

As Introduced

**136th General Assembly
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S. B. No. 443

Senators Blessing, Smith

Cosponsors: Senators Antonio, DeMora, Weinstein

To amend sections 3301.0711, 3310.03, 3310.13, 1
3310.14, 3310.15, 3313.618, 3313.619, 3313.976, 2
3314.03, 3319.324, and 3326.11 and to enact 3
sections 117.113, 3301.165, 3301.166, 3301.167, 4
3302.0311, and 3313.6612 of the Revised Code to 5
enact the Take the Dough, We Gotta Know Act 6
regarding chartered nonpublic schools that 7
participate in the Educational Choice and Pilot 8
Project scholarship programs and disciplinary 9
record requirements for schools. 10

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

Section 1. That sections 3301.0711, 3310.03, 3310.13, 11
3310.14, 3310.15, 3313.618, 3313.619, 3313.976, 3314.03, 12
3319.324, and 3326.11 be amended and sections 117.113, 3301.165, 13
3301.166, 3301.167, 3302.0311, and 3313.6612 of the Revised Code 14
be enacted to read as follows: 15

Sec. 117.113. (A) As used in this section: 16

(1) "Public money" includes any funds a qualifying school 17
receives from the state for any of the following: 18

(a) Participation in the educational choice scholarship 19

program established under sections 3310.01 to 3310.17 of the 20
Revised Code or the pilot project scholarship program 21
established under sections 3313.974 to 3313.979 of the Revised 22
Code; 23

(b) Administrative and clerical cost reimbursements 24
prescribed under section 3317.063 of the Revised Code; 25

(c) Auxiliary services reimbursements prescribed under 26
section 3317.064 of the Revised Code. 27

(2) "Qualifying school" has the same meaning as in section 28
3301.166 of the Revised Code. 29

(B) Each fiscal year, the auditor of state shall audit the 30
specific funds or accounts of each qualifying school in the 31
state into which public money has been placed or deposited for 32
that fiscal year. 33

Sec. 3301.0711. (A) The department of education and 34
workforce shall: 35

(1) Annually furnish to, grade, and score all assessments 36
required by divisions (A) (1) and (B) (1) of section 3301.0710 of 37
the Revised Code to be administered by city, local, exempted 38
village, and joint vocational school districts, except that each 39
district shall score any assessment administered pursuant to 40
division (B) (10) of this section. Each assessment so furnished 41
shall include the data verification code of the student to whom 42
the assessment will be administered, as assigned pursuant to 43
division (D) (2) of section 3301.0714 of the Revised Code. In 44
furnishing the practice versions of Ohio graduation tests 45
prescribed by division (D) of section 3301.0710 of the Revised 46
Code, the department shall make the tests available on its web 47
site for reproduction by districts. In awarding contracts for 48

grading assessments, the department shall give preference to 49
Ohio-based entities employing Ohio residents. 50

(2) Adopt rules for the ethical use of assessments and 51
prescribing the manner in which the assessments prescribed by 52
section 3301.0710 of the Revised Code shall be administered to 53
students. 54

(B) Except as provided in divisions (C) and (J) of this 55
section, the board of education of each city, local, and 56
exempted village school district shall, in accordance with rules 57
adopted under division (A) of this section: 58

(1) Administer the English language arts assessments 59
prescribed under division (A) (1) (a) of section 3301.0710 of the 60
Revised Code twice annually to all students in the third grade 61
who have not attained the score designated for that assessment 62
under division (A) (2) (c) of section 3301.0710 of the Revised 63
Code. 64

(2) Administer the mathematics assessment prescribed under 65
division (A) (1) (a) of section 3301.0710 of the Revised Code at 66
least once annually to all students in the third grade. 67

(3) Administer the assessments prescribed under division 68
(A) (1) (b) of section 3301.0710 of the Revised Code at least once 69
annually to all students in the fourth grade. 70

(4) Administer the assessments prescribed under division 71
(A) (1) (c) of section 3301.0710 of the Revised Code at least once 72
annually to all students in the fifth grade. 73

(5) Administer the assessments prescribed under division 74
(A) (1) (d) of section 3301.0710 of the Revised Code at least once 75
annually to all students in the sixth grade. 76

(6) Administer the assessments prescribed under division	77
(A) (1) (e) of section 3301.0710 of the Revised Code at least once	78
annually to all students in the seventh grade.	79
(7) Administer the assessments prescribed under division	80
(A) (1) (f) of section 3301.0710 of the Revised Code at least once	81
annually to all students in the eighth grade.	82
(8) Except as provided in division (B) (9) of this section,	83
administer any assessment prescribed under division (B) (1) of	84
section 3301.0710 of the Revised Code as follows:	85
(a) At least once annually to all tenth grade students and	86
at least twice annually to all students in eleventh or twelfth	87
grade who have not yet attained the score on that assessment	88
designated under that division;	89
(b) To any person who has successfully completed the	90
curriculum in any high school or the individualized education	91
program developed for the person by any high school pursuant to	92
section 3323.08 of the Revised Code but has not received a high	93
school diploma and who requests to take such assessment, at any	94
time such assessment is administered in the district.	95
(9) In lieu of the board of education of any city, local,	96
or exempted village school district in which the student is also	97
enrolled, the board of a joint vocational school district shall	98
administer any assessment prescribed under division (B) (1) of	99
section 3301.0710 of the Revised Code at least twice annually to	100
any student enrolled in the joint vocational school district who	101
has not yet attained the score on that assessment designated	102
under that division. A board of a joint vocational school	103
district may also administer such an assessment to any student	104
described in division (B) (8) (b) of this section.	105

(10) If the district has a three-year average graduation rate of not more than seventy-five per cent, administer each assessment prescribed by division (D) of section 3301.0710 of the Revised Code in September to all ninth grade students who entered ninth grade prior to July 1, 2014.

Except as provided in section 3313.614 of the Revised Code for administration of an assessment to a person who has fulfilled the curriculum requirement for a high school diploma but has not passed one or more of the required assessments, the assessments prescribed under division (B) (1) of section 3301.0710 of the Revised Code shall not be administered after the date specified in the rules adopted under division (D) (1) of section 3301.0712 of the Revised Code.

(11) (a) Except as provided in divisions (B) (11) (b) and (c) of this section, administer the assessments prescribed by division (B) (2) of section 3301.0710 and section 3301.0712 of the Revised Code in accordance with the timeline and plan for implementation of those assessments prescribed by rule adopted under division (D) (1) of section 3301.0712 of the Revised Code;

(b) A student who has presented evidence to the district or school of having satisfied the condition prescribed by division (A) (1) of section 3313.618 of the Revised Code to qualify for a high school diploma prior to the date of the administration of the assessment prescribed under division (B) (1) of section 3301.0712 of the Revised Code shall not be required to take that assessment. However, no board shall prohibit a student who is not required to take such assessment from taking the assessment.

(c) A student shall not be required to retake the Algebra I end-of-course examination or the English language arts II end-

of-course examination prescribed under division (B) (2) of 136
section 3301.0712 of the Revised Code in grades nine through 137
twelve if the student demonstrates at least a proficient level 138
of skill, as prescribed under division (B) (5) (a) of that 139
section, or achieves a competency score, as prescribed under 140
division (B) (10) of that section, in an administration of the 141
examination prior to grade nine. 142

(C) (1) (a) In the case of a student receiving special 143
education services under Chapter 3323. of the Revised Code, the 144
individualized education program developed for the student under 145
that chapter shall specify the manner in which the student will 146
participate in the assessments administered under this section, 147
except that a student with significant cognitive disabilities to 148
whom an alternate assessment is administered in accordance with 149
division (C) (1) of this section and a student determined to have 150
a disability that includes an intellectual disability as 151
outlined in guidance issued by the department shall not be 152
required to take the assessment prescribed under division (B) (1) 153
of section 3301.0712 of the Revised Code. The individualized 154
education program may excuse the student from taking any 155
particular assessment required to be administered under this 156
section if it instead specifies an alternate assessment method 157
approved by the department as conforming to requirements of 158
federal law for receipt of federal funds for disadvantaged 159
pupils. To the extent possible, the individualized education 160
program shall not excuse the student from taking an assessment 161
unless no reasonable accommodation can be made to enable the 162
student to take the assessment. No board shall prohibit a 163
student who is not required to take an assessment under division 164
(C) (1) of this section from taking the assessment. 165

(b) Any alternate assessment approved by the department 166

for a student under this division shall produce measurable 167
results comparable to those produced by the assessment it 168
replaces in order to allow for the student's results to be 169
included in the data compiled for a school district or building 170
under section 3302.03 of the Revised Code. 171

(c) (i) Any student enrolled in a chartered nonpublic 172
school who has been identified, based on an evaluation conducted 173
in accordance with section 3323.03 of the Revised Code or 174
section 504 of the "Rehabilitation Act of 1973," 87 Stat. 355, 175
29 U.S.C.A. 794, as amended, as a child with a disability shall 176
be excused from taking any particular assessment required to be 177
administered under this section if either of the following 178
apply: 179

(I) A plan developed for the student pursuant to rules 180
adopted by the department excuses the student from taking that 181
assessment. 182

(II) The chartered nonpublic school develops a written 183
plan in which the school, in consultation with the student's 184
parents, determines that an assessment or alternative assessment 185
with accommodations does not accurately assess the student's 186
academic performance. The plan shall include an academic profile 187
of the student's academic performance and shall be reviewed 188
annually to determine if the student's needs continue to require 189
excusal from taking the assessment. 190

(ii) A student with significant cognitive disabilities to 191
whom an alternate assessment is administered in accordance with 192
division (C) (1) of this section and a student determined to have 193
a disability that includes an intellectual disability as 194
outlined in guidance issued by the department shall not be 195
required to take the assessment prescribed under division (B) (1) 196

of section 3301.0712 of the Revised Code.	197
(iii) In the case of any student so excused from taking an assessment under division (C) (1) (c) of this section, the chartered nonpublic school shall not prohibit the student from taking the assessment.	198 199 200 201
(2) A district board may, for medical reasons or other good cause, excuse a student from taking an assessment administered under this section on the date scheduled, but that assessment shall be administered to the excused student not later than nine days following the scheduled date. The district board shall annually report the number of students who have not taken one or more of the assessments required by this section to the department not later than the thirtieth day of June.	202 203 204 205 206 207 208 209
(3) No school district board shall excuse any English learner from taking any particular assessment required to be administered under this section, except that any English learner who has been enrolled in United States schools for less than two years and for whom no appropriate accommodations are available based on guidance issued by the department shall not be required to take the assessment prescribed under division (B) (1) of section 3301.0712 of the Revised Code.	210 211 212 213 214 215 216 217
However, no board shall prohibit an English learner who is not required to take that assessment from taking the assessment.	218 219
A board may permit any English learner to take an assessment required to be administered under this section with appropriate accommodations, as determined by the department.	220 221 222
For each English learner, each school district shall annually assess that student's progress in learning English, in accordance with procedures approved by the department.	223 224 225

The guidance and procedures issued by the department for 226
the purposes of division (C) (3) of this section shall comply 227
with the rules adopted under section 3301.0731 of the Revised 228
Code. 229

