion of 1557
the construction budget prescribed by the commission shall be 1558
used only to pay costs resulting from unforeseen job conditions, 1559
to comply with rulings regarding building and other codes, to 1560
pay costs related to design clarifications or corrections to 1561
contract documents, and to pay the costs of settlements or 1562
judgments related to the project as provided under section 1563
3318.086 of the Revised Code; 1564

(U) A provision stipulating that for continued release of 1565
project funds the school district board shall comply with 1566
sections 3313.41, 3313.411, and 3313.413 of the Revised Code 1567
throughout the project and shall notify the department of 1568
education and workforce and the Ohio community school 1569
association when the board plans to dispose of facilities by 1570
sale under that section; 1571

(V) A provision stipulating that the commission shall not 1572
approve a contract for demolition of a facility until the school 1573
district board has complied with sections 3313.41, ~~3313.411~~, and 1574
3313.413 of the Revised Code relative to that facility, unless 1575
demolition of that facility is to clear a site for construction 1576
of a replacement facility included in the district's project; 1577

(W) A provision stipulating that the commission shall not 1578
approve a contract for demolition of a facility until the school 1579
district board has complied with section 3313.411 of the Revised 1580

Code relative to that facility. 1581

Sec. 3319.2210. (A) The state board of education shall 1582
issue a one-year nonrenewable out-of-state educator license, 1583
valid for teaching the grade levels and curriculum areas named 1584
in such license, upon the request of an employing school 1585
district to a qualified applicant who meets all of the following 1586
requirements: 1587

(1) Is deemed to be of good moral character; 1588

(2) Is an out-of-state applicant and the holder of a valid 1589
out-of-state teaching license who has completed a baccalaureate 1590
degree, an approved teacher preparation program, and the 1591
examination prescribed by the state in which the licensure is 1592
held, but who has not yet successfully completed the examination 1593
prescribed by the state board for Ohio licensure; 1594

(3) Except as provided in division (B) of this section, 1595
has completed at least six of the required twelve semester hours 1596
of coursework in the teaching of reading as described in section 1597
3319.24 of the Revised Code for educators requesting an early 1598
childhood, primary, middle childhood, pre-kindergarten through 1599
eight, intervention specialist, early childhood intervention 1600
specialist, or primary intervention specialist license. The 1601
remaining coursework requirement shall be listed as a limitation 1602
on the license and must be completed before the out-of-state 1603
license expires. 1604

~~(B)~~(B) (1) An applicant for a one-year nonrenewable out-of- 1605
state educator license who successfully completes Ohio's 1606
foundations of reading exam on the applicant's first attempt 1607
shall not be required to have completed at least six of the 1608
required twelve semester hours of coursework in the teaching of 1609

reading as described in section 3319.24 of the Revised Code 1610
prior to receipt of the license. 1611

(2) An applicant for a one-year nonrenewable out-of-state 1612
educator license shall not be required to complete any 1613
coursework in the teaching of reading as described in section 1614
3319.24 of the Revised Code if the applicant successfully 1615
completed Ohio's foundations of reading exam on the applicant's 1616
first attempt prior to receipt of that license. 1617

Sec. 3319.24. This section does not apply to any applicant 1618
for an educator license that is designed for persons 1619
specializing in teaching children in kindergarten through 1620
twelfth grade, or the equivalent, in the area of dance, drama, 1621
theater, music, visual arts, or physical education or a 1622
specialty area substantially equivalent to any of these when 1623
such applicant will be teaching children in the specialty area 1624
specified in the license. 1625

(A) As used in this section: 1626

(1) "Coursework in the teaching of reading" means 1627
coursework that includes training in a range of instructional 1628
strategies for teaching reading, in the assessment of reading 1629
skills, and in the diagnosis and remediation of reading 1630
difficulties; 1631

(2) "Phonics" means the techniques and strategies used to 1632
teach children to match, blend, and translate letters of the 1633
alphabet into the sounds they represent, which techniques and 1634
strategies are systematically integrated and thoroughly 1635
practiced in a developmentally appropriate instructional program 1636
to assist the child in learning to read, write, and spell; 1637

