

As Introduced

135th General Assembly

Regular Session

2023-2024

H. B. No. 219

Representatives Bird, Brennan

Cosponsors: Representatives Holmes, King



A BILL

To amend sections 3302.03, 3365.03, 3365.04, 1
3365.05, 3365.07, 3365.071, and 3365.11 and to 2
enact sections 3365.072 and 3365.14 of the 3
Revised Code regarding the College Credit Plus 4
Program. 5

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

Section 1. That sections 3302.03, 3365.03, 3365.04, 6
3365.05, 3365.07, 3365.071, and 3365.11 be amended and sections 7
3365.072 and 3365.14 of the Revised Code be enacted to read as 8
follows: 9

Sec. 3302.03. Not later than the thirty-first day of July 10
of each year, the department of education shall submit 11
preliminary report card data for overall academic performance 12
and for each separate performance measure for each school 13
district, and each school building, in accordance with this 14
section. 15

Annually, not later than the fifteenth day of September or 16
the preceding Friday when that day falls on a Saturday or 17
Sunday, the department shall assign a letter grade or 18

performance rating for overall academic performance and for each 19
separate performance measure for each school district, and each 20
school building in a district, in accordance with this section. 21
The state board of education shall adopt rules pursuant to 22
Chapter 119. of the Revised Code to implement this section. The 23
state board's rules shall establish performance criteria for 24
each letter grade or performance rating and prescribe a method 25
by which the department assigns each letter grade or performance 26
rating. For a school building to which any of the performance 27
measures do not apply, due to grade levels served by the 28
building, the department shall designate the performance 29
measures that are applicable to the building and that must be 30
calculated separately and used to calculate the building's 31
overall grade or performance rating. The department shall issue 32
annual report cards reflecting the performance of each school 33
district, each building within each district, and for the state 34
as a whole using the performance measures and letter grade or 35
performance rating system described in this section. The 36
department shall include on the report card for each district 37
and each building within each district the most recent two-year 38
trend data in student achievement for each subject and each 39
grade. 40

(A) (1) For the 2012-2013 school year, the department shall 41
issue grades as described in division (F) of this section for 42
each of the following performance measures: 43

(a) Annual measurable objectives; 44

(b) Performance index score for a school district or 45
building. Grades shall be awarded as a percentage of the total 46
possible points on the performance index system as adopted by 47
the state board. In adopting benchmarks for assigning letter 48

grades under division (A) (1) (b) of this section, the state board 49
shall designate ninety per cent or higher for an "A," at least 50
seventy per cent but not more than eighty per cent for a "C," 51
and less than fifty per cent for an "F." 52

(c) The extent to which the school district or building 53
meets each of the applicable performance indicators established 54
by the state board under section 3302.02 of the Revised Code and 55
the percentage of applicable performance indicators that have 56
been achieved. In adopting benchmarks for assigning letter 57
grades under division (A) (1) (c) of this section, the state board 58
shall designate ninety per cent or higher for an "A." 59

(d) The four- and five-year adjusted cohort graduation 60
rates. 61

In adopting benchmarks for assigning letter grades under 62
division (A) (1) (d), (B) (1) (d), or (C) (1) (d) of this section, the 63
department shall designate a four-year adjusted cohort 64
graduation rate of ninety-three per cent or higher for an "A" 65
and a five-year cohort graduation rate of ninety-five per cent 66
or higher for an "A." 67

(e) The overall score under the value-added progress 68
dimension of a school district or building, for which the 69
department shall use up to three years of value-added data as 70
available. The letter grade assigned for this growth measure 71
shall be as follows: 72

(i) A score that is at least one standard error of measure 73
above the mean score shall be designated as an "A." 74

(ii) A score that is less than one standard error of 75
measure above but greater than one standard error of measure 76
below the mean score shall be designated as a "B." 77

(iii) A score that is less than or equal to one standard error of measure below the mean score but greater than two standard errors of measure below the mean score shall be designated as a "C."	78 79 80 81
(iv) A score that is less than or equal to two standard errors of measure below the mean score but is greater than three standard errors of measure below the mean score shall be designated as a "D."	82 83 84 85
(v) A score that is less than or equal to three standard errors of measure below the mean score shall be designated as an "F."	86 87 88
Whenever the value-added progress dimension is used as a graded performance measure in this division and divisions (B) and (C) of this section, whether as an overall measure or as a measure of separate subgroups, the grades for the measure shall be calculated in the same manner as prescribed in division (A) (1) (e) of this section.	89 90 91 92 93 94
(f) The value-added progress dimension score for a school district or building disaggregated for each of the following subgroups: students identified as gifted, students with disabilities, and students whose performance places them in the lowest quintile for achievement on a statewide basis. Each subgroup shall be a separate graded measure.	95 96 97 98 99 100
(2) Not later than April 30, 2013, the state board of education shall adopt a resolution describing the performance measures, benchmarks, and grading system for the 2012-2013 school year and, not later than June 30, 2013, shall adopt rules in accordance with Chapter 119. of the Revised Code that prescribe the methods by which the performance measures under	101 102 103 104 105 106

division (A) (1) of this section shall be assessed and assigned a letter grade, including performance benchmarks for each letter grade.

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

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

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

(a) Annual measurable objectives;

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

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

been achieved. In adopting benchmarks for assigning letter 136
grades under division (B) (1) (c) of this section, the state board 137
shall designate ninety per cent or higher for an "A." 138

(d) The four- and five-year adjusted cohort graduation 139
rates; 140

(e) The overall score under the value-added progress 141
dimension of a school district or building, for which the 142
department shall use up to three years of value-added data as 143
available. 144

(f) The value-added progress dimension score for a school 145
district or building disaggregated for each of the following 146
subgroups: students identified as gifted in superior cognitive 147
ability and specific academic ability fields under Chapter 3324. 148
of the Revised Code, students with disabilities, and students 149
whose performance places them in the lowest quintile for 150
achievement on a statewide basis. Each subgroup shall be a 151
separate graded measure. 152

(g) Whether a school district or building is making 153
progress in improving literacy in grades kindergarten through 154
three, as determined using a method prescribed by the state 155
board. The state board shall adopt rules to prescribe benchmarks 156
and standards for assigning grades to districts and buildings 157
for purposes of division (B) (1) (g) of this section. In adopting 158
benchmarks for assigning letter grades under divisions (B) (1) (g) 159
and (C) (1) (g) of this section, the state board shall determine 160
progress made based on the reduction in the total percentage of 161
students scoring below grade level, or below proficient, 162
compared from year to year on the reading and writing diagnostic 163
assessments administered under section 3301.0715 of the Revised 164
Code and the third grade English language arts assessment under 165

section 3301.0710 of the Revised Code, as applicable. The state 166
board shall designate for a "C" grade a value that is not lower 167
than the statewide average value for this measure. No grade 168
shall be issued under divisions (B) (1) (g) and (C) (1) (g) of this 169
section for a district or building in which less than five per 170
cent of students have scored below grade level on the diagnostic 171
assessment administered to students in kindergarten under 172
division (B) (1) of section 3313.608 of the Revised Code. 173

(h) For a high mobility school district or building, an 174
additional value-added progress dimension score. For this 175
measure, the department shall use value-added data from the most 176
recent school year available and shall use assessment scores for 177
only those students to whom the district or building has 178
administered the assessments prescribed by section 3301.0710 of 179
the Revised Code for each of the two most recent consecutive 180
school years. 181

As used in this division, "high mobility school district 182
or building" means a school district or building where at least 183
twenty-five per cent of its total enrollment is made up of 184
students who have attended that school district or building for 185
less than one year. 186

(2) In addition to the graded measures in division (B) (1) 187
of this section, the department shall include on a school 188
district's or building's report card all of the following 189
without an assigned letter grade: 190

(a) The percentage of students enrolled in a district or 191
building participating in advanced placement classes and the 192
percentage of those students who received a score of three or 193
better on advanced placement examinations; 194

(b) The number of a district's or building's students who 195
have earned at least three college credits through dual 196
enrollment or advanced standing programs, such as the post- 197
secondary enrollment options program under Chapter 3365. of the 198
Revised Code and state-approved career-technical courses offered 199
through dual enrollment or statewide articulation, that appear 200
on a student's transcript or other official document, either of 201
which is issued by the institution of higher education from 202
which the student earned the college credit. The credits earned 203
that are reported under divisions (B) (2) (b) and (C) (2) (c) of 204
this section shall not include any that are remedial or 205
developmental and shall include those that count toward the 206
curriculum requirements established for completion of a degree. 207

(c) The percentage of students enrolled in a district or 208
building who have taken a national standardized test used for 209
college admission determinations and the percentage of those 210
students who are determined to be remediation-free in accordance 211
with standards adopted under division (F) of section 3345.061 of 212
the Revised Code; 213

(d) The percentage of the district's or the building's 214
students who receive industry-recognized credentials as approved 215
under section 3313.6113 of the Revised Code. 216

(e) The percentage of students enrolled in a district or 217
building who are participating in an international baccalaureate 218
program and the percentage of those students who receive a score 219
of four or better on the international baccalaureate 220
examinations. 221

(f) The percentage of the district's or building's 222
students who receive an honors diploma under division (B) of 223
section 3313.61 of the Revised Code. 224

(3) Not later than December 31, 2013, the state board 225
shall adopt rules in accordance with Chapter 119. of the Revised 226
Code that prescribe the methods by which the performance 227
measures under divisions (B) (1) (f) and (B) (1) (g) of this section 228
will be assessed and assigned a letter grade, including 229
performance benchmarks for each grade. 230