(4) (a) The governing authority of a chartered nonpublic 230
school may excuse an English learner from taking any assessment 231
administered under this section. 232

(b) No governing authority shall require an English 233
learner who has been enrolled in United States schools for less 234
than two years and for whom no appropriate accommodations are 235
available based on guidance issued by the department to take the 236
assessment prescribed under division (B) (1) of section 3301.0712 237
of the Revised Code. 238

(c) No governing authority shall prohibit an English 239
learner from taking an assessment from which the student was 240
excused under division (C) (4) of this section. 241

(D) (1) In the school year next succeeding the school year 242
in which the assessments prescribed by division (A) (1) or (B) (1) 243
of section 3301.0710 of the Revised Code or former division (A) 244
(1), (A) (2), or (B) of section 3301.0710 of the Revised Code as 245
it existed prior to September 11, 2001, are administered to any 246
student, the board of education of any school district in which 247
the student is enrolled in that year shall provide to the 248
student intervention services commensurate with the student's 249
performance, including any intensive intervention required under 250
section 3313.608 of the Revised Code, in any skill in which the 251
student failed to demonstrate at least a score at the proficient 252
level on the assessment. 253

(2) Following any administration of the assessments 254

prescribed by division (D) of section 3301.0710 of the Revised Code to ninth grade students, each school district that has a three-year average graduation rate of not more than seventy-five per cent shall determine for each high school in the district whether the school shall be required to provide intervention services to any students who took the assessments. In determining which high schools shall provide intervention services based on the resources available, the district shall consider each school's graduation rate and scores on the practice assessments. The district also shall consider the scores received by ninth grade students on the English language arts and mathematics assessments prescribed under division (A) (1) (f) of section 3301.0710 of the Revised Code in the eighth grade in determining which high schools shall provide intervention services.

Each high school selected to provide intervention services under this division shall provide intervention services to any student whose results indicate that the student is failing to make satisfactory progress toward being able to attain scores at the proficient level on the Ohio graduation tests. Intervention services shall be provided in any skill in which a student demonstrates unsatisfactory progress and shall be commensurate with the student's performance. Schools shall provide the intervention services prior to the end of the school year, during the summer following the ninth grade, in the next succeeding school year, or at any combination of those times.

(E) Except as provided in section 3313.608 of the Revised Code and division (N) of this section, no school district board of education shall utilize any student's failure to attain a specified score on an assessment administered under this section as a factor in any decision to deny the student promotion to a

higher grade level. However, a district board may choose not to 286
promote to the next grade level any student who does not take an 287
assessment administered under this section or make up an 288
assessment as provided by division (C) (2) of this section and 289
who is not exempt from the requirement to take the assessment 290
under division (C) (3) of this section. 291

(F) No person shall be charged a fee for taking any 292
assessment administered under this section. 293

(G) (1) Each school district board shall designate one 294
location for the collection of assessments administered in the 295
spring under division (B) (1) of this section and those 296
administered under divisions (B) (2) to (7) of this section. Each 297
district board shall submit the assessments to the entity with 298
which the department contracts for the scoring of the 299
assessments as follows: 300

(a) If the district's total enrollment in grades 301
kindergarten through twelve during the first full school week of 302
October was less than two thousand five hundred, not later than 303
the Friday after all of the assessments have been administered; 304

(b) If the district's total enrollment in grades 305
kindergarten through twelve during the first full school week of 306
October was two thousand five hundred or more, but less than 307
seven thousand, not later than the Monday after all of the 308
assessments have been administered; 309

(c) If the district's total enrollment in grades 310
kindergarten through twelve during the first full school week of 311
October was seven thousand or more, not later than the Tuesday 312
after all of the assessments have been administered. 313

However, any assessment that a student takes during the 314

make-up period described in division (C) (2) of this section 315
shall be submitted not later than the Friday following the day 316
the student takes the assessment. 317

(2) The department or an entity with which the department 318
contracts for the scoring of the assessment shall send to each 319
school district board a list of the individual scores of all 320
persons taking a state achievement assessment as follows: 321

(a) Except as provided in division (G) (2) (b) or (c) of 322
this section, within forty-five days after the administration of 323
the assessments prescribed by sections 3301.0710 and 3301.0712 324
of the Revised Code, but in no case shall the scores be returned 325
later than the thirtieth day of June following the 326
administration; 327

(b) In the case of the third-grade English language arts 328
assessment, within forty-five days after the administration of 329
that assessment, but in no case shall the scores be returned 330
later than the fifteenth day of June following the 331
administration; 332

(c) In the case of the writing component of an assessment 333
or end-of-course examination in the area of English language 334
arts, except for the third-grade English language arts 335
assessment, the results may be sent after forty-five days of the 336
administration of the writing component, but in no case shall 337
the scores be returned later than the thirtieth day of June 338
following the administration. 339

(3) For assessments administered under this section by a 340
joint vocational school district, the department or entity shall 341
also send to each city, local, or exempted village school 342
district a list of the individual scores of any students of such 343

city, local, or exempted village school district who are 344
attending school in the joint vocational school district. 345

(4) Beginning with the 2019-2020 school year, a school 346
district, other public school, or chartered nonpublic school may 347
administer the third-grade English language arts or mathematics 348
assessment, or both, in a paper format in any school year for 349
which the district board of education or school governing body 350
adopts a resolution indicating that the district or school 351
chooses to administer the assessment in a paper format. The 352
board or governing body shall submit a copy of the resolution to 353
the department of education and workforce not later than the 354
first day of May prior to the school year for which it will 355
apply. If the resolution is submitted, the district or school 356
shall administer the assessment in a paper format to all 357
students in the third grade, except that any student whose 358
individualized education program or plan developed under section 359
504 of the "Rehabilitation Act of 1973," 87 Stat. 355, 29 U.S.C. 360
794, as amended, specifies that taking the assessment in an 361
online format is an appropriate accommodation for the student 362
may take the assessment in an online format. 363

(5) A classical school may administer all assessments 364
administered under this section in a paper format, except that 365
any student whose individualized education program or plan 366
developed under section 504 of the "Rehabilitation Act of 1973," 367
29 U.S.C. 794 specifies that taking the assessment in an online 368
format is an appropriate accommodation for the student may take 369
the assessment in an online format. 370

(H) Individual scores on any assessments administered 371
under this section shall be released by a district board only in 372
accordance with section 3319.321 of the Revised Code and the 373

rules adopted under division (A) of this section. No district 374
board or its employees shall utilize individual or aggregate 375
results in any manner that conflicts with rules for the ethical 376
use of assessments adopted pursuant to division (A) of this 377
section. 378

(I) Except as provided in division (G) of this section, 379
the department or an entity with which the department contracts 380
for the scoring of the assessment shall not release any 381
individual scores on any assessment administered under this 382
section. The department shall adopt rules to ensure the 383
protection of student confidentiality at all times. The rules 384
may require the use of the data verification codes assigned to 385
students pursuant to division (D)(2) of section 3301.0714 of the 386
Revised Code to protect the confidentiality of student scores. 387

(J) Notwithstanding division (D) of section 3311.52 of the 388
Revised Code, this section does not apply to the board of 389
education of any cooperative education school district except as 390
provided under rules adopted pursuant to this division. 391

(1) In accordance with rules that the department shall 392
adopt, the board of education of any city, exempted village, or 393
local school district with territory in a cooperative education 394
school district established pursuant to divisions (A) to (C) of 395
section 3311.52 of the Revised Code may enter into an agreement 396
with the board of education of the cooperative education school 397
district for administering any assessment prescribed under this 398
section to students of the city, exempted village, or local 399
school district who are attending school in the cooperative 400
education school district. 401

(2) In accordance with rules that the department shall 402
adopt, the board of education of any city, exempted village, or 403

local school district with territory in a cooperative education 404
school district established pursuant to section 3311.521 of the 405
Revised Code shall enter into an agreement with the cooperative 406
district that provides for the administration of any assessment 407
prescribed under this section to both of the following: 408

(a) Students who are attending school in the cooperative 409
district and who, if the cooperative district were not 410
established, would be entitled to attend school in the city, 411
local, or exempted village school district pursuant to section 412
3313.64 or 3313.65 of the Revised Code; 413

(b) Persons described in division (B) (8) (b) of this 414
section. 415

Any assessment of students pursuant to such an agreement 416
shall be in lieu of any assessment of such students or persons 417
pursuant to this section. 418

(K) (1) (a) Except as otherwise provided in division (K) (1) 419
or (2) of this section, each chartered nonpublic school for 420
which at least sixty-five per cent of its total enrollment is 421
made up of students who are participating in state scholarship 422
programs shall administer the assessments prescribed by division 423
(A) of section 3301.0710 of the Revised Code ~~or an alternative-~~ 424
~~standardized assessment determined by the department.~~ In 425
accordance with procedures and deadlines prescribed by the 426
department, the parent or guardian of a student enrolled in the 427
school who is not participating in a state scholarship program 428
may submit notice to the chief administrative officer of the 429
school that the parent or guardian does not wish to have the 430
student take the assessments prescribed for the student's grade 431
level under division (A) of section 3301.0710 of the Revised 432
Code. If a parent or guardian submits an opt-out notice, the 433

school shall not administer the assessments to that student. 434
This option does not apply to any assessment required for a high 435
school diploma under section 3313.612 of the Revised Code. 436

(b) Any chartered nonpublic school that enrolls students 437
who are participating in state scholarship programs may 438
administer an alternative standardized assessment determined by 439
the department instead of the assessments prescribed by division 440
(A) of section 3301.0710 of the Revised Code to any student who 441
satisfies one of the following conditions: 442

(i) The student is participating in the autism scholarship 443
program established under section 3310.41 of the Revised Code. 444

(ii) The student is participating in the Jon Peterson 445
special needs scholarship program established under sections 446
3310.51 to 3310.64 of the Revised Code. 447

(iii) The student is not participating in a state 448
scholarship program. 449

Each chartered nonpublic school subject to division (K) (1) 450
(a) or (b) of this section shall report the results of each 451
assessment administered under those divisions to the department. 452

(2) A chartered nonpublic school may submit to the 453
director of education and workforce a request for a waiver from 454
administering the elementary assessments prescribed by division 455
(A) of section 3301.0710 of the Revised Code. The director shall 456
approve or disapprove a request for a waiver submitted under 457
division (K) (2) of this section. 458

To be eligible to submit a request for a waiver, a 459
chartered nonpublic school shall meet the following conditions: 460

(a) At least ninety-five per cent of the students enrolled 461

in the school are children with disabilities, as defined under 462
section 3323.01 of the Revised Code, or have received a 463
diagnosis by a school district or from a physician, including a 464
neuropsychiatrist or psychiatrist, or a psychologist who is 465
authorized to practice in this or another state as having a 466
condition that impairs academic performance, such as dyslexia, 467
dyscalculia, attention deficit hyperactivity disorder, or 468
Asperger's syndrome. 469

(b) The school has solely served a student population 470
described in division (K) (1) (a) of this section for at least ten 471
years. 472