(3) "Course in the teaching of phonics" means a course 1638

providing the background necessary for effectively teaching and	1639
assessing phonics, phonemic awareness, and word recognition,	1640
including, but not limited to, the following topics:	1641
(a) Phonological and morphological underpinnings of	1642
English spellings and the history thereof;	1643
(b) The nature and role of word recognition in proficient	1644
reading;	1645
(c) Methods and rationale for the instruction of phonemic	1646
awareness, decoding, spelling, and the application thereof in	1647
reading and writing;	1648
(d) Methods and rationale for the assessment of phonemic	1649
awareness, decoding, spelling, and the application thereof in	1650
reading and writing;	1651
(e) The relation of deficits in phonemic awareness,	1652
decoding, spelling, and word recognition to reading	1653
disabilities;	1654
(4) "Phonemic awareness" means the awareness of sounds	1655
that make up spoken words and the ability to use this awareness	1656
of sounds in reading.	1657
(B) <u>The Except as provided in division (C) of this</u>	1658
<u>section, the rules adopted under section 3319.22 of the Revised</u>	1659
Code shall require an applicant for a resident educator license	1660
designated for teaching children in grades kindergarten through	1661
six or the equivalent to have successfully completed at least	1662
six semester hours, or the equivalent, of coursework in the	1663
teaching of reading that includes at least one separate course	1664
of at least three semester hours, or the equivalent, in the	1665
teaching of phonics in the context of reading, writing, and	1666
spelling. In addition, such rules shall require that the	1667

subsequent issuance of a professional educator license be 1668
contingent upon the applicant having completed six additional 1669
semester hours or the equivalent of coursework in the teaching 1670
of reading. The rules shall permit an applicant to apply 1671
undergraduate coursework in order to meet this requirement for 1672
additional coursework. 1673

(C) An applicant for a resident or professional educator 1674
license who holds a one-year nonrenewable out-of-state educator 1675
license issued under section 3319.2210 of the Revised Code shall 1676
not be required to complete the coursework in the teaching of 1677
reading otherwise required under this section to receive a 1678
resident educator license or professional educator license if 1679
the applicant successfully completed Ohio's foundations of 1680
reading exam on the applicant's first attempt prior to receipt 1681
of the out-of-state educator license. 1682

Sec. 3319.31. (A) As used in this section and sections 1683
3123.41 to 3123.50 and 3319.311 of the Revised Code, "license" 1684
means a certificate, license, or permit described in this 1685
chapter or in division (B) of section 3301.071 or in section 1686
3301.074 of the Revised Code or a registration described in 1687
division (B) of section 3302.151, section 3310.411, or section 1688
3319.221 of the Revised Code. 1689

(B) For any of the following reasons, the state board of 1690
education, except as provided in division (H) of this section 1691
and in accordance with Chapter 119. and section 3319.311 of the 1692
Revised Code, may refuse to issue a license to an applicant; may 1693
limit a license it issues to an applicant; may suspend, revoke, 1694
or limit a license that has been issued to any person; or may 1695
revoke a license that has been issued to any person and has 1696
expired: 1697

(1) Engaging in an immoral act, incompetence, negligence,	1698
or conduct that is unbecoming to the applicant's or person's	1699
position;	1700
(2) A plea of guilty to, a finding of guilt by a jury or	1701
court of, or a conviction of any of the following:	1702
(a) A felony other than a felony listed in division (C) of	1703
this section;	1704
(b) An offense of violence other than an offense of	1705
violence listed in division (C) of this section;	1706
(c) A theft offense, as defined in section 2913.01 of the	1707
Revised Code, other than a theft offense listed in division (C)	1708
of this section;	1709
(d) A drug abuse offense, as defined in section 2925.01 of	1710
the Revised Code, that is not a minor misdemeanor, other than a	1711
drug abuse offense listed in division (C) of this section;	1712
(e) A violation of an ordinance of a municipal corporation	1713
that is substantively comparable to an offense listed in	1714
divisions (B) (2) (a) to (d) of this section.	1715
(3) A judicial finding of eligibility for intervention in	1716
lieu of conviction under section 2951.041 of the Revised Code,	1717
or agreeing to participate in a pre-trial diversion program	1718
under section 2935.36 of the Revised Code, or a similar	1719
diversion program under rules of a court, for any offense listed	1720
in division (B) (2) or (C) of this section;	1721
(4) Failure to comply with section 3314.40, 3319.313,	1722
3326.24, 3328.19, 5126.253, or 5502.262 of the Revised Code;	1723
(5) Purposely using or intentionally releasing information	1724
that is confidential under state or federal law concerning a	1725

student or student's family members for purposes other than 1726
student instruction in violation of the licensure code of 1727
professional conduct for Ohio educators developed by the state 1728
board of education; 1729

(6) Violating section 3319.3110 of the Revised Code, 1730
unless such violation is at the direction of the 1731
superintendent's employing board of education or a majority of 1732
its members. 1733