At least forty-five days prior to the state board's 231
adoption of rules to prescribe the methods by which the 232
performance measures under division (B) (1) of this section shall 233
be assessed and assigned a letter grade, the department shall 234
conduct a public presentation before the standing committees of 235
the house of representatives and the senate that consider 236
education legislation describing such methods, including 237
performance benchmarks. 238

(4) There shall not be an overall letter grade for a 239
school district or building for the 2013-2014, 2014-2015, 2015- 240
2016, and 2016-2017 school years. 241

(C) (1) For the 2014-2015, 2015-2016, 2016-2017, 2017-2018, 242
2018-2019, 2019-2020, and 2020-2021 school years, the department 243
shall issue grades as described in division (F) of this section 244
for each of the performance measures prescribed in division (C) 245
(1) of this section. The graded measures are as follows: 246

(a) Annual measurable objectives. For the 2017-2018 school 247
year, the department shall not include any subgroup data in the 248
annual measurable objectives that includes data from fewer than 249
twenty-five students. For the 2018-2019 school year, the 250
department shall not include any subgroup data in the annual 251
measurable objectives that includes data from fewer than twenty 252
students. Beginning with the 2019-2020 school year, the 253
department shall not include any subgroup data in the annual 254

measurable objectives that includes data from fewer than fifteen students. 255
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(b) Performance index score for a school district or building. Grades shall be awarded as a percentage of the total possible points on the performance index system as created by the department. In adopting benchmarks for assigning letter grades under division (C) (1) (b) of this section, the state board shall designate ninety per cent or higher for an "A," at least seventy per cent but not more than eighty per cent for a "C," and less than fifty per cent for an "F." 257
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(c) The extent to which the school district or building meets each of the applicable performance indicators established by the state board under section 3302.03 of the Revised Code and the percentage of applicable performance indicators that have been achieved. In adopting benchmarks for assigning letter grades under division (C) (1) (c) of this section, the state board shall designate ninety per cent or higher for an "A." 265
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(d) The four- and five-year adjusted cohort graduation rates; 272
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(e) The overall score under the value-added progress dimension, or another measure of student academic progress if adopted by the state board, of a school district or building, for which the department shall use up to three years of value-added data as available. 274
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In adopting benchmarks for assigning letter grades for overall score on value-added progress dimension under division (C) (1) (e) of this section, the state board shall prohibit the assigning of a grade of "A" for that measure unless the district's or building's grade assigned for value-added progress 279
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dimension for all subgroups under division (C) (1) (f) of this 284
section is a "C" or higher. 285

For the metric prescribed by division (C) (1) (e) of this 286
section, the state board may adopt a student academic progress 287
measure to be used instead of the value-added progress 288
dimension. If the state board adopts such a measure, it also 289
shall prescribe a method for assigning letter grades for the new 290
measure that is comparable to the method prescribed in division 291
(A) (1) (e) of this section. 292

(f) The value-added progress dimension score of a school 293
district or building disaggregated for each of the following 294
subgroups: students identified as gifted in superior cognitive 295
ability and specific academic ability fields under Chapter 3324. 296
of the Revised Code, students with disabilities, and students 297
whose performance places them in the lowest quintile for 298
achievement on a statewide basis, as determined by a method 299
prescribed by the state board. Each subgroup shall be a separate 300
graded measure. 301

The state board may adopt student academic progress 302
measures to be used instead of the value-added progress 303
dimension. If the state board adopts such measures, it also 304
shall prescribe a method for assigning letter grades for the new 305
measures that is comparable to the method prescribed in division 306
(A) (1) (e) of this section. 307

(g) Whether a school district or building is making 308
progress in improving literacy in grades kindergarten through 309
three, as determined using a method prescribed by the state 310
board. The state board shall adopt rules to prescribe benchmarks 311
and standards for assigning grades to a district or building for 312
purposes of division (C) (1) (g) of this section. The state board 313

shall designate for a "C" grade a value that is not lower than 314
the statewide average value for this measure. No grade shall be 315
issued under division (C) (1) (g) of this section for a district 316
or building in which less than five per cent of students have 317
scored below grade level on the kindergarten diagnostic 318
assessment under division (B) (1) of section 3313.608 of the 319
Revised Code. 320

(h) For a high mobility school district or building, an 321
additional value-added progress dimension score. For this 322
measure, the department shall use value-added data from the most 323
recent school year available and shall use assessment scores for 324
only those students to whom the district or building has 325
administered the assessments prescribed by section 3301.0710 of 326
the Revised Code for each of the two most recent consecutive 327
school years. 328

As used in this division, "high mobility school district 329
or building" means a school district or building where at least 330
twenty-five per cent of its total enrollment is made up of 331
students who have attended that school district or building for 332
less than one year. 333

(2) In addition to the graded measures in division (C) (1) 334
of this section, the department shall include on a school 335
district's or building's report card all of the following 336
without an assigned letter grade: 337

(a) The percentage of students enrolled in a district or 338
building who have taken a national standardized test used for 339
college admission determinations and the percentage of those 340
students who are determined to be remediation-free in accordance 341
with the standards adopted under division (F) of section 342
3345.061 of the Revised Code; 343

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

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

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

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

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

(g) The results of the college and career-ready assessments administered under division (B) (1) of section

3301.0712 of the Revised Code;	373
(h) Whether the school district or building has	374
implemented a positive behavior intervention and supports	375
framework in compliance with the requirements of section 3319.46	376
of the Revised Code, notated as a "yes" or "no" answer.	377
(3) The state board shall adopt rules pursuant to Chapter	378
119. of the Revised Code that establish a method to assign an	379
overall grade for a school district or school building for the	380
2017-2018 school year and each school year thereafter. The rules	381
shall group the performance measures in divisions (C) (1) and (2)	382
of this section into the following components:	383
(a) Gap closing, which shall include the performance	384
measure in division (C) (1) (a) of this section;	385
(b) Achievement, which shall include the performance	386
measures in divisions (C) (1) (b) and (c) of this section;	387
(c) Progress, which shall include the performance measures	388
in divisions (C) (1) (e) and (f) of this section;	389
(d) Graduation, which shall include the performance	390
measure in division (C) (1) (d) of this section;	391
(e) Kindergarten through third-grade literacy, which shall	392
include the performance measure in division (C) (1) (g) of this	393
section;	394
(f) Prepared for success, which shall include the	395
performance measures in divisions (C) (2) (a), (b), (c), (d), (e),	396
and (f) of this section. The state board shall develop a method	397
to determine a grade for the component in division (C) (3) (f) of	398
this section using the performance measures in divisions (C) (2)	399
(a), (b), (c), (d), (e), and (f) of this section. When	400

available, the state board may incorporate the performance 401
measure under division (C) (2) (g) of this section into the 402
component under division (C) (3) (f) of this section. When 403
determining the overall grade for the prepared for success 404
component prescribed by division (C) (3) (f) of this section, no 405
individual student shall be counted in more than one performance 406
measure. However, if a student qualifies for more than one 407
performance measure in the component, the state board may, in 408
its method to determine a grade for the component, specify an 409
additional weight for such a student that is not greater than or 410
equal to 1.0. In determining the overall score under division 411
(C) (3) (f) of this section, the state board shall ensure that the 412
pool of students included in the performance measures aggregated 413
under that division are all of the students included in the 414
four- and five-year adjusted graduation cohort. 415

In the rules adopted under division (C) (3) of this 416
section, the state board shall adopt a method for determining a 417
grade for each component in divisions (C) (3) (a) to (f) of this 418
section. The state board also shall establish a method to assign 419
an overall grade of "A," "B," "C," "D," or "F" using the grades 420
assigned for each component. The method the state board adopts 421
for assigning an overall grade shall give equal weight to the 422
components in divisions (C) (3) (b) and (c) of this section. 423

At least forty-five days prior to the state board's 424
adoption of rules to prescribe the methods for calculating the 425
overall grade for the report card, as required by this division, 426
the department shall conduct a public presentation before the 427
standing committees of the house of representatives and the 428
senate that consider education legislation describing the format 429
for the report card, weights that will be assigned to the 430
components of the overall grade, and the method for calculating 431

the overall grade. 432

(D) For the 2021-2022 school year and each school year 433
thereafter, all of the following apply: 434

(1) The department shall include on a school district's or 435
building's report card all of the following performance measures 436
without an assigned performance rating: 437

(a) Whether the district or building meets the gifted 438
performance indicator under division (A) (2) of section 3302.02 439
of the Revised Code and the extent to which the district or 440
building meets gifted indicator performance benchmarks; 441

(b) The extent to which the district or building meets the 442
chronic absenteeism indicator under division (A) (3) of section 443
3302.02 of the Revised Code; 444

(c) Performance index score percentage for a district or 445
building, which shall be calculated by dividing the district's 446
or building's performance index score according to the 447
performance index system created by the department by the 448
maximum performance index score for a district or building. The 449
maximum performance index score shall be as follows: 450

(i) For a building, the average of the highest two per 451
cent of performance index scores achieved by a building for the 452
school year for which a report card is issued; 453

(ii) For a district, the average of the highest two per 454
cent of performance index scores achieved by a district for the 455
school year for which a report card is issued. 456

(d) The overall score under the value-added progress 457
dimension of a district or building, for which the department 458
shall use three consecutive years of value-added data. In using 459

three years of value-added data to calculate the measure 460
prescribed under division (D) (1) (d) of this section, the 461
department shall assign a weight of fifty per cent to the most 462
recent year's data and a weight of twenty-five per cent to the 463
data of each of the other years. However, if three consecutive 464
years of value-added data is not available, the department shall 465
use prior years of value-added data to calculate the measure, as 466
follows: 467