(c) The school provides to the department at least five 473
years of records of internal testing conducted by the school 474
that affords the department data required for accountability 475
purposes, including diagnostic assessments and nationally 476
standardized norm-referenced achievement assessments that 477
measure reading and math skills. 478

(3) Any chartered nonpublic school that is not subject to 479
division (K) (1) of this section may participate in the 480
assessment program by administering any of the assessments 481
prescribed by division (A) of section 3301.0710 of the Revised 482
Code. The chief administrator of the school shall specify which 483
assessments the school will administer. Such specification shall 484
be made in writing to the director prior to the first day of 485
August of any school year in which assessments are administered 486
and shall include a pledge that the nonpublic school will 487
administer the specified assessments in the same manner as 488
public schools are required to do under this section and rules 489
adopted by the department. 490

(4) The department shall furnish the assessments 491

prescribed by section 3301.0710 of the Revised Code to each 492
chartered nonpublic school that is subject to division (K) (1) of 493
this section or participates under division (K) (3) of this 494
section. 495

(L) If a chartered nonpublic school is educating students 496
in grades nine through twelve, the following shall apply: 497

(1) Except as provided in division (L) (4) of this section, 498
for a student who is enrolled in a chartered nonpublic school 499
that is accredited through the independent schools association 500
of the central states and who is attending the school under a 501
state scholarship program that is not a general education state 502
scholarship program, the student shall either take all of the 503
assessments prescribed by division (B) of section 3301.0712 of 504
the Revised Code or take an alternative assessment approved by 505
the department under section 3313.619 of the Revised Code. A 506
student attending the school under a general education state 507
scholarship program shall take all of the assessments prescribed 508
under division (B) of section 3301.0712 of the Revised Code. 509
However, a student who is excused from taking an assessment 510
under division (C) of this section or has presented evidence to 511
the chartered nonpublic school of having satisfied the condition 512
prescribed by division (A) (1) of section 3313.618 of the Revised 513
Code to qualify for a high school diploma prior to the date of 514
the administration of the assessment prescribed under division 515
(B) (1) of section 3301.0712 of the Revised Code shall not be 516
required to take that assessment. No governing authority of a 517
chartered nonpublic school shall prohibit a student who is not 518
required to take such assessment from taking the assessment. 519

(2) For a student who is enrolled in a chartered nonpublic 520
school that is accredited through the independent schools 521

association of the central states, and who is not attending the 522
school under a state scholarship program, the student shall not 523
be required to take any assessment prescribed under section 524
3301.0712 or 3313.619 of the Revised Code. 525

(3) (a) Except as provided in divisions (L) (3) (b) and (4) 526
of this section, for a student who is enrolled in a chartered 527
nonpublic school that is not accredited through the independent 528
schools association of the central states, ~~regardless of whether~~ 529
either of the following apply to that student: 530

(i) If the student is attending or is not attending the 531
school under a state participating in a general education state 532
scholarship program, the student shall take all of the 533
assessments prescribed by division (B) of section 3301.0712 of 534
the Revised Code. 535

(ii) If the student is not participating in a general 536
education state scholarship program, the student shall do one of 537
the following: 538

~~(i)~~ (I) Take all of the assessments prescribed by division 539
(B) of section 3301.0712 of the Revised Code; 540

~~(ii)~~ (II) Take only the assessment prescribed by division 541
(B) (1) of section 3301.0712 of the Revised Code, provided that 542
the student's school publishes the results of that assessment 543
for each graduating class. The published results of that 544
assessment shall include the overall composite scores, mean 545
scores, twenty-fifth percentile scores, and seventy-fifth 546
percentile scores for each subject area of the assessment. 547

~~(iii)~~ (III) Take an alternative assessment approved by the 548
department under section 3313.619 of the Revised Code. 549

(b) A student who is excused from taking an assessment 550

under division (C) of this section or has presented evidence to 551
the chartered nonpublic school of having satisfied the condition 552
prescribed by division (A) (1) of section 3313.618 of the Revised 553
Code to qualify for a high school diploma prior to the date of 554
the administration of the assessment prescribed under division 555
(B) (1) of section 3301.0712 of the Revised Code shall not be 556
required to take that assessment. No governing authority of a 557
chartered nonpublic school shall prohibit a student who is not 558
required to take such assessment from taking the assessment. 559

(4) The assessments prescribed by sections 3301.0712 and 560
3313.619 of the Revised Code shall not be administered to any 561
student attending the school, if the school meets all of the 562
following conditions: 563

(a) At least ninety-five per cent of the students enrolled 564
in the school are children with disabilities, as defined under 565
section 3323.01 of the Revised Code, or have received a 566
diagnosis by a school district or from a physician, including a 567
neuropsychologist or psychiatrist, or a psychologist who is 568
authorized to practice in this or another state as having a 569
condition that impairs academic performance, such as dyslexia, 570
dyscalculia, attention deficit hyperactivity disorder, or 571
Asperger's syndrome. 572

(b) The school has solely served a student population 573
described in division (L) (4) (a) of this section for at least ten 574
years. 575

(c) The school makes available to the department at least 576
five years of records of internal testing conducted by the 577
school that affords the department data required for 578
accountability purposes, including growth in student achievement 579
in reading or mathematics, or both, as measured by nationally 580

norm-referenced assessments that have developed appropriate 581
standards for students. 582

Division (L) (4) of this section applies to any student 583
attending such school regardless of whether the student receives 584
special education or related services and regardless of whether 585
the student is attending the school under a state scholarship 586
program. 587

(M) (1) The superintendent of Ohio deaf and blind education 588
services shall administer the assessments described by sections 589
3301.0710 and 3301.0712 of the Revised Code for the state school 590
for the blind and the state school for the deaf. The 591
superintendent of Ohio deaf and blind education services shall 592
administer the assessments in the same manner as district boards 593
are required to do under this section and rules adopted by the 594
department and in conformity with division (C) (1) (a) of this 595
section. 596

(2) The department shall furnish the assessments described 597
by sections 3301.0710 and 3301.0712 of the Revised Code to the 598
superintendent of Ohio deaf and blind education services. 599

(N) Notwithstanding division (E) of this section, a school 600
district may use a student's failure to attain a score in at 601
least the proficient range on the mathematics assessment 602
described by division (A) (1) (a) of section 3301.0710 of the 603
Revised Code or on an assessment described by division (A) (1) 604
(b), (c), (d), (e), or (f) of section 3301.0710 of the Revised 605
Code as a factor in retaining that student in the current grade 606
level. 607

(O) (1) In the manner specified in divisions (O) (3) and (4) 608
of this section, the assessments required by division (A) (1) of 609

section 3301.0710 of the Revised Code shall become public 610
records pursuant to section 149.43 of the Revised Code on the 611
thirty-first day of July following the school year that the 612
assessments were administered. 613

(2) The department may field test proposed questions with 614
samples of students to determine the validity, reliability, or 615
appropriateness of questions for possible inclusion in a future 616
year's assessment. The department also may use anchor questions 617
on assessments to ensure that different versions of the same 618
assessment are of comparable difficulty. 619

Field test questions and anchor questions shall not be 620
considered in computing scores for individual students. Field 621
test questions and anchor questions may be included as part of 622
the administration of any assessment required by division (A) (1) 623
or (B) of section 3301.0710 and division (B) of section 624
3301.0712 of the Revised Code. 625

(3) Any field test question or anchor question 626
administered under division (O) (2) of this section shall not be 627
a public record. Such field test questions and anchor questions 628
shall be redacted from any assessments which are released as a 629
public record pursuant to division (O) (1) of this section. 630

(4) Division (O) (4) of this section applies to the 631
assessments prescribed by division (A) of section 3301.0710 and 632
division (B) (2) of section 3301.0712 of the Revised Code. 633

Beginning with the assessments administered in the spring 634
of the 2025-2026 school year, the department shall determine 635
which questions on each assessment that are used to compute a 636
student's score are a public record, if any. The department 637
shall determine which questions will be needed for reuse on a 638

future assessment and those questions shall not be public 639
records and shall be redacted from the assessment prior to its 640
release as a public record. However, for each redacted question, 641
the department shall inform each city, local, and exempted 642
village school district of the corresponding statewide academic 643
standard adopted under section 3301.079 of the Revised Code and 644
the corresponding benchmark to which the question relates. The 645
department is not required to provide corresponding standards 646
and benchmarks to field test questions that are redacted under 647
division (O) (3) of this section. 648

(P) As used in this section: 649

(1) "Three-year average" means the average of the most 650
recent consecutive three school years of data. 651

(2) "Dropout" means a student who withdraws from school 652
before completing course requirements for graduation and who is 653
not enrolled in an education program approved by the department 654
or an education program outside the state. "Dropout" does not 655
include a student who has departed the country. 656

(3) "Graduation rate" means the ratio of students 657
receiving a diploma to the number of students who entered ninth 658
grade four years earlier. Students who transfer into the 659
district are added to the calculation. Students who transfer out 660
of the district for reasons other than dropout are subtracted 661
from the calculation. If a student who was a dropout in any 662
previous year returns to the same school district, that student 663
shall be entered into the calculation as if the student had 664
entered ninth grade four years before the graduation year of the 665
graduating class that the student joins. 666

(4) "State scholarship programs" means the educational 667

choice scholarship pilot program established under sections 668
3310.01 to 3310.17 of the Revised Code, the autism scholarship 669
program established under section 3310.41 of the Revised Code, 670
the Jon Peterson special needs scholarship program established 671
under sections 3310.51 to 3310.64 of the Revised Code, and the 672
pilot project scholarship program established under sections 673
3313.974 to 3313.979 of the Revised Code. 674

(5) "Other public school" means a community school 675
established under Chapter 3314., a STEM school established under 676
Chapter 3326., or a college-preparatory boarding school 677
established under Chapter 3328. of the Revised Code. 678

(6) "English learner" has the same meaning as in section 679
3301.0731 of the Revised Code. 680

(7) "Classical school" means a community school 681
established under Chapter 3314. of the Revised Code that is a 682
member of the Ohio classical school association, or its 683
successor organization, and uses a curriculum substantially 684
similar to that of a nationally recognized classical school 685
network. 686

(8) "General education state scholarship program" has the 687
same meaning as in section 3301.165 of the Revised Code. 688

Sec. 3301.165. (A) As used in this section: 689

(1) "General education state scholarship program" means 690
the educational choice scholarship pilot program established 691
under sections 3310.01 to 3310.17 of the Revised Code or the 692
pilot project scholarship program established under sections 693
3313.974 to 3313.979 of the Revised Code. 694

(2) "Information technology center" means an information 695
technology center established under section 3301.075 of the 696

Revised Code. 697

(3) "Scholarship student" means a student who is 698
participating in a general education state scholarship program. 699

(B) Annually, each chartered nonpublic school that enrolls 700
scholarship students shall submit to the department of education 701
and workforce, in a form and manner prescribed by the 702
department, a report regarding expenditures the school made 703
using the state funds it received under a general education 704
state scholarship program in that school year. The department 705
shall post each report it receives on its publicly accessible 706
web site. 707