(C) Upon learning of a plea of guilty to, a finding of 1734
guilt by a jury or court of, or a conviction of any of the 1735
offenses listed in this division by a person who holds a current 1736
or expired license or is an applicant for renewal of a license, 1737
the state board or the superintendent of public instruction, if 1738
the state board has delegated the duty pursuant to division (D) 1739
of this section, shall by a written order revoke the person's 1740
license or deny renewal of the license to the person. The state 1741
board or the superintendent shall revoke a license that has been 1742
issued to a person to whom this division applies and has expired 1743
in the same manner as a license that has not expired. 1744

Revocation of a license or denial of renewal of a license 1745
under this division is effective immediately at the time and 1746
date that the board or superintendent issues the written order 1747
and is not subject to appeal in accordance with Chapter 119. of 1748
the Revised Code. Revocation of a license or denial of renewal 1749
of license under this division remains in force during the 1750
pendency of an appeal by the person of the plea of guilty, 1751
finding of guilt, or conviction that is the basis of the action 1752
taken under this division. 1753

The state board or superintendent shall take the action 1754
required by this division for a violation of division (B) (1), 1755

(2), (3), or (4) of section 2919.22 of the Revised Code; a 1756
violation of section 2903.01, 2903.02, 2903.03, 2903.04, 1757
2903.041, 2903.11, 2903.12, 2903.15, 2905.01, 2905.02, 2905.05, 1758
2905.11, 2905.32, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 1759
2907.07, 2907.21, 2907.22, 2907.23, 2907.24, 2907.241, 2907.25, 1760
2907.31, 2907.311, 2907.32, 2907.321, 2907.322, 2907.323, 1761
2907.33, 2907.34, 2909.02, 2909.22, 2909.23, 2909.24, 2911.01, 1762
2911.02, 2911.11, 2911.12, 2913.44, 2917.01, 2917.02, 2917.03, 1763
2917.31, 2917.33, 2919.12, 2919.121, 2919.13, 2921.02, 2921.03, 1764
2921.04, 2921.05, 2921.11, 2921.34, 2921.41, 2923.122, 2923.123, 1765
2923.161, 2923.17, 2923.21, 2925.02, 2925.03, 2925.04, 2925.041, 1766
2925.05, 2925.06, 2925.13, 2925.22, 2925.23, 2925.24, 2925.32, 1767
2925.36, 2925.37, 2927.24, or 3716.11 of the Revised Code; a 1768
violation of section 2907.231 of the Revised Code unless the 1769
offender was coerced into committing a violation of that 1770
section; a violation of section 2905.04 of the Revised Code as 1771
it existed prior to July 1, 1996; a violation of section 2919.23 1772
of the Revised Code that would have been a violation of section 1773
2905.04 of the Revised Code as it existed prior to July 1, 1996, 1774
had the violation been committed prior to that date; felonious 1775
sexual penetration in violation of former section 2907.12 of the 1776
Revised Code; or a violation of an ordinance of a municipal 1777
corporation that is substantively comparable to an offense 1778
listed in this paragraph. 1779

(D) The state board may delegate to the superintendent of 1780
public instruction the authority to revoke a person's license or 1781
to deny renewal of a license to a person under division (C) or 1782
(F) of this section. 1783

(E) (1) If the plea of guilty, finding of guilt, or 1784
conviction that is the basis of the action taken under division 1785
(B) (2) or (C) of this section, or under the version of division 1786

(F) of section 3319.311 of the Revised Code in effect prior to 1787
September 12, 2008, is overturned on appeal, upon exhaustion of 1788
the criminal appeal, the clerk of the court that overturned the 1789
plea, finding, or conviction or, if applicable, the clerk of the 1790
court that accepted an appeal from the court that overturned the 1791
plea, finding, or conviction, shall notify the state board that 1792
the plea, finding, or conviction has been overturned. Within 1793
thirty days after receiving the notification, the state board 1794
shall initiate proceedings to reconsider the revocation or 1795
denial of the person's license in accordance with division (E) 1796
(2) of this section. In addition, the person whose license was 1797
revoked or denied may file with the state board a petition for 1798
reconsideration of the revocation or denial along with 1799
appropriate court documents. 1800

(2) Upon receipt of a court notification or a petition and 1801
supporting court documents under division (E)(1) of this 1802
section, the state board, after offering the person an 1803
opportunity for an adjudication hearing under Chapter 119. of 1804
the Revised Code, shall determine whether the person committed 1805
the act in question in the prior criminal action against the 1806
person that is the basis of the revocation or denial and may 1807
continue the revocation or denial, may reinstate the person's 1808
license, with or without limits, or may grant the person a new 1809
license, with or without limits. The decision of the board shall 1810
be based on grounds for revoking, denying, suspending, or 1811
limiting a license adopted by rule under division (G) of this 1812
section and in accordance with the evidentiary standards the 1813
board employs for all other licensure hearings. The decision of 1814
the board under this division is subject to appeal under Chapter 1815
119. of the Revised Code. 1816