(i) If two consecutive years of value-added data is not 468
available, the department shall use one year of value-added data 469
to calculate the measure. 470

(ii) If two consecutive years of value-added data is 471
available, the department shall use two consecutive years of 472
value-added data to calculate the measure. In using two years of 473
value-added data to calculate the measure, the department shall 474
assign a weight of sixty-seven per cent to the most recent 475
year's data and a weight of thirty-three per cent to the data of 476
the other year. 477

(e) The four-year adjusted cohort graduation rate. 478

(f) The five-year adjusted cohort graduation rate. 479

(g) The percentage of students in the district or building 480
who score proficient or higher on the reading segment of the 481
third grade English language arts assessment under section 482
3301.0710 of the Revised Code. 483

To the extent possible, the department shall include the 484
results of the summer administration of the third grade reading 485
assessment under section 3301.0710 of the Revised Code in the 486
performance measures prescribed under divisions (D) (1) (g) and 487
(h) of this section. 488

(h) Whether a district or building is making progress in 489
improving literacy in grades kindergarten through three, as 490
determined using a method prescribed by the department. The 491
method shall determine progress made based on the reduction in 492
the total percentage of students scoring below grade level, or 493
below proficient, compared from year to year on the reading 494
segments of the diagnostic assessments administered under 495
section 3301.0715 of the Revised Code, including the 496
kindergarten readiness assessment, and the third grade English 497
language arts assessment under section 3301.0710 of the Revised 498
Code, as applicable. The method shall not include a deduction 499
for students who did not pass the third grade English language 500
arts assessment under section 3301.0710 of the Revised Code and 501
were not on a reading improvement and monitoring plan. 502

The performance measure prescribed under division (D) (1) 503
(h) of this section shall not be included on the report card of 504
a district or building in which less than ten per cent of 505
students have scored below grade level on the diagnostic 506
assessment administered to students in kindergarten under 507
division (B) (1) of section 3313.608 of the Revised Code. 508

(i) The percentage of students in a district or building 509
who are promoted to the fourth grade and not subject to 510
retention under division (A) (2) of section 3313.608 of the 511
Revised Code; 512

(j) A post-secondary readiness measure. This measure shall 513
be calculated by dividing the number of students included in the 514
four-year adjusted graduation rate cohort who demonstrate post- 515
secondary readiness by the total number of students included in 516
the denominator of the four-year adjusted graduation rate 517
cohort. Demonstration of post-secondary readiness shall include 518

a student doing any of the following:	519
(i) Attaining a remediation-free score, in accordance with standards adopted under division (F) of section 3345.061 of the Revised Code, on a nationally standardized assessment prescribed under division (B) (1) of section 3301.0712 of the Revised Code;	520 521 522 523
(ii) Attaining required scores on three or more advanced placement or international baccalaureate examinations. The required score for an advanced placement examination shall be a three or better. The required score for an international baccalaureate examination shall be a four or better. A student may satisfy this condition with any combination of advanced placement or international baccalaureate examinations.	524 525 526 527 528 529 530
(iii) Earning at least twelve college credits through advanced standing programs, such as the college credit plus program under Chapter 3365. of the Revised Code, an early college high school program under section 3313.6013 of the Revised Code, and state-approved career-technical courses offered through dual enrollment or statewide articulation, that appear on a student's college transcript issued by the institution of higher education from which the student earned the college credit. Earned credits reported under division (D) (1) (j) (iii) of this section shall include credits that count toward the curriculum requirements established for completion of a degree, but shall not include any remedial or developmental credits.	531 532 533 534 535 536 537 538 539 540 541 542 543
(iv) Meeting the additional criteria for an honors diploma under division (B) of section 3313.61 of the Revised Code;	544 545
(v) Earning an industry-recognized credential or license issued by a state agency or board for practice in a vocation	546 547

that requires an examination for issuance of that license	548
approved under section 3313.6113 of the Revised Code;	549
(vi) Satisfying any of the following conditions:	550
(I) Completing a pre-apprenticeship aligned with options	551
established under section 3313.904 of the Revised Code in the	552
student's chosen career field;	553
(II) Completing an apprenticeship registered with the	554
apprenticeship council established under section 4139.02 of the	555
Revised Code in the student's chosen career field;	556
(III) Providing evidence of acceptance into an	557
apprenticeship program after high school that is restricted to	558
participants eighteen years of age or older.	559
(vii) Earning a cumulative score of proficient or higher	560
on three or more state technical assessments aligned with	561
section 3313.903 of the Revised Code in a single career pathway;	562
(viii) Earning an OhioMeansJobs-readiness seal established	563
under section 3313.6112 of the Revised Code and completing two	564
hundred fifty hours of an internship or other work-based	565
learning experience that is either:	566
(I) Approved by the business advisory council established	567
under section 3313.82 of the Revised Code that represents the	568
student's district; or	569
(II) Aligned to the career-technical education pathway	570
approved by the department in which the student is enrolled.	571
(ix) Providing evidence that the student has enlisted in a	572
branch of the armed services of the United States as defined in	573
section 5910.01 of the Revised Code.	574

A student who satisfies more than one of the conditions 575
prescribed under this division shall be counted as one student 576
for the purposes of calculating the measure prescribed under 577
division (D) (1) (j) of this section. 578

(2) In addition to the performance measures under division 579
(D) (1) of this section, the department shall report on a 580
district's or building's report card all of the following data 581
without an assigned performance rating: 582

(a) The applicable performance indicators established by 583
the state board under division (A) (1) of section 3302.02 of the 584
Revised Code; 585

(b) The overall score under the value-added progress 586
dimension of a district or building for the most recent school 587
year; 588

(c) A composite of the overall scores under the value- 589
added progress dimension of a district or building for the 590
previous three school years or, if only two years of value-added 591
data are available, for the previous two years; 592

(d) The percentage of students included in the four- and 593
five-year adjusted cohort graduation rates of a district or 594
building who did not receive a high school diploma under section 595
3313.61 or 3325.08 of the Revised Code. To the extent possible, 596
the department shall disaggregate that data according to the 597
following categories: 598

(i) Students who are still enrolled in the district or 599
building and receiving general education services; 600

(ii) Students with an individualized education program, as 601
defined in section 3323.01 of the Revised Code, who satisfied 602
the conditions for a high school diploma under section 3313.61 603

or 3325.08 of the Revised Code, but opted not to receive a diploma and are still receiving education services;

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

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

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

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

(e) The results of the kindergarten diagnostic assessment prescribed under division (D) of section 3301.079 of the Revised Code;

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

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

technical education services and is recognized by the chancellor 633
of higher education, or another type of post-secondary 634
educational institution. 635

(ii) Entered an apprenticeship program registered with the 636
apprenticeship council established under Chapter 4139. of the 637
Revised Code. The department may include other job training 638
programs with similar rigor and outcomes. 639

(iii) Attained gainful employment, as determined by the 640
department; 641

(iv) Enlisted in a branch of the armed forces of the 642
United States, as defined in section 5910.01 of the Revised 643
Code. 644

(g) Whether the school district or building has 645
implemented a positive behavior intervention and supports 646
framework in compliance with the requirements of section 3319.46 647
of the Revised Code, notated with a "yes" or "no"; 648

(h) The number and percentage of high school seniors in 649
each school year who completed the free application for federal 650
student aid; 651

(i) Beginning with the report card issued under this 652
section for the 2022-2023 school year, a student opportunity 653
profile measure that reports data regarding the opportunities 654
provided to students by a district or building. To the extent 655
possible, and when appropriate, the data shall be disaggregated 656
by grade level and subgroup. The measure also shall include data 657
regarding the statewide average, the average for similar school 658
districts, and, for a building, the average for the district in 659
which the building is located. The measure shall include all of 660
the following data for the district or building: 661

(i) The average ratio of teachers of record to students in each grade level in a district or building;	662 663
(ii) The average ratio of school counselors to students in a district or building;	664 665
(iii) The average ratio of nurses to students in a district or building;	666 667
(iv) The average ratio of licensed librarians and library media specialists to students in a district or building;	668 669
(v) The average ratio of social workers to students in a district or building;	670 671
(vi) The average ratio of mental health professionals to students in a district or building;	672 673
(vii) The average ratio of paraprofessionals to students in a district or building;	674 675
(viii) The percentage of teachers with fewer than three years of experience teaching in any school;	676 677
(ix) The percentage of principals with fewer than three years of experience as a principal in any school;	678 679
(x) The percentage of teachers who are not teaching in the subject or field for which they are certified or licensed;	680 681
(xi) The percentage of kindergarten students who are enrolled in all-day kindergarten, as defined in section 3321.05 of the Revised Code;	682 683 684
(xii) The percentage of students enrolled in a performing or visual arts course;	685 686
(xiii) The percentage of students enrolled in a physical education or wellness course;	687 688