A chartered nonpublic school may contract with an 708
information technology center for assistance with complying with 709
the reporting requirement prescribed under this division. 710

Sec. 3301.166. (A) As used in this section: 711

(1) "Community school" means a community school 712
established under Chapter 3314. of the Revised Code. 713

(2) "Qualifying school" means a chartered nonpublic school 714
of which at least ten per cent of its total enrollment is made 715
up of scholarship students. 716

(3) "Scholarship student" has the same meaning as in 717
section 3301.165 of the Revised Code. 718

(4) "STEM school" means a STEM school established under 719
Chapter 3326. of the Revised Code. 720

(B) Each chartered nonpublic school that enrolls 721
scholarship students shall include in its admission procedure a 722
method to determine which students to admit if the number of 723
applicants for a grade level, school building, or education 724

program exceeds the school's capacity. Each school shall report 725
to the department of education and workforce, in a form and 726
manner established by the department, its method for such 727
determinations. 728

(C) Annually, each qualifying school shall do all of the 729
following: 730

(1) Report to the department, in a form and manner 731
established by the department, all of the following for the 732
school year: 733

(a) The school's total enrollment and its capacity limits 734
by grade level, school building, and education program; 735

(b) The number of scholarship students enrolled in the 736
school. The department also shall disaggregate that number of 737
students by whether, in the prior school year, the students were 738
enrolled in one of the following: 739

(i) That school; 740

(ii) A different chartered nonpublic school; 741

(iii) A nonchartered nonpublic school; 742

(iv) A municipal, city, local, or exempted village school 743
district; 744

(v) A community school; 745

(vi) A STEM school; 746

(vii) If the student was not enrolled in a district or 747
school in the prior school year, whether either of the following 748
apply to the student: 749

(I) The student, in the prior school year, was exempted 750
from attendance at school for the purpose of home education 751

<u>under section 3321.042 of the Revised Code.</u>	752
<u>(II) The student, in the current school year, is enrolling in school in this state for the first time.</u>	753 754
<u>(c) The number of scholarship students enrolled in the school for each of the five most recent school years;</u>	755 756
<u>(d) The number of enrolled students with disabilities, disaggregated by disability category as described in section 3317.013 of the Revised Code;</u>	757 758 759
<u>(e) The number of enrolled students who are English learners, as defined in section 3301.0731 of the Revised Code;</u>	760 761
<u>(f) The number of enrolled students who are homeless;</u>	762
<u>(g) The number of students who left the school in the prior school year without completing the school year or the student's planned course of study and that number presented as a percentage of the school's total enrolled students;</u>	763 764 765 766
<u>(h) The tuition and fees charged by the school and a five-year cost trend of those charges;</u>	767 768
<u>(i) Services the school offers for students with individualized education programs developed under Chapter 3323. of the Revised Code or plans developed under Section 504 of the "Rehabilitation Act of 1973," 29 U.S.C. 794;</u>	769 770 771 772
<u>(j) Any religious or faith-based instruction provided by the school;</u>	773 774
<u>(k) The name of the school's accrediting body, if any, and the school's most recent accreditation or evaluation report.</u>	775 776
<u>(2) Publish the information it reports to the department under divisions (C) (1) (b), (c), and (h) of this section on the</u>	777 778

<u>school's publicly accessible web site;</u>	779
<u>(3) Certify to the department its compliance with the</u>	780
<u>criminal records check requirements for school employees</u>	781
<u>established under Chapter 3319. of the Revised Code.</u>	782
<u>(D) Each qualifying school shall submit a weekly report to</u>	783
<u>the department on the attendance of enrolled scholarship</u>	784
<u>students.</u>	785
<u>Sec. 3301.167. (A) As used in this section:</u>	786
<u>(1) "Adjusted gross income" has the same meaning as in</u>	787
<u>section 5747.01 of the Revised Code.</u>	788
<u>(2) "Federal poverty guidelines" has the same meaning as</u>	789
<u>in section 5101.46 of the Revised Code.</u>	790
<u>(3) "Community school" means a community school</u>	791
<u>established under Chapter 3314. of the Revised Code.</u>	792
<u>(4) "Scholarship student" has the same meaning as in</u>	793
<u>section 3301.165 of the Revised Code.</u>	794
<u>(5) "STEM school" means a STEM school established under</u>	795
<u>Chapter 3326. of the Revised Code.</u>	796
<u>(B) The department of education and workforce shall</u>	797
<u>establish a system by which an individual may compare the</u>	798
<u>performance data of scholarship students enrolled in a chartered</u>	799
<u>nonpublic school with the performance data of similar students</u>	800
<u>enrolled in the school district in which the school is located.</u>	801
<u>The department shall make the system available on its publicly</u>	802
<u>accessible web site.</u>	803
<u>In calculating the performance of similar students under</u>	804
<u>this section, the department shall consider age, grade, race and</u>	805

<u>ethnicity, gender, and socioeconomic status.</u>	806
<u>(C) (1) Annually, the department shall post on its publicly</u>	807
<u>accessible web site the number of scholarship students</u>	808
<u>disaggregated according to the following categories:</u>	809
<u>(a) Students with a family adjusted gross income at or</u>	810
<u>below two hundred per cent of the federal poverty guidelines;</u>	811
<u>(b) Students with a family adjusted gross income above two</u>	812
<u>hundred per cent of the federal poverty guidelines, but at or</u>	813
<u>below four hundred fifty per cent of the federal poverty</u>	814
<u>guidelines;</u>	815
<u>(c) Students with a family adjusted gross income above</u>	816
<u>four hundred fifty per cent of the federal poverty guidelines,</u>	817
<u>but at or below five hundred per cent of the federal poverty</u>	818
<u>guidelines;</u>	819
<u>(d) Students with a family adjusted gross income above</u>	820
<u>five hundred per cent of the federal poverty guidelines, but at</u>	821
<u>or below five hundred fifty per cent of the federal poverty</u>	822
<u>guidelines;</u>	823
<u>(e) Students with a family adjusted gross income above</u>	824
<u>five hundred fifty per cent of the federal poverty guidelines,</u>	825
<u>but at or below six hundred per cent of the federal poverty</u>	826
<u>guidelines;</u>	827
<u>(f) Students with a family adjusted gross income above six</u>	828
<u>hundred per cent of the federal poverty guidelines, but at or</u>	829
<u>below six hundred fifty per cent of the federal poverty</u>	830
<u>guidelines;</u>	831
<u>(g) Students with a family adjusted gross income above six</u>	832
<u>hundred fifty per cent of the federal poverty guidelines, but at</u>	833

or below seven hundred per cent of the federal poverty 834
guidelines; 835

(h) Students with a family adjusted gross income above 836
seven hundred per cent of the federal poverty guidelines, but at 837
or below seven hundred fifty per cent of the federal poverty 838
guidelines; 839

(i) Students with a family adjusted gross income above 840
seven hundred fifty per cent of the federal poverty guidelines. 841

The department may disaggregate data under division (C) (1) 842
of this section according to other categories that the 843
department determines are appropriate. 844

(2) The department of education and workforce shall 845
request from the department of taxation any data necessary for 846
the department of education and workforce to compute and post 847
data as required under division (C) (1) of this section. 848

Sec. 3302.0311. As used in this section, "qualifying 849
school" has the same meaning as in section 3301.166 of the 850
Revised Code, 851

The department of education and workforce shall establish 852
a report card for qualifying schools. To the extent practicable, 853
the department shall make that report card similar to the report 854
card issued under section 3302.03 of the Revised Code. The 855
department annually shall issue a report card for each 856
qualifying school not later than the fifteenth day of September 857
or the preceding Friday when that day falls on Saturday or 858
Sunday. The department shall include in the report card issued 859
for a qualifying school the reports the school is required to 860
make to the department under sections 3301.165 and 3301.166 of 861
the Revised Code. 862

Sec. 3310.03. For the 2021-2022 school year and each 863
school year thereafter, subject to division (G) of this section, 864
a student is an "eligible student" for purposes of the 865
educational choice scholarship pilot program if the student's 866
resident district is not a school district in which the pilot 867
project scholarship program is operating under sections 3313.974 868
to 3313.979 of the Revised Code, the student satisfies one of 869
the conditions in division (A), (B), or (C) of this section, and 870
the student maintains eligibility to receive a scholarship under 871
division (D) of this section. 872

However, any student who received a scholarship for the 873
2020-2021 school year under this section, as it existed prior to 874
March 2, 2021, shall continue to receive that scholarship until 875
the student completes grade twelve, as long as the student 876
maintains eligibility to receive a scholarship under division 877
(D) of this section. 878

(A)(1) A student is eligible for a scholarship if the 879
student is enrolled in a school building operated by the 880
student's resident district and to which both of the following 881
apply: 882

(a) The building was ranked in the lowest twenty per cent 883
of all buildings operated by city, local, and exempted village 884
school districts according to performance index score as 885
determined by the department of education and workforce, as 886
follows: 887

(i) For a scholarship sought for the 2021-2022 or 2022- 888
2023 school year, the building was ranked in the lowest twenty 889
per cent of buildings for each of the 2017-2018 and 2018-2019 890
school years. 891

(ii) For a scholarship sought for the 2023-2024 school year, the building was ranked in the lowest twenty per cent of buildings for each of the 2018-2019 and 2021-2022 school years.

(iii) For a scholarship sought for the 2024-2025 school year, the building was ranked in the lowest twenty per cent of buildings for each of the 2021-2022 and 2022-2023 school years.

(iv) For a scholarship sought for the 2025-2026 school year or any school year thereafter, the building was ranked in the lowest twenty per cent of buildings for at least two of the three most recent consecutive rankings issued prior to the first day of July of the school year for which a scholarship is sought.

(b) The building is operated by a school district in which, for the three consecutive school years prior to the school year for which a scholarship is sought, an average of twenty per cent or more of the students entitled to attend school in the district, under section 3313.64 or 3313.65 of the Revised Code, were qualified to be included in the formula to distribute funds under Title I of the "Elementary and Secondary Education Act of 1965," 20 U.S.C. 6301 et seq.

When ranking school buildings under division (A) (1) of this section, the department shall not include buildings operated by a school district in which the pilot project scholarship program is operating in accordance with sections 3313.974 to 3313.979 of the Revised Code.