(3) A person whose license is revoked or denied under 1817

division (C) of this section shall not apply for any license if 1818
the plea of guilty, finding of guilt, or conviction that is the 1819
basis of the revocation or denial, upon completion of the 1820
criminal appeal, either is upheld or is overturned but the state 1821
board continues the revocation or denial under division (E) (2) 1822
of this section and that continuation is upheld on final appeal. 1823

(F) The state board may take action under division (B) of 1824
this section, and the state board or the superintendent shall 1825
take the action required under division (C) of this section, on 1826
the basis of substantially comparable conduct occurring in a 1827
jurisdiction outside this state or occurring before a person 1828
applies for or receives any license. 1829

(G) The state board may adopt rules in accordance with 1830
Chapter 119. of the Revised Code to carry out this section and 1831
section 3319.311 of the Revised Code. 1832

(H) The state board shall not refuse to issue a license to 1833
an applicant because of a conviction of, a plea of guilty to, or 1834
a finding of guilt by a jury or court of an offense unless the 1835
refusal is in accordance with section 9.79 of the Revised Code. 1836

Sec. 3319.316. As used in this section, "participating 1837
public office" and "participating private party" have the same 1838
meanings as in section 109.5721 of the Revised Code. 1839

(A) The state board of education shall be a participating 1840
public office for purposes of the retained applicant fingerprint 1841
database established under section 109.5721 of the Revised Code 1842
and shall receive notification from the bureau of criminal 1843
identification and investigation of the arrest or conviction of 1844
the following persons: 1845

~~(A)~~ (1) Persons to whom the state board has issued a 1846

license, as defined in section 3319.31 of the Revised Code; 1847

~~(E)~~(2) On behalf of employers described in section 1848
3319.391 or 3327.10 of the Revised Code, persons who are not 1849
required to hold a license issued by the state board and are 1850
employed in or contracted for a position that the district, 1851
service center, or school reasonably determines may involve 1852
routine interaction with a child or regular responsibility for 1853
the care, custody, or control of a child, including persons who 1854
operate a school bus or motor van. Notwithstanding anything to 1855
the contrary in division (E) of section 109.5721 of the Revised 1856
Code, the state board is authorized to and promptly shall 1857
transmit any notification received regarding a person under this 1858
division to the person's employer. 1859

(B) An employing school district, educational service 1860
center, community school, chartered nonpublic school, or 1861
employer may identify a designee serving on its behalf, either 1862
as a contractor or agent, to receive notifications for arrests 1863
or convictions under this section. Any such designation shall be 1864
made in writing to the state board. 1865

(C) An employer or designee receiving notifications under 1866
this section shall comply with the applicable requirements of a 1867
participating private party or participating public office. 1868

Sec. 3319.3110. No superintendent shall knowingly violate 1869
any provision of Title XXXIII of the Revised Code or any other 1870
provision of the Revised Code related to school districts, 1871
schools operated by school districts, or students who receive 1872
services from school districts. 1873

Sec. 3319.391. This section applies to any person hired by 1874
a school district, educational service center, or chartered 1875

nonpublic school and any contractor or person hired by a 1876
contractor engaged in providing services that may involve 1877
routine interaction with a child or regular responsibility for 1878
the care, custody, or control of a child to a school district, 1879
educational service center, or chartered nonpublic school in any 1880
position that does not require a "license" issued by the state 1881
board of education, as defined in section 3319.31 of the Revised 1882
Code, or a registration issued by the state board of education 1883
under Chapter 3319. of the Revised Code, and is not for the 1884
operation of a vehicle for pupil transportation. This section 1885
does not apply to any person who volunteers at a school building 1886
within a district, educational service center, or chartered 1887
nonpublic school, including a parent volunteer in a student's 1888
classroom. 1889

(A) (1) For each person to whom this section applies who is 1890
hired on or after November 14, 2007, the employer shall request 1891
a criminal records check in accordance with section 3319.39 of 1892
the Revised Code and shall request a subsequent criminal records 1893
check by the fifth day of September every fifth year thereafter. 1894

(2) For each person to whom this section applies who is 1895
hired prior to November 14, 2007, the employer shall request a 1896
criminal records check by a date prescribed by the state board 1897
and shall request a subsequent criminal records check by the 1898
fifth day of September every fifth year thereafter. 1899

(3) If, on October 3, 2023, the most recent criminal 1900
records check requested for a person under division (A) (1) or 1901
(2) of this section was completed more than one year prior to 1902
that date or does not include information gathered pursuant to 1903
division (A) of section 109.57 of the Revised Code, the employer 1904
shall request a new criminal records check that includes 1905

information gathered pursuant to division (A) of section 109.57 1906
of the Revised Code by a date prescribed by the state board and 1907
shall request a subsequent criminal records check by the fifth 1908
day of September every fifth year thereafter. 1909