(xiv) The percentage of students enrolled in a world language course;	689 690
(xv) The percentage of students in grades seven through twelve who are enrolled in a career-technical education course;	691 692
(xvi) The percentage of students participating in one or more cocurricular activities;	693 694
(xvii) The percentage of students participating in advance placement courses, international baccalaureate courses, honors courses, or courses offered through the college credit plus program established under Chapter 3365. of the Revised Code;	695 696 697 698
(xviii) The percentage of students identified as gifted in superior cognitive ability and specific academic ability fields under Chapter 3324. of the Revised Code and receiving gifted services pursuant to that chapter;	699 700 701 702
(xix) The percentage of students participating in enrichment or support programs offered by the district or building outside of the normal school day;	703 704 705
(xx) The percentage of eligible students participating each school day in school breakfast programs offered by the district or building in accordance with section 3313.813 or 3313.818 of the Revised Code;	706 707 708 709
(xxi) The percentage of students who are transported by a school bus each school day;	710 711
(xxii) The ratio of portable technology devices that students may take home to the number of students.	712 713
The department shall include only opportunity measures at the building level for which data for buildings is available, as determined by a school district.	714 715 716

(j) (i) The percentage of students included in the four- 717
and five-year adjusted cohort graduation rates of the district 718
or building who completed all of grades nine through twelve 719
while enrolled in the district or building; 720

(ii) The four-year adjusted cohort graduation rate for 721
only those students who were continuously enrolled in the same 722
district or building for grades nine through twelve. 723

(k) Whether the district or building provides information 724
about and promotes the college credit plus program established 725
under Chapter 3365. of the Revised Code to students in 726
accordance with section 3365.04 of the Revised Code, notated 727
with a "yes" or "no"; 728

(1) The percentage of students in the district or building 729
to whom both of the following apply: 730

(i) The students are promoted to fourth grade and not 731
subject to retention under division (A) (2) of section 3313.608 732
of the Revised Code. 733

(ii) The students completed all of the grade levels 734
offered prior to the fourth grade in the district or building. 735

(3) Except as provided in division (D) (3) (f) of this 736
section, the department shall use the state board's method 737
prescribed under rules adopted under division (D) (4) of this 738
section to assign performance ratings of "one star," "two 739
stars," "three stars," "four stars," or "five stars," as 740
described in division (F) of this section, for a district or 741
building for the individual components prescribed under division 742
(D) (3) of this section. The department also shall assign an 743
overall performance rating for a district or building in 744
accordance with division (D) (3) (g) of this section. The method 745

shall use the performance measures prescribed under division (D) 746
(1) of this section to calculate performance ratings for 747
components. The method may report data under division (D) (2) of 748
this section with corresponding components, but shall not use 749
the data to calculate performance ratings for that component. 750
The performance measures and reported data shall be grouped 751
together into components as follows: 752

(a) Gap closing. In addition to other criteria determined 753
appropriate by the department, performance ratings for the gap 754
closing component shall reflect whether each of the following 755
performance measures are met or not met: 756

(i) The gifted performance indicator as described in 757
division (D) (1) (a) of this section; 758

(ii) The chronic absenteeism indicator as described in 759
division (D) (1) (b) of this section; 760

(iii) For English learners, an English language 761
proficiency improvement indicator established by the department; 762

(iv) The subgroup graduation targets; 763

(v) The subgroup achievement targets in both mathematics 764
and English language arts; 765

(vi) The subgroup progress targets in both mathematics and 766
English language arts. 767

Achievement and progress targets under division (D) (3) (a) 768
of this section shall be calculated individually, and districts 769
and buildings shall receive a status of met or not met on each 770
measure. The department shall not require a subgroup of a 771
district or building to meet both the achievement and progress 772
targets at the same time to receive a status of met. 773

The department shall not include any subgroup data in this measure that includes data from fewer than fifteen students. Any penalty for failing to meet the required assessment participation rate must be partially in proportion to how close the district or building was to meeting the rate requirement.

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

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

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

(e) Early literacy, which shall include the performance measures in divisions (D) (1) (g), (h), and (i) of this section and the reported data in divisions (D) (2) (e) and ~~(*)~~(1) of this section.

If the measure prescribed under division (D) (1) (h) of this section is included in a report card, performance ratings for the early literacy component shall give a weight of forty per cent to the measure prescribed under division (D) (1) (g) of this section, a weight of thirty-five per cent to the measure

prescribed under division (D) (1) (i) of this section, and a 803
weight of twenty-five per cent to the measure prescribed under 804
division (D) (1) (h) of this section. 805

If the measure prescribed under division (D) (1) (h) of this 806
section is not included in a report card of a district or 807
building, performance ratings for the early literacy component 808
shall give a weight of sixty per cent to the measure prescribed 809
under division (D) (1) (g) of this section and a weight of forty 810
per cent to the measure prescribed under division (D) (1) (i) of 811
this section. 812

(f) College, career, workforce, and military readiness, 813
which shall include the performance measure in division (D) (1) 814
(j) of this section and the reported data in division (D) (2) (f) 815
of this section. 816

For the 2021-2022, 2022-2023, and 2023-2024 school years, 817
the department only shall report the data for, and not assign a 818
performance rating to, the college, career, workforce, and 819
military readiness component. The reported data shall include 820
the percentage of students who demonstrate post-secondary 821
readiness using any of the options described in division (D) (1) 822
(j) of this section. 823

The department shall analyze the data included in the 824
performance measure prescribed in division (D) (1) (j) of this 825
section for the 2021-2022, 2022-2023, and 2023-2024 school 826
years. Using that data, the department shall develop and propose 827
rules for a method to assign a performance rating to the 828
college, career, workforce, and military readiness component 829
based on that measure. The method to assign a performance rating 830
shall not include a tiered structure or per student bonuses. The 831
rules shall specify that a district or building shall not 832

receive lower than a performance rating of three stars for the 833
component if the district's or building's performance on the 834
component meets or exceeds a level of improvement set by the 835
department. Notwithstanding division (D) (4) (b) of this section, 836
more than half of the total districts and buildings may earn a 837
performance rating of three stars on this component to account 838
for the districts and buildings that earned a performance rating 839
of three stars because they met or exceeded the level of 840
improvement set by the department. 841

The department shall submit the rules to the joint 842
committee on agency rule review. The committee shall conduct at 843
least one public hearing on the proposed rules and approve or 844
disapprove the rules. If the committee approves the rules, the 845
state board shall adopt the rules in accordance with Chapter 846
119. of the Revised Code. If the rules are adopted, the 847
department shall assign a performance rating to the college, 848
career, workforce, and military readiness component under the 849
rules beginning with the 2024-2025 school year, and for each 850
school year thereafter. If the committee disapproves the rules, 851
the component shall be included in the report card only as 852
reported data for the 2024-2025 school year, and each school 853
year thereafter. 854

(g) (i) Except as provided for in division (D) (3) (g) (ii) of 855
this section, beginning with the 2022-2023 school year, under 856
the state board's method prescribed under rules adopted in 857
division (D) (4) of this section, the department shall use the 858
performance ratings assigned for the components prescribed in 859
divisions (D) (3) (a) to (e) of this section to determine and 860
assign an overall performance rating of "one star," "one and 861
one-half stars," "two stars," "two and one-half stars," "three 862
stars," "three and one-half stars," "four stars," "four and one- 863

half stars," or "five stars" for a district or building. The 864
method shall give equal weight to the components in divisions 865
(D) (3) (b) and (c) of this section. The method shall give equal 866
weight to the components in divisions (D) (3) (a), (d), and (e) of 867
this section. The individual weights of each of the components 868
prescribed in divisions (D) (3) (a), (d), and (e) of this section 869
shall be equal to one-half of the weight given to the component 870
prescribed in division (D) (3) (b) of this section. 871

(ii) If the joint committee on agency rule review approves 872
the department's rules regarding the college, career, workforce, 873
and military readiness component as described in division (D) (3) 874
(f) of this section, for the 2024-2025 school year, and each 875
school year thereafter, the state board's method shall use the 876
components in divisions (D) (3) (a), (b), (c), (d), (e), and (f) 877
of this section to calculate the overall performance rating. The 878
method shall give equal weight to the components in divisions 879
(D) (3) (b) and (c) of this section. The method shall give equal 880
weight to the components prescribed in divisions (D) (3) (a), (d), 881
(e), and (f) of this section. The individual weights of each of 882
the components prescribed in divisions (D) (3) (a), (d), (e), and 883
(f) of this section shall be equal to one-half the weight given 884
to the component prescribed in division (D) (3) (b) of this 885
section. 886

If the joint committee on agency rule review disapproves 887
the department's rules regarding the college, career, workforce, 888
and military readiness component as described in division (D) (3) 889
(f) of this section, division (D) (3) (g) (ii) of this section does 890
not apply. 891

(4) (a) The state board shall adopt rules in accordance 892
with Chapter 119. of the Revised Code to establish the 893

performance criteria, benchmarks, and rating system necessary to 894
implement divisions (D) and (F) of this section, including the 895
method for the department to assign performance ratings under 896
division (D) (3) of this section. 897

(b) In establishing the performance criteria, benchmarks, 898
and rating system, the state board shall consult with 899
stakeholder groups and advocates that represent parents, 900
community members, students, business leaders, and educators 901
from different school typology regions. The state board shall 902
use data from prior school years and simulations to ensure that 903
there is meaningful differentiation among districts and 904
buildings across all performance ratings and that, except as 905
permitted in division (D) (3) (f) of this section, more than half 906
of all districts or buildings do not earn the same performance 907
rating in any component or overall performance rating. 908

(c) The state board shall adopt the rules prescribed by 909
division (D) (4) of this section not later than March 31, 2022. 910
However, the department shall notify districts and buildings of 911
the changes to the report card prescribed in law not later than 912
one week after ~~the effective date of this amendment~~ September 913
30, 2021. 914

(d) Prior to adopting or updating rules under division (D) 915
(4) of this section, the president of the state board and the 916
department shall conduct a public presentation before the 917
standing committees of the house of representatives and the 918
senate that consider primary and secondary education legislation 919
describing the format for the report card and the performance 920
criteria, benchmarks, and rating system, including the method to 921
assign performance ratings under division (D) (3) of this 922
section. 923

(E) On or after July 1, 2015, the state board may develop a measure of student academic progress for high school students using only data from assessments in English language arts and mathematics. If the state board develops this measure, each school district and applicable school building shall be assigned a separate letter grade for it not sooner than the 2017-2018 school year. The district's or building's grade for that measure shall not be included in determining the district's or building's overall letter grade.