(2) A student is eligible for a scholarship if the student will be enrolling in any of grades kindergarten through twelve in this state for the first time in the school year for which a scholarship is sought, will be at least five years of age, as

defined in section 3321.01 of the Revised Code, by the first day 921
of January of the school year for which a scholarship is sought, 922
and otherwise would be assigned under section 3319.01 of the 923
Revised Code in the school year for which a scholarship is 924
sought, to a school building described in division (A)(1) of 925
this section. 926

(3) A student is eligible for a scholarship if the student 927
is enrolled in a community school established under Chapter 928
3314. of the Revised Code but otherwise would be assigned under 929
section 3319.01 of the Revised Code to a building described in 930
division (A)(1) of this section. 931

(4) A student is eligible for a scholarship if the student 932
is enrolled in a school building operated by the student's 933
resident district or in a community school established under 934
Chapter 3314. of the Revised Code and otherwise would be 935
assigned under section 3319.01 of the Revised Code to a school 936
building described in division (A)(1) of this section in the 937
school year for which the scholarship is sought. 938

(5) A student is eligible for a scholarship if the student 939
was enrolled in a public or nonpublic school or was homeschooled 940
in the prior school year and completed any of grades eight 941
through eleven in that school year and otherwise would be 942
assigned under section 3319.01 of the Revised Code to a school 943
building described in division (A)(1) of this section in the 944
school year for which the scholarship is sought. 945

(B) A student is eligible for a scholarship if the student 946
is enrolled in a nonpublic school at the time the school is 947
granted a charter by the director of education and workforce 948
under section 3301.16 of the Revised Code and the student meets 949
the standards of division (B) of section 3310.031 of the Revised 950

Code.	951
(C) A student is eligible for a scholarship if the student's resident district is subject to section 3302.10 of the Revised Code and the student either:	952 953 954
(1) Is enrolled in a school building operated by the resident district or in a community school established under Chapter 3314. of the Revised Code;	955 956 957
(2) Will be both enrolling in any of grades kindergarten through twelve in this state for the first time and at least five years of age by the first day of January of the school year for which a scholarship is sought.	958 959 960 961
(D) A student who receives a scholarship under the educational choice scholarship pilot program remains an eligible student and may continue to receive scholarships in subsequent school years until the student completes grade twelve, so long as all of the following apply:	962 963 964 965 966
(1) The student's resident district remains the same, or the student transfers to a new resident district and otherwise would be assigned in the new resident district to a school building described in division (A) (1) or (C) of this section.	967 968 969 970
(2) The student takes each assessment prescribed for the student's grade level under section 3301.0710, <u>or</u> 3301.0712, or 3313.619 of the Revised Code while enrolled in a chartered nonpublic school, unless one of the following applies to the student:	971 972 973 974 975
(a) The student is excused from taking that assessment under federal law, the student's individualized education program, or division (C) (1) (c) (i) of section 3301.0711 of the Revised Code.	976 977 978 979

(b) The student is enrolled in a chartered nonpublic school that meets the conditions specified in division (K) (2) or (L) (4) of section 3301.0711 of the Revised Code. 980
981
982

~~(c) The student is enrolled in any of grades three to eight and takes an alternative standardized assessment under division (K) (1) of section 3301.0711 of the Revised Code.~~ 983
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~~(d) The student is excused from taking the assessment prescribed under division (B) (1) of section 3301.0712 of the Revised Code pursuant to division (C) (1) (c) (ii) of section 3301.0711 of the Revised Code.~~ 986
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(3) In each school year that the student is enrolled in a chartered nonpublic school, the student is absent from school for not more than twenty days that the school is open for instruction, not including excused absences. 990
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(E) (1) The department shall cease awarding first-time scholarships pursuant to divisions (A) (1) to (5) of this section with respect to a school building that, in the most recent ratings of school buildings under section 3302.03 of the Revised Code prior to the first day of July of the school year, ceases to meet the criteria in division (A) (1) of this section. 994
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(2) The department shall cease awarding first-time scholarships pursuant to division (C) of this section with respect to a school district subject to section 3302.10 of the Revised Code when the academic distress commission established for the district ceases to exist. 1000
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(3) However, students who have received scholarships in the prior school year remain eligible students pursuant to division (D) of this section. 1005
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(F) The department shall adopt rules defining excused 1008

absences for purposes of division (D) (3) of this section. 1009

(G) Notwithstanding anything to the contrary in this 1010
section or section 3310.031 of the Revised Code, a student shall 1011
not be required to be enrolled or enrolling in a school building 1012
operated by the student's resident district or a community 1013
school in order to be eligible for a scholarship, as follows: 1014

(1) For a scholarship sought for the 2021-2022 school 1015
year, a student entering any of grades kindergarten through two; 1016

(2) For a scholarship sought for the 2022-2023 school 1017
year, a student entering any of grades kindergarten through 1018
four; 1019

(3) For a scholarship sought for the 2023-2024 school 1020
year, a student entering any of grades kindergarten through six; 1021

(4) For a scholarship sought for the 2024-2025 school 1022
year, a student entering any of grades kindergarten through 1023
eight; 1024

(5) For a scholarship sought for the 2025-2026 school 1025
year, and each school year thereafter, a student entering any of 1026
grades kindergarten through twelve. 1027

(H) Except as provided for in section 3310.13 of the 1028
Revised Code and in division (C) (2) of section 3365.07 of the 1029
Revised Code, the department shall not require the parent of a 1030
student who applies for or receives a scholarship under this 1031
section or section 3310.033, 3310.034, or 3310.035 of the 1032
Revised Code to complete any kind of income verification 1033
regarding the student's family income. 1034

Sec. 3310.13. (A) No chartered nonpublic school shall 1035
charge any student whose family income is at or below two 1036

hundred per cent of the federal poverty guidelines, as defined 1037
in section 5101.46 of the Revised Code, a tuition fee that is 1038
greater than the total amount paid for that student under 1039
section 3317.022 of the Revised Code. 1040

(B) A chartered nonpublic school may charge any other 1041
student who is paid a scholarship under that section up to the 1042
difference between the amount of the scholarship and the regular 1043
tuition charge of the school. Each chartered nonpublic school 1044
may permit such an eligible student's family to provide 1045
volunteer services in lieu of cash payment to pay all or part of 1046
the amount of the school's tuition not covered by the 1047
scholarship paid under section 3317.022 of the Revised Code. 1048

(C) Each chartered nonpublic school that charges a 1049
scholarship student an additional amount as authorized under 1050
division (B) of this section shall annually report to the 1051
department of education and workforce in the manner prescribed 1052
by the department the following: 1053

(1) The number of students charged; 1054

(2) The average of the amounts charged to such students. 1055

(D) On and after July 1, 2024, the department shall not 1056
require the parent of a student to submit a complete copy of the 1057
parent's federal income tax return, or a return filed under 1058
section 5747.08 of the Revised Code, to determine a student's 1059
family income for the purposes of the educational choice 1060
scholarship pilot program. Rather, the department may require a 1061
parent to submit a partial federal income tax return, or a 1062
return filed under section 5747.08 of the Revised Code, that 1063
only contains the minimum amount of information necessary to 1064
determine a student's family income. 1065

(E) No chartered nonpublic school participating in the educational choice scholarship pilot program shall require the parent of a student to disclose, as part of the school's admission procedure, whether the student's family income is at or below two hundred per cent of the federal poverty guidelines.

(F) A chartered nonpublic school may accept scholarships issued by a scholarship granting organization authorized under section 5747.73 of the Revised Code as payment for the difference between the amount of the scholarship paid under section 3317.022 of the Revised Code and the regular tuition charge of the school, as well as for any fees regularly charged by the school. Each such school shall report annually to the department the family income of each student who receives a scholarship from a scholarship granting organization described in this division.

(G) Not later than the thirtieth day of June of each year, each chartered nonpublic school that enrolls students who receive educational choice scholarships shall submit to the department of education and workforce, in a form and manner prescribed by the department, the tuition rates charged by the school for the following school year.

Sec. 3310.14. (A) Except as provided in division (B) of this section, each chartered nonpublic school that is not subject to division (K)(1) of section 3301.0711 of the Revised Code and enrolls students awarded scholarships under sections 3310.01 to 3310.17 of the Revised Code annually shall administer the assessments prescribed by section 3301.0710 ~~or 3301.0712~~ ~~or 3313.619~~ of the Revised Code, as applicable, to each scholarship student enrolled in the school in accordance with section 3301.0711 of the Revised Code. Each chartered nonpublic

school that is subject to this section shall report to the 1096
department of education and workforce the results of each 1097
assessment administered to each scholarship student under this 1098
section. 1099

Nothing in this section requires a chartered nonpublic 1100
school to administer any achievement assessment, except for an 1101
Ohio graduation test prescribed by division (B) (1) of section 1102
3301.0710 or the college and work ready assessment system 1103
prescribed by division (B) of section 3301.0712 of the Revised 1104
Code to any student enrolled in the school who is not a 1105
scholarship student. 1106

(B) A chartered nonpublic school that meets the conditions 1107
specified in division (K) (2) of section 3301.0711 of the Revised 1108
Code shall not be required to administer the elementary 1109
assessments prescribed by division (A) of section 3301.0710 of 1110
the Revised Code. 1111

Sec. 3310.15. (A) The department of education and 1112
workforce annually shall compile the scores attained by 1113
scholarship students to whom an assessment is administered under 1114
section 3310.14 of the Revised Code. The scores shall be 1115
aggregated as follows: 1116

(1) By state, which shall include all students awarded a 1117
scholarship under the educational choice scholarship pilot 1118
program and who were required to take an assessment under 1119
section 3310.14 of the Revised Code; 1120

(2) By school district, which shall include all 1121
scholarship students who were required to take an assessment 1122
under section 3310.14 of the Revised Code and for whom the 1123
district is the student's resident district; 1124

(3) By chartered nonpublic school, which shall include all 1125
scholarship students enrolled in that school who were required 1126
to take an assessment under section 3310.14 of the Revised Code. 1127

(B) The department shall disaggregate the student 1128
performance data described in division (A) of this section 1129
according to the following categories: 1130

(1) Grade level; 1131

(2) Race and ethnicity; 1132

(3) Gender; 1133

(4) Students who have participated in the scholarship 1134
program for three or more years; 1135

(5) Students who have participated in the scholarship 1136
program for more than one year and less than three years; 1137

(6) Students who have participated in the scholarship 1138
program for one year or less; 1139

(7) Economically disadvantaged students. 1140

(C) The department shall post the student performance data 1141
required under divisions (A) and (B) of this section on its web 1142
site and, by the ~~first-fifteenth~~ day of ~~February-September~~ or 1143
the preceding Friday when that day falls on a Saturday or Sunday 1144
each year, shall distribute that data to the parent of each 1145
eligible student. In reporting student performance data under 1146
this division, the department shall not include any data that is 1147
statistically unreliable or that could result in the 1148
identification of individual students. For this purpose, the 1149
department shall not report performance data for any group that 1150
contains less than ten students. 1151

Not later than July 1, 2025, the department shall develop 1152
a measure of student growth for scholarship students enrolled in 1153
chartered nonpublic schools. The measure of student growth shall 1154
be used to report data annually on student growth for students 1155
in grades four through eight during the school year in which 1156
data is reported. No data shall be reported for schools with 1157
fewer than ten scholarship students. The department shall make 1158
the growth reports available on its publicly accessible web 1159
site. 1160

(D) The department shall provide the parent of each 1161
scholarship student with information comparing the student's 1162
performance on the assessments administered under section 1163
3310.14 of the Revised Code with the average performance of 1164
similar students enrolled in the building operated by the 1165
student's resident district that the scholarship student would 1166
otherwise attend. In calculating the performance of similar 1167
students, the department shall consider age, grade, race and 1168
ethnicity, gender, and socioeconomic status. 1169