(B) (1) Each request for a criminal records check under 1910
this section shall be made to the superintendent of the bureau 1911
of criminal identification and investigation in the manner 1912
prescribed in section 3319.39 of the Revised Code, except that 1913
if both of the following conditions apply to the person subject 1914
to the records check, the employer shall request the 1915
superintendent only to obtain any criminal records that the 1916
federal bureau of investigation has on the person: 1917

(a) The employer previously requested the superintendent 1918
to determine whether the bureau of criminal identification and 1919
investigation has any information, gathered pursuant to division 1920
(A) of section 109.57 of the Revised Code, on the person in 1921
conjunction with a criminal records check requested under 1922
section 3319.39 of the Revised Code or under this section. 1923

(b) The person presents proof that the person has been a 1924
resident of this state for the five-year period immediately 1925
prior to the date upon which the person becomes subject to a 1926
criminal records check under this section. 1927

(2) Upon receipt of a request under division (B) (1) of 1928
this section, the superintendent of the bureau of criminal 1929
identification and investigation shall conduct the criminal 1930
records check in accordance with section 109.572 of the Revised 1931
Code as if the request had been made under section 3319.39 of 1932
the Revised Code. However, as specified in division (B) (2) of 1933
section 109.572 of the Revised Code, if the employer requests 1934
the superintendent only to obtain any criminal records that the 1935

federal bureau of investigation has on the person for whom the request is made, the superintendent shall not conduct the review prescribed by division (B) (1) of that section.

(C) Notwithstanding division (D) of section 3319.39 of the Revised Code, the bureau of criminal identification and investigation shall make the initial criminal records check of a person requested by an employer under division (A) of this section on or after October 3, 2023, available to the state board. The state board shall use the information received to enroll the person in the retained applicant fingerprint database, established under section 109.5721 of the Revised Code, in the same manner as any teacher licensed under sections 3319.22 to 3319.31 of the Revised Code. If the state board is unable to enroll the person in the retained applicant fingerprint database because the person has not satisfied the requirements for enrollment, the state board shall notify the employer that the person has not satisfied the requirements for enrollment. However, the bureau shall not be required to make available to the state board the criminal records check of any person who is already enrolled in the retained applicant fingerprint database on the date the person's employer requests a records check of the person under division (A) of this section.

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

(D) Any person who is the subject of a criminal records

check under this section and has been convicted of or pleaded 1966
guilty to any offense described in division (B) (1) of section 1967
3319.39 of the Revised Code shall not be hired or shall be 1968
released from employment, as applicable, unless the person meets 1969
the rehabilitation standards adopted by the state board under 1970
division (E) of that section. 1971

Sec. 3321.16. (A) An attendance officer or assistant 1972
provided for by section 3321.14 or 3321.15 of the Revised Code 1973
may investigate any case of nonattendance at school or part-time 1974
school of a child under eighteen years of age or supposed to be 1975
under eighteen years of age resident in the district for which 1976
such attendance officer or assistant is employed, or of any such 1977
child found in the district or enrolled in any school within the 1978
district and of any child above eighteen years of age if 1979
enrolled in any school within the district, and may take such 1980
action as the superintendent of schools directs or as such 1981
attendance officer or assistant deems proper in the absence of 1982
specific direction. 1983

~~(B) (1) Subject to divisions (B) (2) and (3) of this~~ 1984
~~section, the~~ (B) The attendance officer shall file a complaint in 1985
the juvenile court against any student to which ~~any~~ both of the 1986
following apply: 1987

(1) The student meets one of the following conditions in a 1988
school year: 1989

(a) The student was absent without legitimate excuse from 1990
the public school the child is supposed to attend for thirty or 1991
more consecutive hours. 1992

(b) The student was absent without legitimate excuse from 1993
the public school the child is supposed to attend for forty-two 1994