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

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

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

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

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

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

(2) For the overall performance rating under division (D)

(3) of this section, the department shall include a descriptor for each performance rating as follows:

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

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

(c) "Meets state standards" for a performance rating of three stars or three and one-half stars;	951 952
(d) "Needs support to meet state standards" for a performance rating of two stars or two and one-half stars;	953 954
(e) "Needs significant support to meet state standards" for a performance rating of one star or one and one-half stars.	955 956
(3) For performance ratings for each component under divisions (D) (3) (a) to (f) of this section, the state board shall include a description of each component and performance rating. The description shall include component-specific context to each performance rating earned, estimated comparisons to other school districts and buildings if appropriate, and any other information determined by the state board. The descriptions shall be not longer than twenty-five words in length when possible. In addition to such descriptions, the state board shall include the descriptors in division (F) (2) of this section for component performance ratings.	957 958 959 960 961 962 963 964 965 966 967
(4) Each report card issued under this section shall include all of the following:	968 969
(a) A graphic that depicts the performance ratings of a district or school on a color scale. The color associated with a performance rating of three stars shall be green and the color associated with a performance rating of one star shall be red.	970 971 972 973
(b) An arrow graphic that shows data trends for performance ratings for school districts or buildings. The state board shall determine the data to be used for this graphic, which shall include at least the three most recent years of data.	974 975 976 977 978
(c) A description regarding the weights that are assigned	979

to each component and used to determine an overall performance	980
rating, as prescribed under division (D) (3) (g) of this section,	981
which shall be included in the presentation of the overall	982
performance rating on each report card.	983
(G) When reporting data on student achievement and	984
progress, the department shall disaggregate that data according	985
to the following categories:	986
(1) Performance of students by grade-level;	987
(2) Performance of students by race and ethnic group;	988
(3) Performance of students by gender;	989
(4) Performance of students grouped by those who have been	990
enrolled in a district or school for three or more years;	991
(5) Performance of students grouped by those who have been	992
enrolled in a district or school for more than one year and less	993
than three years;	994
(6) Performance of students grouped by those who have been	995
enrolled in a district or school for one year or less;	996
(7) Performance of students grouped by those who are	997
economically disadvantaged;	998
(8) Performance of students grouped by those who are	999
enrolled in a conversion community school established under	1000
Chapter 3314. of the Revised Code;	1001
(9) Performance of students grouped by those who are	1002
classified as English learners;	1003
(10) Performance of students grouped by those who have	1004
disabilities;	1005
(11) Performance of students grouped by those who are	1006

classified as migrants; 1007

(12) Performance of students grouped by those who are 1008
identified as gifted in superior cognitive ability and the 1009
specific academic ability fields of reading and math pursuant to 1010
Chapter 3324. of the Revised Code. In disaggregating specific 1011
academic ability fields for gifted students, the department 1012
shall use data for those students with specific academic ability 1013
in math and reading. If any other academic field is assessed, 1014
the department shall also include data for students with 1015
specific academic ability in that field as well. 1016

(13) Performance of students grouped by those who perform 1017
in the lowest quintile for achievement on a statewide basis, as 1018
determined by a method prescribed by the state board. 1019

The department may disaggregate data on student 1020
performance according to other categories that the department 1021
determines are appropriate. To the extent possible, the 1022
department shall disaggregate data on student performance 1023
according to any combinations of two or more of the categories 1024
listed in divisions (G) (1) to (13) of this section that it deems 1025
relevant. 1026

In reporting data pursuant to division (G) of this 1027
section, the department shall not include in the report cards 1028
any data statistical in nature that is statistically unreliable 1029
or that could result in the identification of individual 1030
students. For this purpose, the department shall not report 1031
student performance data for any group identified in division 1032
(G) of this section that contains less than ten students. If the 1033
department does not report student performance data for a group 1034
because it contains less than ten students, the department shall 1035
indicate on the report card that is why data was not reported. 1036

(H) The department may include with the report cards any 1037
additional education and fiscal performance data it deems 1038
valuable. 1039

(I) The department shall include on each report card a 1040
list of additional information collected by the department that 1041
is available regarding the district or building for which the 1042
report card is issued. When available, such additional 1043
information shall include student mobility data disaggregated by 1044
race and socioeconomic status, college enrollment data, and the 1045
reports prepared under section 3302.031 of the Revised Code. 1046

The department shall maintain a site on the world wide 1047
web. The report card shall include the address of the site and 1048
shall specify that such additional information is available to 1049
the public at that site. The department shall also provide a 1050
copy of each item on the list to the superintendent of each 1051
school district. The district superintendent shall provide a 1052
copy of any item on the list to anyone who requests it. 1053

(J) (1) (a) Except as provided in division (J) (1) (b) of this 1054
section, for any district that sponsors a conversion community 1055
school under Chapter 3314. of the Revised Code, the department 1056
shall combine data regarding the academic performance of 1057
students enrolled in the community school with comparable data 1058
from the schools of the district for the purpose of determining 1059
the performance of the district as a whole on the report card 1060
issued for the district under this section or section 3302.033 1061
of the Revised Code. 1062

(b) The department shall not combine data from any 1063
conversion community school that a district sponsors if a 1064
majority of the students enrolled in the conversion community 1065
school are enrolled in a dropout prevention and recovery program 1066

that is operated by the school, as described in division (A) (4) 1067
(a) of section 3314.35 of the Revised Code. The department shall 1068
include as an addendum to the district's report card the ratings 1069
and performance measures that are required under section 1070
3314.017 of the Revised Code for any community school to which 1071
division (J) (1) (b) of this section applies. This addendum shall 1072
include, at a minimum, the data specified in divisions (C) (1) 1073
(a), (C) (2), and (C) (3) of section 3314.017 of the Revised Code. 1074

(2) Any district that leases a building to a community 1075
school located in the district or that enters into an agreement 1076
with a community school located in the district whereby the 1077
district and the school endorse each other's programs may elect 1078
to have data regarding the academic performance of students 1079
enrolled in the community school combined with comparable data 1080
from the schools of the district for the purpose of determining 1081
the performance of the district as a whole on the district 1082
report card. Any district that so elects shall annually file a 1083
copy of the lease or agreement with the department. 1084

(3) Any municipal school district, as defined in section 1085
3311.71 of the Revised Code, that sponsors a community school 1086
located within the district's territory, or that enters into an 1087
agreement with a community school located within the district's 1088
territory whereby the district and the community school endorse 1089
each other's programs, may exercise either or both of the 1090
following elections: 1091

(a) To have data regarding the academic performance of 1092
students enrolled in that community school combined with 1093
comparable data from the schools of the district for the purpose 1094
of determining the performance of the district as a whole on the 1095
district's report card; 1096

(b) To have the number of students attending that 1097
community school noted separately on the district's report card. 1098

The election authorized under division (J) (3) (a) of this 1099
section is subject to approval by the governing authority of the 1100
community school. 1101

Any municipal school district that exercises an election 1102
to combine or include data under division (J) (3) of this 1103
section, by the first day of October of each year, shall file 1104
with the department documentation indicating eligibility for 1105
that election, as required by the department. 1106

(K) The department shall include on each report card the 1107
percentage of teachers in the district or building who are 1108
properly certified or licensed teachers, as defined in section 1109
3319.074 of the Revised Code, and a comparison of that 1110
percentage with the percentages of such teachers in similar 1111
districts and buildings. 1112

(L) (1) In calculating English language arts, mathematics, 1113
science, American history, or American government assessment 1114
passage rates used to determine school district or building 1115
performance under this section, the department shall include all 1116
students taking an assessment with accommodation or to whom an 1117
alternate assessment is administered pursuant to division (C) (1) 1118
or (3) of section 3301.0711 of the Revised Code and all students 1119
who take substitute examinations approved under division (B) (4) 1120
of section 3301.0712 of the Revised Code in the subject areas of 1121
science, American history and American government. 1122

(2) In calculating performance index scores, rates of 1123
achievement on the performance indicators established by the 1124
state board under section 3302.02 of the Revised Code, and 1125

annual measurable objectives for determining adequate yearly 1126
progress for school districts and buildings under this section, 1127
the department shall do all of the following: 1128

(a) Include for each district or building only those 1129
students who are included in the ADM certified for the first 1130
full school week of October and are continuously enrolled in the 1131
district or building through the time of the spring 1132
administration of any assessment prescribed by division (A) (1) 1133
or (B) (1) of section 3301.0710 or division (B) of section 1134
3301.0712 of the Revised Code that is administered to the 1135
student's grade level; 1136

(b) Include cumulative totals from both the fall and 1137
spring administrations of the third grade English language arts 1138
achievement assessment and, to the extent possible, the summer 1139
administration of that assessment; 1140

(c) Except as required by the No Child Left Behind Act of 1141
2001, exclude for each district or building any English learner 1142
who has been enrolled in United States schools for less than one 1143
full school year. 1144