Sec. 3313.618. (A) In addition to the curriculum 1170
requirements specified by the board of education of a school 1171
district or governing authority of a chartered nonpublic school, 1172
each student entering ninth grade for the first time on or after 1173
July 1, 2014, but prior to July 1, 2019, shall satisfy at least 1174
one of the following conditions or the conditions prescribed 1175
under division (B) of this section in order to qualify for a 1176
high school diploma: 1177

(1) Be remediation-free, in accordance with standards 1178
adopted under division (F) of section 3345.061 of the Revised 1179
Code, on each of the nationally standardized assessments in 1180
English, mathematics, and reading; 1181

(2) Attain a score specified under division (B) (5) (c) of 1182
section 3301.0712 of the Revised Code on the end-of-course 1183
examinations prescribed under division (B) of section 3301.0712 1184
of the Revised Code. 1185

(3) Attain a score that demonstrates workforce readiness 1186
and employability on a nationally recognized job skills 1187
assessment selected by the department of education and workforce 1188
under division (F) of section 3301.0712 of the Revised Code and 1189
obtain either an industry-recognized credential or a license 1190
issued by a state agency or board for practice in a vocation 1191
that requires an examination for issuance of that license. 1192

For the purposes of this division, the industry-recognized 1193
credentials and licenses shall be as approved under section 1194
3313.6113 of the Revised Code. 1195

A student may choose to qualify for a high school diploma 1196
by satisfying any of the separate requirements prescribed by 1197
divisions (A) (1) to (3) of this section. If the student's school 1198
district or school does not administer the examination 1199
prescribed by one of those divisions that the student chooses to 1200
take to satisfy the requirements of this section, the school 1201
district or school may require that student to arrange for the 1202
applicable scores to be sent directly to the district or school 1203
by the company or organization that administers the examination. 1204

(B) In addition to the curriculum requirements specified 1205
by the district board or school governing authority, each 1206
student entering ninth grade for the first time on or after July 1207
1, 2019, shall satisfy the following conditions in order to 1208
qualify for a high school diploma: 1209

(1) Attain a competency score as determined under division 1210

(B) (10) of section 3301.0712 of the Revised Code on each of the 1211
Algebra I and English language arts II end-of-course 1212
examinations prescribed under division (B) (2) of section 1213
3301.0712 of the Revised Code. 1214

School districts and chartered nonpublic schools shall 1215
offer remedial support to any student who fails to attain a 1216
competency score on one or both of the Algebra I and English 1217
language arts II end-of-course examinations. 1218

Following the first administration of the exam, if a 1219
student fails to attain a competency score on one or both of the 1220
Algebra I and English language arts II end-of-course 1221
examinations that student must retake the respective examination 1222
at least once. 1223

If a student fails to attain a competency score on a 1224
retake examination, the student may demonstrate competency in 1225
the failed subject area through one of the following options: 1226

(a) Earn course credit taken through the college credit 1227
plus program established under Chapter 3365. of the Revised Code 1228
in the failed subject area; 1229

(b) Complete two of the following options, one of which 1230
must be foundational: 1231

(i) Foundational options to demonstrate competency, which 1232
include earning a cumulative score of proficient or higher on 1233
three or more state technical assessments aligned with section 1234
3313.903 of the Revised Code in a single career pathway, 1235
obtaining an industry-recognized credential, or group of 1236
credentials, approved under section 3313.6113 of the Revised 1237
Code that meet the criteria established under that section to 1238
qualify for a high school diploma, obtaining a license approved 1239

under section 3313.6113 of the Revised Code that is issued by a 1240
state agency or board for practice in a vocation that requires 1241
an examination for issuance of that license, completing a pre- 1242
apprenticeship aligned with options established under section 1243
3313.904 of the Revised Code in the student's chosen career 1244
field, completing an apprenticeship registered with the 1245
apprenticeship council established under section 4139.02 of the 1246
Revised Code in the student's chosen career field, or providing 1247
evidence of acceptance into an apprenticeship program after high 1248
school that is restricted to participants eighteen years of age 1249
or older; 1250

(ii) Supporting options to demonstrate competency, which 1251
include completing two hundred fifty hours of a work-based 1252
learning experience with evidence of positive evaluations, 1253
obtaining an OhioMeansJobs-readiness seal under section 1254
3313.6112 of the Revised Code, or attaining a workforce 1255
readiness score, as determined by the department, on the 1256
nationally recognized job skills assessment selected by the 1257
department under division (F) of section 3301.0712 of the 1258
Revised Code. 1259

(c) Provide evidence that the student has enlisted in a 1260
branch of the armed services of the United States as defined in 1261
section 5910.01 of the Revised Code. 1262

(d) Be remediation-free, in accordance with standards 1263
adopted under division (F) of section 3345.061 of the Revised 1264
Code, in the failed subject area on a nationally standardized 1265
assessment prescribed under division (B) (1) of section 3301.0712 1266
of the Revised Code. For English language arts II, a student 1267
must be remediation-free in the subjects of English and reading 1268
on the nationally standardized assessment. 1269

Subject to division (L) (2) of section 3313.61 of the Revised Code, for any students receiving special education and related services under Chapter 3323. of the Revised Code, the individualized education program developed for the student under that chapter shall specify the manner in which the student will participate in the assessments administered under this division or an alternate assessment in accordance with division (C) (1) of section 3301.0711 of the Revised Code.

(2) Earn at least two of the state diploma seals prescribed under division (A) of section 3313.6114 of the Revised Code, at least one of which shall be any of the following:

(a) The state seal of biliteracy established under section 3313.6111 of the Revised Code;

(b) The OhioMeansJobs-readiness seal established under section 3313.6112 of the Revised Code;

(c) One of the state diploma seals established under divisions (C) (1) to (7) of section 3313.6114 of the Revised Code.

(C) (1) A student who transfers into an Ohio public or chartered nonpublic high school from another state or enrolls in such a high school after receiving home education or attending a nonchartered, nontax-supported school in the previous school year shall meet the requirements of division (B) ~~or (D)~~ of this section, as applicable, in order to qualify for a high school diploma. However, any student subject to division (B) of this section who transfers or enrolls after the start of the student's twelfth grade year and fails to attain a competency score on the Algebra I or English language arts II end-of-course

examination shall not be required to retake the applicable 1299
examination prior to demonstrating competency in the failed 1300
subject area under the options prescribed in divisions (B) (1) (a) 1301
to (d) of this section. 1302

(2) The department shall prescribe standards that allow a 1303
transfer student who, prior to the student's transfer, took an 1304
assessment described in division (B) (1) or (2) of section 1305
3301.0712 or section 3313.619 of the Revised Code to apply the 1306
score from that assessment towards graduation requirements at 1307
the student's new public or chartered nonpublic school. 1308

(D) Notwithstanding division (B) of this section, in 1309
addition to the curriculum requirements specified by the school 1310
governing authority, a chartered nonpublic school student 1311
subject to division ~~(L) (3) (a) (ii)~~ (L) (3) (a) (ii) (II) of section 1312
3301.0711 of the Revised Code entering ninth grade for the first 1313
time on or after July 1, 2019, shall qualify for a high school 1314
diploma if the student earns a remediation-free score in the 1315
areas of English, mathematics, and reading, in accordance with 1316
standards adopted under division (F) of section 3345.061 of the 1317
Revised Code, on a nationally standardized assessment prescribed 1318
under division (B) (1) of section 3301.0712 of the Revised Code. 1319
No such student shall be required to take the Algebra I or 1320
English language arts II end-of-course examination or earn 1321
diploma seals under this section. 1322

(E) The department shall not create or require any 1323
additional assessment for the granting of any type of high 1324
school diploma other than as prescribed by this section. Except 1325
as provided in sections 3313.6111, 3313.6112, and 3313.6114 of 1326
the Revised Code, the department or the director of education 1327
and workforce shall not create any endorsement or designation 1328

that may be affiliated with a high school diploma. 1329

Sec. 3313.619. This section does not apply to a student 1330
participating in a general education state scholarship program, 1331
as defined in section 3301.165 of the Revised Code. Such student 1332
shall comply with section 3313.618 of the Revised Code in the 1333
same manner as a public school student. 1334

(A) In lieu of the assessment requirements prescribed by 1335
division (A) of section 3313.618 of the Revised Code or the 1336
requirements to demonstrate competency and earn diploma seals 1337
prescribed by division (B) of that section, a chartered 1338
nonpublic school may grant a high school diploma to a student 1339
who attains at least the designated score on an assessment 1340
approved by the department of education and workforce under 1341
division (B) of this section and selected by the school's 1342
governing authority. 1343

(B) For purposes of division (A) of this section, the 1344
department shall approve assessments that meet the conditions 1345
specified under division (C) of this section and shall designate 1346
passing scores for each of those assessments. 1347

(C) Each assessment approved under division (B) of this 1348
section shall be nationally norm-referenced, have internal 1349
consistency reliability coefficients of at least "0.8," be 1350
standardized, have specific evidence of content, concurrent, or 1351
criterion validity, have evidence of norming studies in the 1352
previous ten years, have a measure of student achievement in 1353
core academic areas, and have high validity evidenced by the 1354
alignment of the assessment with nationally recognized content. 1355

(D) Nothing in this section shall prohibit a chartered 1356
nonpublic school from granting a high school diploma to a 1357

student if the student satisfies the applicable requirements 1358
prescribed by section 3313.618 of the Revised Code. 1359

Sec. 3313.6612. Each school district and chartered 1360
nonpublic school shall maintain a disciplinary record for each 1361
student who is subject to a disciplinary action. The record 1362
shall include a description of each incident that resulted in 1363
disciplinary action by the district or school. 1364

The disciplinary record of a student who is enrolled in a 1365
public school is subject to section 3319.321 of the Revised Code 1366
and the "Family Educational Rights and Privacy Act of 1974," 20 1367
U.S.C. 1232g. 1368

Sec. 3313.976. (A) No private school may receive 1369
scholarship payments from parents pursuant to section 3317.022 1370
of the Revised Code until the chief administrator of the private 1371
school registers the school with the director of education and 1372
workforce. The director shall register any school that meets the 1373
following requirements: 1374

(1) The school indicates in writing its commitment to 1375
follow all requirements for a state-sponsored scholarship 1376
program specified under sections 3313.974 to 3313.979 of the 1377
Revised Code, including, but not limited to, the requirements 1378
for admitting students pursuant to section 3313.977 of the 1379
Revised Code; 1380

(2) The school meets all state minimum standards for 1381
chartered nonpublic schools in effect on July 1, 1992, except 1382
that the director at the director's discretion may register 1383
nonchartered nonpublic schools meeting the other requirements of 1384
this division; 1385

(3) The school does not discriminate on the basis of race, 1386

religion, or ethnic background; 1387

(4) The school enrolls a minimum of ten students per class 1388
or a sum of at least twenty-five students in all the classes 1389
offered; 1390

(5) The school does not advocate or foster unlawful 1391
behavior or teach hatred of any person or group on the basis of 1392
race, ethnicity, national origin, or religion; 1393

(6) The school does not provide false or misleading 1394
information about the school to parents, students, or the 1395
general public; 1396