or more hours in one school month.	1995
(c) The student was absent without legitimate excuse from the public school the child is supposed to attend for seventy-two or more hours in a school year.	1996 1997 1998
(2) If the student's district or school determines that the student and the student's family are making satisfactory progress in improving the student's attendance at school, the attendance officer shall not file a complaint.	1999 2000 2001 2002
(3) If no determination of progress under division (B) (2) of this section is made, or if the student and the student's family cease to continue making progress in improving the student's attendance, the attendance officer shall file a complaint in the juvenile court against the student. After meeting a condition under division (B) (1) of this section, the student is subsequently absent without legitimate excuse from the public school the child is supposed to attend in the same school year.	2003 2004 2005 2006 2007 2008 2009 2010 2011
A complaint filed in the juvenile court under division (B) <u>(3)(B)</u> of this section shall allege that the child is an unruly child for being a habitual truant and that the parent, guardian, or other person having care of the child has violated section 3321.38 of the Revised Code.	2012 2013 2014 2015 2016
Sec. 3327.10. (A) Except as provided in division (L) of this section, no person shall be employed as driver of a school bus or motor van, owned and operated by any school district or educational service center or privately owned and operated under contract with any school district or service center in this state, who has not received a certificate from either the educational service center governing board that has entered into	2017 2018 2019 2020 2021 2022 2023

an agreement with the school district under section 3313.843 or 2024
3313.845 of the Revised Code or the superintendent of the school 2025
district, certifying that such person is at least eighteen years 2026
of age and is qualified physically and otherwise for such 2027
position. The service center governing board or the 2028
superintendent, as the case may be, shall provide for an annual 2029
physical examination that conforms with rules adopted by the 2030
department of education and workforce of each driver to 2031
ascertain the driver's physical fitness for such employment. The 2032
examination shall be performed by one of the following: 2033

(1) A person licensed under Chapter 4731. or 4734. of the 2034
Revised Code or by another state to practice medicine and 2035
surgery, osteopathic medicine and surgery, or chiropractic; 2036

(2) A physician assistant; 2037

(3) A certified nurse practitioner; 2038

(4) A clinical nurse specialist; 2039

(5) A certified nurse-midwife; 2040

(6) A medical examiner who is listed on the national 2041
registry of certified medical examiners established by the 2042
federal motor carrier safety administration in accordance with 2043
49 C.F.R. part 390. 2044

Any certificate may be revoked by the authority granting 2045
the same on proof that the holder has been guilty of failing to 2046
comply with division (D) (1) of this section, or upon a 2047
conviction or a guilty plea for a violation, or any other 2048
action, that results in a loss or suspension of driving rights. 2049
Failure to comply with such division may be cause for 2050
disciplinary action or termination of employment under division 2051
(C) of section 3319.081, or section 124.34 of the Revised Code. 2052

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

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

(2) A physician assistant;

(3) A certified nurse practitioner;

(4) A clinical nurse specialist;

(5) A certified nurse-midwife;

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

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

Any certificate may be revoked by the authority granting the same on proof that the holder has been guilty of failing to comply with division (D)(2) of this section.

(C) Any person who drives a school bus or motor van must 2081
give satisfactory and sufficient bond except a driver who is an 2082
employee of a school district and who drives a bus or motor van 2083
owned by the school district. 2084

(D) No person employed as driver of a school bus or motor 2085
van under this section who is convicted of a traffic violation 2086
or who has had the person's commercial driver's license 2087
suspended shall drive a school bus or motor van until the person 2088
has filed a written notice of the conviction or suspension, as 2089
follows: 2090

(1) If the person is employed under division (A) of this 2091
section, the person shall file the notice with the 2092
superintendent, or a person designated by the superintendent, of 2093
the school district for which the person drives a school bus or 2094
motor van as an employee or drives a privately owned and 2095
operated school bus or motor van under contract. 2096

(2) If employed under division (B) of this section, the 2097
person shall file the notice with the employing school 2098
administrator or contractor, or a person designated by the 2099
administrator or contractor. 2100

(E) In addition to resulting in possible revocation of a 2101
certificate as authorized by divisions (A) and (B) of this 2102
section, violation of division (D) of this section is a minor 2103
misdemeanor. 2104

(F) (1) Not later than thirty days after June 30, 2007, 2105
each owner of a school bus or motor van shall obtain the 2106
complete driving record for each person who is currently 2107
employed or otherwise authorized to drive the school bus or 2108
motor van. An owner of a school bus or motor van shall not 2109

permit a person to operate the school bus or motor van for the 2110
first time before the owner has obtained the person's complete 2111
driving record. Thereafter, the owner of a school bus or motor 2112
van shall obtain the person's driving record not less frequently 2113
than semiannually if the person remains employed or otherwise 2114
authorized to drive the school bus or motor van. An owner of a 2115
school bus or motor van shall not permit a person to resume 2116
operating a school bus or motor van, after an interruption of 2117
one year or longer, before the owner has obtained the person's 2118
complete driving record. 2119

(2) The owner of a school bus or motor van shall not 2120
permit a person to operate the school bus or motor van for ten 2121
years after the date on which the person pleads guilty to or is 2122
convicted of a violation of section 4511.19 of the Revised Code 2123
or a substantially equivalent municipal ordinance. 2124