(M) Beginning with the 2015-2016 school year and at least 1145
once every three years thereafter, the state board of education 1146
shall review and may adjust the benchmarks for assigning letter 1147
grades or performance ratings to the performance measures and 1148
components prescribed under divisions (C) (3), (D), and (E) of 1149
this section. 1150

Sec. 3365.03. (A) A student enrolled in a public or 1151
nonpublic secondary school during the student's ninth, tenth, 1152
eleventh, or twelfth grade school year; a student enrolled in a 1153
nonchartered nonpublic secondary school in the student's ninth, 1154

tenth, eleventh, or twelfth grade school year; or a student who 1155
has been excused from the compulsory attendance law for the 1156
purpose of home instruction under section 3321.04 of the Revised 1157
Code and is the equivalent of a ninth, tenth, eleventh, or 1158
twelfth grade student, may apply to and enroll in a college 1159
under the college credit plus program. 1160

(1) In order for a public secondary school student to 1161
participate in the program, all of the following criteria shall 1162
be met: 1163

(a) The student or the student's parent shall inform the 1164
principal, or equivalent, of the student's school ~~by the first~~ 1165
~~day of April~~ of the student's intent to participate in the 1166
program ~~during the following school year~~ in the next semester by 1167
a date established by the chancellor of higher education, in 1168
consultation with the superintendent of public instruction. Any 1169
student who fails to provide the notification by the required 1170
date may not participate in the program ~~during the following~~ 1171
~~school year~~ in the next semester without the written consent of 1172
the principal, or equivalent. If a student seeks consent from 1173
the principal after failing to provide notification by the 1174
required date, the principal shall notify the department of 1175
education of the student's intent to participate within ten days 1176
of the date on which the student seeks consent. If the principal 1177
does not provide written consent, the student may appeal the 1178
principal's decision to the governing entity of the school, 1179
except for a student who is enrolled in a school district, who 1180
may appeal the decision to the district superintendent. Not 1181
later than thirty days after the notification of the appeal, the 1182
district superintendent or governing entity shall hear the 1183
appeal and shall make a decision to either grant or deny that 1184
student's participation in the program. The decision of the 1185

district superintendent or governing entity shall be final. 1186

(b) The student shall: 1187

(i) Apply to a public or a participating private college, 1188
or an eligible out-of-state college participating in the 1189
program, in accordance with the college's established procedures 1190
for admission, pursuant to section 3365.05 of the Revised Code; 1191

(ii) As a condition of eligibility, satisfy one of the 1192
following criteria: 1193

(I) Be remediation-free, in accordance with one of the 1194
assessments established under division (F) of section 3345.061 1195
of the Revised Code; 1196

(II) Meet an alternative remediation-free eligibility 1197
option, as defined by the chancellor ~~of higher education~~, in 1198
consultation with the state superintendent of public 1199
~~instruction~~, in rules adopted under this section; 1200

(III) Have participated in the program prior to ~~the~~ 1201
~~effective date of this amendment~~ September 30, 2021, and 1202
qualified to participate in the program by scoring within one 1203
standard error of measurement below the remediation-free 1204
threshold for one of the assessments established under division 1205
(F) of section 3345.061 of the Revised Code and satisfying one 1206
of the conditions specified under division (A) (1) (b) (ii) (I) or 1207
(II) of this section as those divisions existed prior to ~~the~~ 1208
~~effective date of this amendment~~ September 30, 2021. 1209

(iii) Meet the college's and relevant academic program's 1210
established standards for admission, enrollment, and course 1211
placement, including course-specific capacity limitations, 1212
pursuant to section 3365.05 of the Revised Code. 1213

(c) The student shall elect at the time of enrollment to participate under either division (A) or (B) of section 3365.06 of the Revised Code for each course under the program.

(d) The student and the student's parent shall sign a form, provided by the school, stating that they have received the counseling required under division (B) of section 3365.04 of the Revised Code and that they understand the responsibilities they must assume in the program.

(2) In order for a nonpublic secondary school student, a nonchartered nonpublic secondary school student, or a home-instructed student to participate in the program, both of the following criteria shall be met:

(a) The student shall meet the criteria in divisions (A) (1) (b) and (c) of this section.

(b) (i) If the student is enrolled in a nonpublic secondary school, that student shall send to the department of education a copy of the student's acceptance from a college and an application. The application shall be made on forms provided by the state board of education and shall include information about the student's proposed participation, including the school year in which the student wishes to participate; and the semesters or terms the student wishes to enroll during such year. The department shall mark each application with the date and time of receipt.

(ii) If the student is enrolled in a nonchartered nonpublic secondary school or is home-instructed, the parent or guardian of that student shall notify the department by the first day of April prior to the school year in which the student wishes to participate.

(B) Except as provided for in division (C) of this section 1243
and in sections 3365.031 and 3365.032 of the Revised Code: 1244

(1) No public secondary school shall prohibit a student 1245
enrolled in that school from participating in the program if 1246
that student meets all of the criteria in division (A) (1) of 1247
this section. 1248

(2) No participating nonpublic secondary school shall 1249
prohibit a student enrolled in that school from participating in 1250
the program if the student meets all of the criteria in division 1251
(A) (2) of this section and, if the student is enrolled under 1252
division (B) of section 3365.06 of the Revised Code, the student 1253
is awarded funding from the department in accordance with rules 1254
adopted by the chancellor, in consultation with the 1255
superintendent of public instruction, pursuant to section 1256
3365.071 of the Revised Code. 1257

(C) For purposes of this section, during the period of an 1258
expulsion imposed by a public secondary school, a student is 1259
ineligible to apply to enroll in a college under this section, 1260
unless the student is admitted to another public secondary or 1261
participating nonpublic secondary school. If a student is 1262
enrolled in a college under this section at the time the student 1263
is expelled, the student's status for the remainder of the 1264
college term in which the expulsion is imposed shall be 1265
determined under section 3365.032 of the Revised Code. 1266

(D) Upon a student's graduation from high school, 1267
participation in the college credit plus program shall not 1268
affect the student's eligibility at any public college for 1269
scholarships or for other benefits or opportunities that are 1270
available to first-time college students and are awarded by that 1271
college, regardless of the number of credit hours that the 1272

student completed under the program.	1273
(E) The college to which a student applies to participate	1274
under this section shall pay for one assessment used to	1275
determine that student's eligibility under this section.	1276
However, notwithstanding anything to the contrary in Chapter	1277
3365. of the Revised Code, any additional assessments used to	1278
determine the student's eligibility shall be the financial	1279
responsibility of the student.	1280
Sec. 3365.04. Each public and participating nonpublic	1281
secondary school shall do all of the following with respect to	1282
the college credit plus program:	1283
(A) Provide information about the program prior to the	1284
first day of February of each year to all students enrolled in	1285
grades six through eleven;	1286
(B) Provide counseling services to students in grades six	1287
through eleven and to their parents before the students	1288
participate in the program under this chapter to ensure that	1289
students and parents are fully aware of the possible	1290
consequences and benefits of participation. Counseling	1291
information shall include:	1292
(1) Program eligibility;	1293
(2) The process for granting academic credits;	1294
(3) Any necessary financial arrangements for tuition,	1295
textbooks, and fees;	1296
(4) Criteria for any transportation aid;	1297
(5) Available support services;	1298
(6) Scheduling;	1299

(7) Communicating the possible consequences and benefits	1300
of participation, including all of the following:	1301
(a) The consequences of failing or not completing a course	1302
under the program, including the effect on the student's ability	1303
to complete the secondary school's graduation requirements;	1304
(b) The effect of the grade attained in a course under the	1305
program being included in the student's grade point average, as	1306
applicable;	1307
(c) The benefits to the student for successfully	1308
completing a course under the program, including the ability to	1309
reduce the overall costs of, and the amount of time required	1310
for, a college education.	1311
(8) The academic and social responsibilities of students	1312
and parents under the program;	1313
(9) Information about and encouragement to use the	1314
counseling services of the college in which the student intends	1315
to enroll;	1316
(10) The standard packet of information for the program	1317
developed by the chancellor of higher education pursuant to	1318
section 3365.15 of the Revised Code;	1319
For a participating nonpublic secondary school, counseling	1320
information shall also include an explanation that funding may	1321
be limited and that not all students who wish to participate may	1322
be able to do so.	1323
(11) Information about the potential for mature subject	1324
matter, as defined in section 3365.035 of the Revised Code, in	1325
courses in which the student intends to enroll through the	1326
program and notification that courses will not be modified based	1327

upon program enrollee participation regardless of where course 1328
instruction occurs. The information shall include the permission 1329
slip described in division (B) of section 3365.035 of the 1330
Revised Code. 1331

(C) Promote the program on the school's web site, 1332
including the details of the school's current agreements with 1333
partnering colleges; 1334

(D) Schedule at least one informational session per school 1335
year to allow each participating college that is located within 1336
thirty miles of the school to meet with interested students and 1337
parents. The session shall include the benefits and consequences 1338
of participation and shall outline any changes or additions to 1339
the requirements of the program. If there are no participating 1340
colleges located within thirty miles of the school, the school 1341
shall coordinate with the closest participating college to offer 1342
an informational session. 1343

For the purposes of division (D) of this section, 1344
"participating college" shall include both of the following: 1345

(1) A partnering college; 1346

(2) Any public college, private college, or eligible out- 1347
of-state college to which both of the following apply: 1348

(a) The college participates in the college credit plus 1349
program. 1350

(b) The college submits to the public or participating 1351
nonpublic secondary school a request to attend an informational 1352
session. 1353

(E) Implement a policy for the awarding of grades and the 1354
calculation of class standing for courses taken under division 1355