(7) For students in grades kindergarten through eight with 1397
family incomes at or below two hundred per cent of the federal 1398
poverty guidelines, as defined in section 5101.46 of the Revised 1399
Code, the school agrees not to charge any tuition in excess of 1400
the scholarship amount established pursuant to division (A) (11) 1401
(a) of section 3317.022 of the Revised Code, excluding any 1402
increase described in that division. 1403

(8) For students in grades kindergarten through eight with 1404
family incomes above two hundred per cent of the federal poverty 1405
guidelines, whose scholarship amounts are less than the actual 1406
tuition charge of the school, the school agrees not to charge 1407
any tuition in excess of the difference between the actual 1408
tuition charge of the school and the scholarship amount 1409
established pursuant to division (A) (11) (a) of section 3317.022 1410
of the Revised Code, excluding any increase described in that 1411
division. The school shall permit such tuition, at the 1412
discretion of the parent, to be satisfied by the family's 1413
provision of in-kind contributions or services. 1414

(9) The school agrees not to charge any tuition to 1415

families of students in grades nine through twelve receiving a 1416
scholarship in excess of the actual tuition charge of the school 1417
less the scholarship amount established pursuant to division (A) 1418
(11) (a) of section 3317.022 of the Revised Code, excluding any 1419
increase described in that division. 1420

(10) It annually administers the applicable assessments 1421
prescribed by section 3301.0710, or 3301.0712, ~~or 3313.619~~ of 1422
the Revised Code to each scholarship student enrolled in the 1423
school in accordance with section 3301.0711 or 3301.0712 of the 1424
Revised Code and reports to the department of education the 1425
results of each such assessment administered to each scholarship 1426
student, unless one of the following applies to the student: 1427

(a) The student is excused from taking that assessment 1428
under federal law, the student's individualized education 1429
program, or division (C) (1) (c) (i) of section 3301.0711 of the 1430
Revised Code. 1431

(b) The student is enrolled in a chartered nonpublic 1432
school that meets the conditions specified in division (K) (2) or 1433
(L) (4) of section 3301.0711 of the Revised Code. 1434

~~(c) The student is enrolled in any of grades three to 1435
eight and takes an alternative standardized assessment under 1436
division (K) (1) of section 3301.0711 of the Revised Code. 1437~~

~~(d) The student is excused from taking the assessment 1438
prescribed under division (B) (1) of section 3301.0712 of the 1439
Revised Code pursuant to division (C) (1) (c) (ii) of section 1440
3301.0711 of the Revised Code. 1441~~

(B) The director shall revoke the registration of any 1442
school if, after a hearing, the director determines that the 1443
school is in violation of any of the provisions of division (A) 1444

of this section. 1445

(C) Any public school located in a school district 1446
adjacent to the pilot project school district may receive 1447
scholarship payments on behalf of parents pursuant to section 1448
3317.022 of the Revised Code if the superintendent of the 1449
district in which such public school is located notifies the 1450
director prior to the first day of March that the district 1451
intends to admit students from the pilot project school district 1452
for the ensuing school year pursuant to section 3327.06 of the 1453
Revised Code. 1454

(D) Any parent wishing to purchase tutorial assistance 1455
from any person or governmental entity pursuant to the pilot 1456
project program under sections 3313.974 to 3313.979 of the 1457
Revised Code shall apply to the director. The director shall 1458
approve providers who appear to possess the capability of 1459
furnishing the instructional services they are offering to 1460
provide. 1461

(E) On and after July 1, 2024, the director shall not 1462
require the parent of a student to submit a complete copy of the 1463
parent's federal income tax return, or a return filed under 1464
section 5747.08 of the Revised Code, to determine a student's 1465
family income for the purposes of the pilot project scholarship 1466
program. Rather, the director may require a parent to submit a 1467
partial federal income tax return, or a return filed under 1468
section 5747.08 of the Revised Code, that only contains the 1469
minimum amount of information necessary to determine a student's 1470
family income. 1471

(F) Not later than the thirtieth day of June of each year, 1472
each private school registered under this section shall submit 1473
to the director of education and workforce, in a form and manner 1474

prescribed by the director, the tuition rates charged by the 1475
school for the following school year. 1476

Sec. 3314.03. A copy of every contract entered into under 1477
this section shall be filed with the director of education and 1478
workforce. The department of education and workforce shall make 1479
available on its web site a copy of every approved, executed 1480
contract filed with the director under this section. 1481

(A) Each contract entered into between a sponsor and the 1482
governing authority of a community school shall specify the 1483
following: 1484

(1) That the school shall be established as either of the 1485
following: 1486

(a) A nonprofit corporation established under Chapter 1487
1702. of the Revised Code, if established prior to April 8, 1488
2003; 1489

(b) A public benefit corporation established under Chapter 1490
1702. of the Revised Code, if established after April 8, 2003. 1491

(2) The education program of the school, including the 1492
school's mission and educational philosophy, the characteristics 1493
of the students the school is expected to attract, the ages and 1494
grades of students, and the focus of the curriculum; 1495

(3) The academic goals to be achieved and the method of 1496
measurement that will be used to determine progress toward those 1497
goals, which shall include the statewide achievement 1498
assessments; 1499

(4) Performance standards, including but not limited to 1500
all applicable report card measures set forth in section 3302.03 1501
or 3314.017 of the Revised Code, by which the success of the 1502

school will be evaluated by the sponsor;	1503
(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	1504 1505 1506
(6) (a) Dismissal procedures;	1507
(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in seventy-two consecutive hours of the learning opportunities offered to the student.	1508 1509 1510 1511 1512 1513
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	1514 1515
(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code.	1516 1517 1518 1519 1520 1521
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	1522 1523
(a) A detailed description of each facility used for instructional purposes;	1524 1525
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	1526 1527
(c) The annual mortgage principal and interest payments that are paid by the school;	1528 1529

(d) The name of the lender or landlord, identified as 1530
such, and the lender's or landlord's relationship to the 1531
operator, if any. 1532

(10) Qualifications of employees, including both of the 1533
following: 1534

(a) A requirement that the school's classroom teachers be 1535
licensed in accordance with sections 3319.22 to 3319.31 of the 1536
Revised Code, except that a community school may engage 1537
noncertificated persons to teach up to twelve hours or forty 1538
hours per week pursuant to section 3319.301 of the Revised Code; 1539

(b) A prohibition against the school employing an 1540
individual described in section 3314.104 of the Revised Code in 1541
any position. 1542

(11) That the school will comply with the following 1543
requirements: 1544

(a) The school will provide learning opportunities to a 1545
minimum of twenty-five students for a minimum of nine hundred 1546
twenty hours per school year. 1547

(b) The governing authority will purchase liability 1548
insurance, or otherwise provide for the potential liability of 1549
the school. 1550

(c) The school will be nonsectarian in its programs, 1551
admission policies, employment practices, and all other 1552
operations, and will not be operated by a sectarian school or 1553
religious institution. 1554

(d) The school will comply with sections 9.90, 9.91, 1555
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 1556
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.24, 3301.948, 1557

3302.037, 3313.472, 3313.473, 3313.474, 3313.50, 3313.539, 1558
3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.609, 3313.6012, 1559
3313.6013, 3313.6014, 3313.6020, 3313.6024, 3313.6026, 1560
3313.6028, 3313.6029, 3313.6031, 3313.643, 3313.648, 3313.6411, 1561
3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 1562
3313.668, 3313.669, 3313.6610, 3313.6612, 3313.67, 3313.671, 1563
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3313.719, 3313.7112, 3313.7117, 3313.721, 3313.753, 3313.80, 1565
3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 3313.8110, 1566
3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 1567
3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 3319.39, 1568
3319.391, 3319.393, 3319.41, 3319.46, 3319.90, 3319.614, 1569
3320.01, 3320.02, 3320.03, 3320.04, 3321.01, 3321.041, 3321.13, 1570
3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 1571
3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 1572
5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 1573
4123., 4141., and 4167. of the Revised Code as if it were a 1574
school district and will comply with section 3301.0714 of the 1575
Revised Code in the manner specified in section 3314.17 of the 1576
Revised Code. 1577

(e) The school shall comply with Chapter 102. and section 1578
2921.42 of the Revised Code. 1579

(f) The school will comply with sections 3313.61, 1580
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 1581
Revised Code, except that for students who enter ninth grade for 1582
the first time before July 1, 2010, the requirement in sections 1583
3313.61 and 3313.611 of the Revised Code that a person must 1584
successfully complete the curriculum in any high school prior to 1585
receiving a high school diploma may be met by completing the 1586
curriculum adopted by the governing authority of the community 1587
school rather than the curriculum specified in Title XXXVIII of 1588

the Revised Code or any rules of the department. Beginning with 1589
students who enter ninth grade for the first time on or after 1590
July 1, 2010, the requirement in sections 3313.61 and 3313.611 1591
of the Revised Code that a person must successfully complete the 1592
curriculum of a high school prior to receiving a high school 1593
diploma shall be met by completing the requirements prescribed 1594
in section 3313.6027 and division (C) of section 3313.603 of the 1595
Revised Code, unless the person qualifies under division (D) or 1596
(F) of that section. Each school shall comply with the plan for 1597
awarding high school credit based on demonstration of subject 1598
area competency, and beginning with the 2017-2018 school year, 1599
with the updated plan that permits students enrolled in seventh 1600
and eighth grade to meet curriculum requirements based on 1601
subject area competency adopted by the department under 1602
divisions (J) (1) and (2) of section 3313.603 of the Revised 1603
Code. Beginning with the 2018-2019 school year, the school shall 1604
comply with the framework for granting units of high school 1605
credit to students who demonstrate subject area competency 1606
through work-based learning experiences, internships, or 1607
cooperative education developed by the department under division 1608
(J) (3) of section 3313.603 of the Revised Code. 1609

(g) The school governing authority will submit within four 1610
months after the end of each school year a report of its 1611
activities and progress in meeting the goals and standards of 1612
divisions (A) (3) and (4) of this section and its financial 1613
status to the sponsor and the parents of all students enrolled 1614
in the school. 1615

(h) The school, unless it is an internet- or computer- 1616
based community school, will comply with section 3313.801 of the 1617
Revised Code as if it were a school district. 1618

(i) If the school is the recipient of moneys from a grant 1619
awarded under the federal race to the top program, Division (A), 1620
Title XIV, Sections 14005 and 14006 of the "American Recovery 1621
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 1622
the school will pay teachers based upon performance in 1623
accordance with section 3317.141 and will comply with section 1624
3319.111 of the Revised Code as if it were a school district. 1625

(j) If the school operates a preschool program that is 1626
licensed by the department under sections 3301.52 to 3301.59 of 1627
the Revised Code, the school shall comply with sections 3301.50 1628
to 3301.59 of the Revised Code and the minimum standards for 1629
preschool programs prescribed in rules adopted by the department 1630
of children and youth under section 3301.53 of the Revised Code. 1631

(k) The school will comply with sections 3313.6021 and 1632
3313.6023 of the Revised Code as if it were a school district 1633
unless it is either of the following: 1634