(3) An owner of a school bus or motor van shall not permit 2125
any person to operate such a vehicle unless the person meets all 2126
other requirements contained in rules adopted by the department 2127
prescribing qualifications of drivers of school buses and other 2128
student transportation. 2129

(G) No superintendent of a school district, educational 2130
service center, community school, or public or private employer 2131
shall permit the operation of a vehicle used for pupil 2132
transportation within this state by an individual unless both of 2133
the following apply: 2134

(1) Information pertaining to that driver has been 2135
submitted to the department, pursuant to procedures adopted by 2136
that department. Information to be reported shall include the 2137
name of the employer or school district, name of the driver, 2138
driver license number, date of birth, date of hire, status of 2139

physical evaluation, and status of training. 2140

(2) The most recent criminal records check required by 2141
division (J) of this section has been completed and received by 2142
the superintendent or public or private employer. 2143

(H) A person, school district, educational service center, 2144
community school, nonpublic school, or other public or nonpublic 2145
entity that owns a school bus or motor van, or that contracts 2146
with another entity to operate a school bus or motor van, may 2147
impose more stringent restrictions on drivers than those 2148
prescribed in this section, in any other section of the Revised 2149
Code, and in rules adopted by the department. 2150

(I) For qualified drivers who, on July 1, 2007, are 2151
employed by the owner of a school bus or motor van to drive the 2152
school bus or motor van, any instance in which the driver was 2153
convicted of or pleaded guilty to a violation of section 4511.19 2154
of the Revised Code or a substantially equivalent municipal 2155
ordinance prior to two years prior to July 1, 2007, shall not be 2156
considered a disqualifying event with respect to division (F) of 2157
this section. 2158

(J) (1) This division applies to persons hired by a school 2159
district, educational service center, community school, 2160
chartered nonpublic school, or science, technology, engineering, 2161
and mathematics school established under Chapter 3326. of the 2162
Revised Code to operate a vehicle used for pupil transportation. 2163

(a) For each person to whom this division applies who is 2164
hired on or after November 14, 2007, the employer shall request 2165
a criminal records check in accordance with section 3319.39 of 2166
the Revised Code and every six years thereafter. 2167

(b) For each person to whom this division applies who is 2168

hired prior to November 14, 2007, the employer shall request a 2169
criminal records check by a date prescribed by the department 2170
and every six years thereafter. 2171

(c) If, on October 3, 2023, the most recent criminal 2172
records check requested for a person to whom division (J) (1) of 2173
this section applies was completed more than one year prior to 2174
that date or does not include information gathered pursuant to 2175
division (A) of section 109.57 of the Revised Code, the employer 2176
shall request a new criminal records check that includes 2177
information gathered pursuant to division (A) of section 109.57 2178
of the Revised Code by a date prescribed by the state board of 2179
education and every six years thereafter. 2180

(2) This division applies to persons hired by a public or 2181
private employer not described in division (J) (1) of this 2182
section to operate a vehicle used for pupil transportation. 2183

(a) For each person to whom this division applies who is 2184
hired on or after November 14, 2007, the employer shall request 2185
a criminal records check prior to the person's hiring and every 2186
six years thereafter. 2187

(b) For each person to whom this division applies who is 2188
hired prior to November 14, 2007, the employer shall request a 2189
criminal records check by a date prescribed by the department 2190
and every six years thereafter. 2191

(c) If, on October 3, 2023, the most recent criminal 2192
records check requested for a person to whom division (J) (2) of 2193
this section applies was completed more than one year prior to 2194
that date or does not include information gathered pursuant to 2195
division (A) of section 109.57 of the Revised Code, the employer 2196
shall request a new criminal records check that includes 2197

information gathered pursuant to division (A) of section 109.57 2198
of the Revised Code by a date prescribed by the state board and 2199
every six years thereafter. 2200

(3) Each request for a criminal records check under 2201
division (J) of this section shall be made to the superintendent 2202
of the bureau of criminal identification and investigation in 2203
the manner prescribed in section 3319.39 of the Revised Code, 2204
except that if both of the following conditions apply to the 2205
person subject to the records check, the employer shall request 2206
the superintendent only to obtain any criminal records that the 2207
federal bureau of investigation has on the person: 2208

(a) The employer previously requested the superintendent 2209
to determine whether the bureau of criminal identification and 2210
investigation has any information, gathered pursuant to division 2211
(A) of section 109.57 of the Revised Code, on the person in 2212
conjunction with a criminal records check requested under 2213
section 3319.39 of the Revised Code or under division (J) of 2214
this section. 2215

(b) The person presents proof that the person has been a 2216
resident of this state for the five-year period immediately 2217
prior to the date upon which the person becomes subject to a 2218
criminal records check under this section. 2219