(A) (2) or (B) of section 3365.06 of the Revised Code. The policy 1356
adopted under this division shall be equivalent to the school's 1357
policy for courses taken under the advanced standing programs 1358
described in divisions (A) (2) and (3) of section 3313.6013 of 1359
the Revised Code or for other courses designated as honors 1360
courses by the school. If the policy includes awarding a 1361
weighted grade or enhancing a student's class standing for these 1362
courses, the policy adopted under this section shall also 1363
provide for these procedures to be applied to courses taken 1364
under the college credit plus program. 1365

(F) Develop model course pathways, pursuant to section 1366
3365.13 of the Revised Code, and publish the course pathways 1367
among the school's official list of course offerings for the 1368
program. 1369

(G) Annually collect, report, and track specified data 1370
related to the program according to data reporting guidelines 1371
adopted by the chancellor and the superintendent of public 1372
instruction pursuant to section 3365.15 of the Revised Code. 1373

(H) Use the forms developed by the chancellor and the 1374
state superintendent. No public or participating nonpublic 1375
secondary school shall modify any such form without prior 1376
approval from the chancellor and the state superintendent. 1377

Sec. 3365.05. Each public and participating private 1378
college shall do all of the following with respect to the 1379
college credit plus program: 1380

(A) Apply established standards and procedures for 1381
admission to the college and for course placement for 1382
participants. When determining admission and course placement, 1383
the college shall do all of the following: 1384

(1) Consider all available student data that may be an 1385
indicator of college readiness, including grade point average 1386
and end-of-course examination scores, if applicable; 1387

(2) Give priority to its current students regarding 1388
enrollment in courses. However, once a participant has been 1389
accepted into a course, the college shall not displace the 1390
participant for another student. 1391

(3) Adhere to any capacity limitations that the college 1392
has established for specified courses. 1393

(B) Send written notice to the participant, the 1394
participant's parent, and the participant's secondary school, 1395
not later than fourteen calendar days prior to the first day of 1396
classes for that term, of the participant's admission to the 1397
college and to specified courses under the program. 1398

(C) Provide both of the following, not later than twenty- 1399
one calendar days after the first day of classes for that term, 1400
to each participant and the participant's secondary school: 1401

(1) The courses and hours of enrollment of the 1402
participant; 1403

(2) The option elected by the participant under division 1404
(A) or (B) of section 3365.06 of the Revised Code for each 1405
course. 1406

The college shall also provide to each partnering school a 1407
roster of participants from that school that are enrolled in the 1408
college and a list of course assignments for each participant. 1409

(D) Promote the program on the college's web site, 1410
including the details of the college's current agreements with 1411
partnering secondary schools. 1412

(E) Coordinate with each partnering secondary school that 1413
is located within thirty miles of the college to present at 1414
least one informational session per school year for interested 1415
students and parents. The session shall include the benefits and 1416
consequences of participation and shall outline any changes or 1417
additions to the requirements of the program. If there are no 1418
partnering schools located within thirty miles of the college, 1419
the college shall coordinate with the closest partnering school 1420
to offer an informational session. 1421

(F) Assign an academic advisor that is employed by the 1422
college to each participant enrolled in that college. Prior to 1423
the date on which a withdrawal from a course would negatively 1424
affect a participant's transcribed grade, as prescribed by the 1425
college's established withdrawal policy, the college shall 1426
ensure that the academic advisor and the participant meet at 1427
least once to discuss the program and the courses in which the 1428
participant is enrolled. 1429

(G) Do both of the following with regard to high school 1430
teachers that are teaching courses for the college at a 1431
secondary school under the program: 1432

(1) Provide at least one professional development session 1433
per school year; 1434

(2) Conduct at least one classroom observation per school 1435
year for each course that is authorized by the college and 1436
taught by a high school teacher to ensure that the course meets 1437
the quality of a college-level course. 1438

(H) Annually collect, report, and track specified data 1439
related to the program according to data reporting guidelines 1440
adopted by the chancellor of higher education and the 1441

superintendent of public instruction pursuant to section 3365.15 1442
of the Revised Code. 1443

(I) Provide participants with an orientation that meets 1444
guidelines issued by the chancellor and the state 1445
superintendent. The chancellor and the state superintendent 1446
shall make those guidelines as concise as is practicable. 1447

(J) Provide notice to the secondary school of a 1448
participant who withdraws from a course. 1449

(K) With the exception of divisions (D) and (E) of this 1450
section, any eligible out-of-state college participating in the 1451
college credit plus program shall be subject to the same 1452
requirements as a participating private college under this 1453
section. 1454

Sec. 3365.07. The department of education shall calculate 1455
and pay state funds to colleges for participants in the college 1456
credit plus program under division (B) of section 3365.06 of the 1457
Revised Code pursuant to this section. For a nonpublic secondary 1458
school participant, a nonchartered nonpublic secondary school 1459
participant, or a home-instructed participant, the department 1460
shall pay state funds pursuant to this section only if that 1461
participant is awarded funding according to rules adopted by the 1462
chancellor of higher education, in consultation with the 1463
superintendent of public instruction, pursuant to section 1464
3365.071 of the Revised Code. The program shall be the sole 1465
mechanism by which state funds are paid to colleges for students 1466
to earn transcribed credit for college courses while enrolled 1467
in both a secondary school and a college, with the exception of 1468
state funds paid to colleges according to an agreement described 1469
in division (A) (1) of section 3365.02 of the Revised Code. 1470

(A) For each public or nonpublic secondary school	1471
participant enrolled in a public college:	1472
(1) If no agreement has been entered into under division	1473
(A) (2) of this section, both of the following shall apply:	1474
(a) The department shall pay to the college the applicable	1475
amount as follows:	1476
(i) For a participant enrolled in a college course	1477
delivered on the college campus, at another location operated by	1478
the college, or online, the lesser of the default ceiling amount	1479
or the college's standard rate;	1480
(ii) For a participant enrolled in a college course	1481
delivered at the participant's secondary school but taught by	1482
college faculty, the lesser of fifty per cent of the default	1483
ceiling amount or the college's standard rate;	1484
(iii) For a participant enrolled in a college course	1485
delivered at the participant's secondary school and taught by a	1486
high school teacher who has met the credential requirements	1487
established for purposes of the program in rules adopted by the	1488
chancellor, the default floor amount.	1489
(b) The participant's secondary school shall pay for	1490
textbooks, and the college shall waive payment of all other fees	1491
related to participation in the program.	1492
(2) The governing entity of a participant's secondary	1493
school and the college may enter into an agreement to establish	1494
an alternative payment structure for tuition, textbooks, and	1495
fees. Under such an agreement, payments for each participant	1496
made by the department shall be not less than the default floor	1497
amount, unless approved by the chancellor, and not more than	1498
either the default ceiling amount or the college's standard	1499

rate, whichever is less. The chancellor may approve an agreement 1500
that includes a payment below the default floor amount, as long 1501
as the provisions of the agreement comply with all other 1502
requirements of this chapter to ensure program quality. If no 1503
agreement is entered into under division (A) (2) of this section, 1504
both of the following shall apply: 1505

(a) The department shall pay to the college the applicable 1506
default amounts prescribed by division (A) (1) (a) of this 1507
section, depending upon the method of delivery and instruction. 1508

(b) In accordance with division (A) (1) (b) of this section, 1509
~~the participant's secondary school shall pay for textbooks, and~~ 1510
the college shall waive payment of all other fees related to 1511
participation in the program. 1512

(3) No participant that is enrolled in a public college 1513
shall be charged for any tuition, textbooks, or other fees 1514
related to participation in the program. 1515

(B) For each public secondary school participant enrolled 1516
in a private college: 1517

(1) If no agreement has been entered into under division 1518
(B) (2) of this section, the department shall pay to the college 1519
the applicable amount calculated in the same manner as in 1520
division (A) (1) (a) of this section. 1521

(2) The governing entity of a participant's secondary 1522
school and the college may enter into an agreement to establish 1523
an alternative payment structure for tuition, textbooks, and 1524
fees. Under such an agreement, payments shall be not less than 1525
the default floor amount, unless approved by the chancellor, and 1526
not more than either the default ceiling amount or the college's 1527
standard rate, whichever is less. 1528

If an agreement is entered into under division (B) (2) of 1529
this section, both of the following shall apply: 1530

(a) The department shall make a payment to the college for 1531
each participant that is equal to the default floor amount, 1532
unless approved by the chancellor to pay an amount below the 1533
default floor amount. The chancellor may approve an agreement 1534
that includes a payment below the default floor amount, as long 1535
as the provisions of the agreement comply with all other 1536
requirements of this chapter to ensure program quality. 1537

(b) Payment for costs for the participant that exceed the 1538
amount paid by the department pursuant to division (B) (2) (a) of 1539
this section shall be negotiated by the school and the college. 1540
The agreement may include a stipulation permitting the charging 1541
of a participant. 1542

However, under no circumstances shall: 1543

(i) Payments for a participant made by the department 1544
under division (B) (2) of this section exceed the lesser of the 1545
default ceiling amount or the college's standard rate; 1546

(ii) The amount charged to a participant under division 1547
(B) (2) of this section exceed the difference between the maximum 1548
per participant charge amount and the default floor amount; 1549

(iii) The sum of the payments made by the department for a 1550
participant and the amount charged to that participant under 1551
division (B) (2) of this section exceed the following amounts, as 1552
applicable: 1553

(I) For a participant enrolled in a college course 1554
delivered on the college campus, at another location operated by 1555
the college, or online, the maximum per participant charge 1556
amount; 1557