(i) An internet- or computer-based community school; 1635

(ii) A community school in which a majority of the 1636
enrolled students are children with disabilities as described in 1637
division (B) (2) of section 3314.35 of the Revised Code. 1638

(l) The school will comply with section 3321.191 of the 1639
Revised Code, unless it is an internet- or computer-based 1640
community school that is subject to section 3314.261 of the 1641
Revised Code. 1642

(m) The school will comply with section 3313.7118 of the 1643
Revised Code if it serves elementary school students. 1644

(12) Arrangements for providing health and other benefits 1645
to employees; 1646

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

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

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

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

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

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

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

(18) Provisions establishing procedures for resolving 1676
disputes or differences of opinion between the sponsor and the 1677
governing authority of the community school; 1678

(19) A provision requiring the governing authority to 1679
adopt a policy regarding the admission of students who reside 1680
outside the district in which the school is located. That policy 1681
shall comply with the admissions procedures specified in 1682
sections 3314.06 and 3314.061 of the Revised Code and, at the 1683
sole discretion of the authority, shall do one of the following: 1684

(a) Prohibit the enrollment of students who reside outside 1685
the district in which the school is located; 1686

(b) Permit the enrollment of students who reside in 1687
districts adjacent to the district in which the school is 1688
located; 1689

(c) Permit the enrollment of students who reside in any 1690
other district in the state. 1691

(20) A provision recognizing the authority of the 1692
department to take over the sponsorship of the school in 1693
accordance with the provisions of division (C) of section 1694
3314.015 of the Revised Code; 1695

(21) A provision recognizing the sponsor's authority to 1696
assume the operation of a school under the conditions specified 1697
in division (B) of section 3314.073 of the Revised Code; 1698

(22) A provision recognizing both of the following: 1699

(a) The authority of public health and safety officials to 1700
inspect the facilities of the school and to order the facilities 1701
closed if those officials find that the facilities are not in 1702
compliance with health and safety laws and regulations; 1703

(b) The authority of the department as the community 1704
school oversight body to suspend the operation of the school 1705
under section 3314.072 of the Revised Code if the department has 1706
evidence of conditions or violations of law at the school that 1707
pose an imminent danger to the health and safety of the school's 1708
students and employees and the sponsor refuses to take such 1709
action. 1710

(23) A description of the learning opportunities that will 1711
be offered to students including both classroom-based and non- 1712
classroom-based learning opportunities that is in compliance 1713
with criteria for student participation established by the 1714
department under division (H) (2) of section 3314.08 of the 1715
Revised Code; 1716

(24) The school will comply with sections 3302.04 and 1717
3302.041 of the Revised Code, except that any action required to 1718
be taken by a school district pursuant to those sections shall 1719
be taken by the sponsor of the school. 1720

(25) Beginning in the 2006-2007 school year, the school 1721
will open for operation not later than the thirtieth day of 1722
September each school year, unless the mission of the school as 1723
specified under division (A) (2) of this section is solely to 1724
serve dropouts. In its initial year of operation, if the school 1725
fails to open by the thirtieth day of September, or within one 1726
year after the adoption of the contract pursuant to division (D) 1727
of section 3314.02 of the Revised Code if the mission of the 1728
school is solely to serve dropouts, the contract shall be void. 1729

(26) Whether the school's governing authority is planning 1730
to seek designation for the school as a STEM school equivalent 1731
under section 3326.032 of the Revised Code; 1732

(27) That the school's attendance and participation policies will be available for public inspection;	1733 1734
(28) That the school's attendance and participation records shall be made available to the department, auditor of state, and school's sponsor to the extent permitted under and in accordance with the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any regulations promulgated under that act, and section 3319.321 of the Revised Code;	1735 1736 1737 1738 1739 1740 1741
(29) If a school operates using the blended learning model, as defined in section 3301.079 of the Revised Code, all of the following information:	1742 1743 1744
(a) An indication of what blended learning model or models will be used;	1745 1746
(b) A description of how student instructional needs will be determined and documented;	1747 1748
(c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level;	1749 1750
(d) The school's attendance requirements, including how the school will document participation in learning opportunities;	1751 1752 1753
(e) A statement describing how student progress will be monitored;	1754 1755
(f) A statement describing how private student data will be protected;	1756 1757
(g) A description of the professional development activities that will be offered to teachers.	1758 1759

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

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

(32) A provision requiring the governing authority to adopt an enrollment and attendance policy that requires a student's parent to notify the community school in which the student is enrolled when there is a change in the location of the parent's or student's primary residence.

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

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

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

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

(B) A contract entered into under section 3314.02 of the Revised Code between a sponsor and the governing authority of a community school may provide for the community school governing authority to make payments to the sponsor, which is hereby

authorized to receive such payments as set forth in the contract 1789
between the governing authority and the sponsor. The total 1790
amount of such payments for monitoring, oversight, and technical 1791
assistance of the school shall not exceed three per cent of the 1792
total amount of payments for operating expenses that the school 1793
receives from the state. 1794

(C) The contract shall specify the duties of the sponsor 1795
which shall be in accordance with the written agreement entered 1796
into with the department under division (B) of section 3314.015 1797
of the Revised Code and shall include the following: 1798

(1) Monitor the community school's compliance with all 1799
laws applicable to the school and with the terms of the 1800
contract; 1801

(2) Monitor and evaluate the academic and fiscal 1802
performance and the organization and operation of the community 1803
school on at least an annual basis; 1804

(3) Provide technical assistance to the community school 1805
in complying with laws applicable to the school and terms of the 1806
contract; 1807

(4) Take steps to intervene in the school's operation to 1808
correct problems in the school's overall performance, declare 1809
the school to be on probationary status pursuant to section 1810
3314.073 of the Revised Code, suspend the operation of the 1811
school pursuant to section 3314.072 of the Revised Code, or 1812
terminate the contract of the school pursuant to section 3314.07 1813
of the Revised Code as determined necessary by the sponsor; 1814

(5) Have in place a plan of action to be undertaken in the 1815
event the community school experiences financial difficulties or 1816
closes prior to the end of a school year. 1817

(D) Upon the expiration of a contract entered into under 1818
this section, the sponsor of a community school may, with the 1819
approval of the governing authority of the school, renew that 1820
contract for a period of time determined by the sponsor, but not 1821
ending earlier than the end of any school year, if the sponsor 1822
finds that the school's compliance with applicable laws and 1823
terms of the contract and the school's progress in meeting the 1824
academic goals prescribed in the contract have been 1825
satisfactory. Any contract that is renewed under this division 1826
remains subject to the provisions of sections 3314.07, 3314.072, 1827
and 3314.073 of the Revised Code. 1828

(E) If a community school fails to open for operation 1829
within one year after the contract entered into under this 1830
section is adopted pursuant to division (D) of section 3314.02 1831
of the Revised Code or permanently closes prior to the 1832
expiration of the contract, the contract shall be void and the 1833
school shall not enter into a contract with any other sponsor. A 1834
school shall not be considered permanently closed because the 1835
operations of the school have been suspended pursuant to section 1836
3314.072 of the Revised Code. 1837

Sec. 3319.324. (A) As used in this section, "school 1838
records" includes any academic records, student assessment data, 1839
disciplinary record, or other information for which there is a 1840
legitimate educational interest. 1841

(B) Except as provided for in division (C) of this 1842
section, when any school district or chartered nonpublic school 1843
receives a request from another district or school to which a 1844
student has transferred for that student's school records, the 1845
district or school receiving the request shall respond, within 1846
five school days after receiving the request, by transmitting to 1847

the requesting district or school either the student's school 1848
records as authorized under section 3319.321 of the Revised Code 1849
or, if the district or school has no record of the student's 1850
attendance, a statement of that fact. 1851

(C) Except as provided for in division (E) of this 1852
section, a district or school may withhold a student's school 1853
records if there is two thousand five hundred dollars or more of 1854
outstanding debt attributed to the student. The district or 1855
school shall transmit the student's school records in the manner 1856
specified under division (A) of this section once the debt is 1857
paid. 1858

(D) The provisions of this section are in addition to, and 1859
do not affect the obligations of a school district or school to 1860
comply with, the requirements of division (D) of section 1861
3313.642 and section 3313.672 of the Revised Code. 1862

(E) A district or school shall not withhold records 1863
related to a student's expulsion under division (B) (6) of 1864
section 3313.66 of the Revised Code due to outstanding debt 1865
attributed to the student. 1866

Sec. 3326.11. Each science, technology, engineering, and 1867
mathematics school established under this chapter and its 1868
governing body shall comply with sections 9.90, 9.91, 109.65, 1869
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 1870
3301.0714, 3301.0715, 3301.0729, 3301.24, 3301.948, 3302.037, 1871
3313.14, 3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 1872
3313.473, 3313.474, 3313.48, 3313.481, 3313.482, 3313.50, 1873
3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.6012, 1874
3313.6013, 3313.6014, 3313.6020, 3313.6021, 3313.6023, 1875
3313.6024, 3313.6026, 3313.6028, 3313.6029, 3313.6031, 3313.61, 1876
3313.611, 3313.614, 3313.615, 3313.617, 3313.618, 3313.6114, 1877

3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 1878
3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 1879
3313.6612, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 1880
3313.71, 3313.716, 3313.717, 3313.718, 3313.719, 3313.7112, 1881
3313.7117, 3313.7118, 3313.721, 3313.753, 3313.80, 3313.801, 1882
3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 3313.8110, 1883
3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 1884
3319.0812, 3319.21, 3319.238, 3319.318, 3319.32, 3319.321, 1885
3319.324, 3319.35, 3319.39, 3319.391, 3319.393, 3319.41, 1886
3319.45, 3319.46, 3319.614, 3319.90, 3320.01, 3320.02, 3320.03, 1887
3320.04, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 1888
3321.17, 3321.18, 3321.19, 3321.191, 3322.20, 3322.24, 3323.251, 1889
3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and 1890
Chapters 102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 1891
4112., 4123., 4141., and 4167. of the Revised Code as if it were 1892
a school district. 1893

Section 2. That existing sections 3301.0711, 3310.03, 1894
3310.13, 3310.14, 3310.15, 3313.618, 3313.619, 3313.976, 1895
3314.03, 3319.324, and 3326.11 of the Revised Code are hereby 1896
repealed. 1897

Section 3. Sections 1 and 2 of this act take effect July 1898
1, 2027. 1899

Section 4. This act shall be known as the Take the Dough,
We Gotta Know Act. 1900
1901

Section 5. The General Assembly, applying the principle 1902
stated in division (B) of section 1.52 of the Revised Code that 1903
amendments are to be harmonized if reasonably capable of 1904
simultaneous operation, finds that the following sections, 1905
presented in this act as composites of the sections as amended 1906
by the acts indicated, are the resulting versions of the 1907

sections in effect prior to the effective date of the sections	1908
as presented in this act:	1909
Section 3314.03 of the Revised Code as amended by both	1910
H.B. 10 and H.B. 96 of the 136th General Assembly.	1911
Section 3326.11 of the Revised Code as amended by both	1912
H.B. 10 and H.B. 96 of the 136th General Assembly.	1913