Upon receipt of a request, the superintendent shall 2220
conduct the criminal records check in accordance with section 2221
109.572 of the Revised Code as if the request had been made 2222
under section 3319.39 of the Revised Code. However, as specified 2223
in division (B) (2) of section 109.572 of the Revised Code, if 2224
the employer requests the superintendent only to obtain any 2225
criminal records that the federal bureau of investigation has on 2226
the person for whom the request is made, the superintendent 2227

shall not conduct the review prescribed by division (B) (1) of 2228
that section. 2229

(4) Notwithstanding anything in the Revised Code to the 2230
contrary, the bureau of criminal identification and 2231
investigation shall make the initial criminal records check 2232
requested of a person by an employer under division (J) (1) or 2233
(2) of this section on or after October 3, 2023, available to 2234
the state board of education. The state board shall use the 2235
information received to enroll the person in the retained 2236
applicant fingerprint database, established under section 2237
109.5721 of the Revised Code, in the same manner as any teacher 2238
licensed under sections 3319.22 to 3319.31 of the Revised Code. 2239
If the state board is unable to enroll the person in the 2240
retained applicant fingerprint database because the person has 2241
not satisfied the requirements for enrollment, the state board 2242
shall notify the employer that the person has not satisfied the 2243
requirements for enrollment. However, the bureau shall not be 2244
required to make available to the state board the criminal 2245
records check of any person who is already enrolled in the 2246
retained applicant fingerprint database on the date the person's 2247
employer requests a records check of the person under division 2248
(J) (1) or (2) of this section. 2249

If the state board receives notification of the arrest, 2250
guilty plea, or conviction of a person who is subject to this 2251
section, the state board shall promptly notify the person's 2252
employer in accordance with division ~~(B)~~ (A) (2) of section 2253
3319.316 of the Revised Code. 2254

(K) (1) Until the effective date of the amendments to rule 2255
3301-83-23 of the Ohio Administrative Code required by the 2256
second paragraph of division (E) of section 3319.39 of the 2257

Revised Code, any person who is the subject of a criminal 2258
records check under division (J) of this section and has been 2259
convicted of or pleaded guilty to any offense described in 2260
division (B)(1) of section 3319.39 of the Revised Code shall not 2261
be hired or shall be released from employment, as applicable, 2262
unless the person meets the rehabilitation standards prescribed 2263
for nonlicensed school personnel by rule 3301-20-03 of the Ohio 2264
Administrative Code. 2265

(2) Beginning on the effective date of the amendments to 2266
rule 3301-83-23 of the Ohio Administrative Code required by the 2267
second paragraph of division (E) of section 3319.39 of the 2268
Revised Code, any person who is the subject of a criminal 2269
records check under division (J) of this section and has been 2270
convicted of or pleaded guilty to any offense that, under the 2271
rule, disqualifies a person for employment to operate a vehicle 2272
used for pupil transportation shall not be hired or shall be 2273
released from employment, as applicable, unless the person meets 2274
the rehabilitation standards prescribed by the rule. 2275

(L) The superintendent of a school district or an 2276
educational service center governing board shall issue a 2277
certificate as a driver of a school bus or motor van or a 2278
certificate to operate a vehicle used for pupil transportation 2279
in accordance with Chapter 4796. of the Revised Code to an 2280
applicant if either of the following applies: 2281

(1) The applicant holds a certificate in another state. 2282

(2) The applicant has satisfactory work experience, a 2283
government certification, or a private certification as 2284
described in that chapter as a school bus or motor van driver or 2285
a pupil transportation vehicle operator in a state that does not 2286
issue one or both of those certificates. 2287

(M) As used in this section, "school bus" includes a 2288
multifunction school activity bus, as defined in section 4511.01 2289
of the Revised Code. 2290

Section 2. That existing sections 2151.354, 2152.19, 2291
2919.24, 3313.11, 3313.41, 3313.411, 3313.413, 3313.536, 2292
3318.08, 3319.2210, 3319.24, 3319.31, 3319.316, 3319.391, 2293
3321.16, and 3327.10 of the Revised Code are hereby repealed. 2294

Section 3. That sections 3313.85 and 3314.25 of the 2295
Revised Code are hereby repealed. 2296

Section 4. Notwithstanding any provision of section 2297
3313.411 of the Revised Code to the contrary, for the 2026 2298
calendar year, a school district may report the information 2299
required under division (I)(1) of that section to the Department 2300
of Education and Workforce not later than February 28, 2027. For 2301
any such school district, the department shall publish the list 2302
of unused school facilities in the district as required under 2303
division (I)(2) of that section not later than thirty days after 2304
receipt of the information. 2305