(II) For a participant enrolled in a college course 1558
delivered at the participant's secondary school but taught by 1559
college faculty, one hundred twenty-five dollars; 1560

(III) For a participant enrolled in a college course 1561
delivered at the participant's secondary school and taught by a 1562
high school teacher who has met the credential requirements 1563
established for purposes of the program in rules adopted by the 1564
chancellor, one hundred dollars. 1565

(iv) A participant that is identified as economically 1566
disadvantaged according to rules adopted by the department be 1567
charged under division (B) (2) of this section for any tuition, 1568
textbooks, or other fees related to participation in the program 1569
or charged under section 3365.072 of the Revised Code for 1570
textbooks. 1571

(C) For each nonpublic secondary school participant 1572
enrolled in a private or eligible out-of-state college, the 1573
department shall pay to the college the applicable amount 1574
calculated in the same manner as in division (A) (1) (a) of this 1575
section. Payment for costs for the participant that exceed the 1576
amount paid by the department shall be negotiated by the 1577
governing body of the nonpublic secondary school and the 1578
college. 1579

However, under no circumstances shall: 1580

(1) The payments for a participant made by the department 1581
under this division exceed the lesser of the default ceiling 1582
amount or the college's standard rate. 1583

(2) Any nonpublic secondary school participant, who is 1584
enrolled in that secondary school with a scholarship awarded 1585
under either the educational choice scholarship pilot program, 1586

as prescribed by sections 3310.01 to 3310.17, or the pilot 1587
project scholarship program, as prescribed by sections 3313.974 1588
to 3313.979 of the Revised Code, and who qualifies as a low- 1589
income student under either of those programs, be charged for 1590
any tuition, ~~textbooks~~, or other fees related to participation 1591
in the college credit plus program. 1592

(D) For each nonchartered nonpublic secondary school 1593
participant and each home-instructed participant enrolled in a 1594
public, private, or eligible out-of-state college, the 1595
department shall pay to the college the lesser of the default 1596
ceiling amount or the college's standard rate, if that 1597
participant is enrolled in a college course delivered on the 1598
college campus, at another location operated by the college, or 1599
online. 1600

(E) Not later than thirty days after the end of each term, 1601
each college expecting to receive payment for the costs of a 1602
participant under this section shall notify the department of 1603
the number of enrolled credit hours for each participant. 1604

(F) The department shall make the applicable payments 1605
under this section to each college, which provided proper 1606
notification to the department under division (E) of this 1607
section, for the number of enrolled credit hours for 1608
participants enrolled in the college under division (B) of 1609
section 3365.06 of the Revised Code. Except in cases involving 1610
incomplete participant information or a dispute of participant 1611
information, payments shall be made by the last day of January 1612
for participants who were enrolled during the fall term and by 1613
the last day of July for participants who were enrolled during 1614
the spring term. The department shall not make any payments to a 1615
college under this section if a participant withdrew from a 1616

course prior to the date on which a withdrawal from the course 1617
would have negatively affected the participant's transcribed 1618
grade, as prescribed by the college's established withdrawal 1619
policy. 1620

(1) Payments made for public secondary school participants 1621
under this section shall be deducted as follows: 1622

(a) For a participant enrolled in a school district, from 1623
the school foundation payments made to the participant's school 1624
district. If the participant is enrolled in a joint vocational 1625
school district, a portion of the amount shall be deducted from 1626
the payments to the joint vocational school district and a 1627
portion shall be deducted from the payments to the participant's 1628
city, local, or exempted village school district in accordance 1629
with the full-time equivalency of the student's enrollment in 1630
each district. 1631

(b) For a participant enrolled in a community school 1632
established under Chapter 3314. of the Revised Code, from the 1633
payments made to that school under section 3317.022 of the 1634
Revised Code; 1635

(c) For a participant enrolled in a STEM school, from the 1636
payments made to that school under section 3317.022 of the 1637
Revised Code; 1638

(d) For a participant enrolled in a college-preparatory 1639
boarding school, from the payments made to that school under 1640
section 3328.34 of the Revised Code; 1641

(e) For a participant enrolled in the state school for the 1642
deaf or the state school for the blind, from the amount paid to 1643
that school with funds appropriated by the general assembly for 1644
support of that school; 1645

(f) For a participant enrolled in an institution operated 1646
by the department of youth services, from the amount paid to 1647
that institution with funds appropriated by the general assembly 1648
for support of that institution. 1649

Amounts deducted under divisions (F) (1) (a) to (f) of this 1650
section shall be calculated in accordance with rules adopted by 1651
the chancellor, in consultation with the state superintendent, 1652
pursuant to division (B) of section 3365.071 of the Revised Code 1653

(2) Payments made for nonpublic secondary school 1654
participants, nonchartered nonpublic secondary school 1655
participants, and home-instructed participants under this 1656
section shall be deducted from moneys appropriated by the 1657
general assembly for such purpose. Payments shall be allocated 1658
and distributed in accordance with rules adopted by the 1659
chancellor, in consultation with the state superintendent, 1660
pursuant to division (A) of section 3365.071 of the Revised 1661
Code. 1662

(G) Any public college that enrolls a student under 1663
division (B) of section 3365.06 of the Revised Code may include 1664
that student in the calculation used to determine its state 1665
share of instruction funds appropriated to the department of 1666
higher education by the general assembly. 1667

Sec. 3365.071. (A) The chancellor of ~~the Ohio board of~~ 1668
~~regents higher education~~, in accordance with Chapter 119. of the 1669
Revised Code and in consultation with the superintendent of 1670
public instruction, shall adopt rules prescribing a method to 1671
allocate and distribute payments under section 3365.07 of the 1672
Revised Code for nonpublic secondary school participants, 1673
nonchartered nonpublic secondary school participants, and home- 1674
instructed participants. The rules shall include that payments 1675

made for nonchartered nonpublic secondary school participants be 1676
made in the same manner as payments for home-instructed 1677
participants under that section. 1678

(B) The chancellor, in consultation with the state 1679
superintendent, shall also adopt rules establishing a method to 1680
calculate the amounts deducted from a joint vocational school 1681
district and from a participant's city, local, or exempted 1682
village school district for payments under section 3365.07 of 1683
the Revised Code. 1684

Sec. 3365.072. This section applies only to participants 1685
who elect to participate under division (B) of section 3365.06 1686
of the Revised Code. 1687

(A) As used in this section: 1688

(1) "Open source materials" means free and publicly 1689
available educational materials. "Open source materials" 1690
includes a free and publicly available textbook. 1691

(2) "Program course" means a course in which a participant 1692
is enrolled. 1693

(3) "Purchase-only textbook" means a textbook that is not 1694
free and publicly available and that must be purchased. 1695

(B) Each public and participating private college shall 1696
endeavor to use open source materials, in lieu of purchase-only 1697
textbooks, in a program course. 1698

(C) In the case of a public or participating private 1699
college using a purchase-only textbook in a program course when 1700
there are open source materials that may be used in lieu of that 1701
textbook, the college shall pay for the participant's textbook. 1702

(D) In the case of a public or participating private 1703

college using a purchase-only textbook in a program course 1704
because there are no open source materials that may be used in 1705
lieu of that textbook, the college shall pay fifty per cent of 1706
the textbook's cost and the participant's secondary school shall 1707
pay fifty per cent of the textbook's cost. 1708

(E) Any eligible out-of-state college participating in the 1709
college credit plus program is subject to this section in the 1710
same manner as a participating private college. 1711

Sec. 3365.11. (A) Each instructor teaching a course under 1712
the college credit plus program shall meet the credential 1713
requirements set forth in guidelines and procedures established 1714
by the chancellor of ~~the Ohio board of regents~~ higher education. 1715
If the guidelines require high school teachers to take any 1716
additional graduate-level coursework in order to meet the 1717
credential requirements, that coursework shall be applicable to 1718
continuing education and professional development requirements 1719
for the renewal of the teacher's educator license. 1720

(B) In addition to the guidelines and procedures 1721
established under division (A) of this section, the chancellor 1722
shall establish an alternative credentialing process to certify 1723
instructors with relevant teaching experience as instructors for 1724
the program without requiring any additional graduate-level 1725
coursework. 1726

Sec. 3365.14. (A) The chancellor of higher education and 1727
the superintendent of public instruction shall monitor and 1728
enforce compliance with the requirements prescribed under 1729
sections 3365.04, 3365.05, and 3365.072 of the Revised Code. 1730

(B) The chancellor and state superintendent shall collect 1731
data relative to the actual cost of programming under the 1732

college credit plus program and submit that data to the auditor 1733
of state. The auditor of state shall review and audit that data. 1734
The auditor of state shall submit to the general assembly, in 1735
accordance with section 101.68 of the Revised Code, a one-time 1736
report regarding the findings of that review and audit. 1737

Section 2. That existing sections 3302.03, 3365.03, 1738
3365.04, 3365.05, 3365.07, 3365.071, and 3365.11 of the Revised 1739
Code are hereby repealed. 1740

Section 3. Section 3302.03 of the Revised Code is 1741
presented in this act as a composite of the section as amended 1742
by S.B. 166 and S.B. 229 both of the 134th General Assembly. The 1743
General Assembly, applying the principle stated in division (B) 1744
of section 1.52 of the Revised Code that amendments are to be 1745
harmonized if reasonably capable of simultaneous operation, 1746
finds that the composite is the resulting version of the section 1747
in effect prior to the effective date of the section as 1748
presented in this act. 1749