

**As Reported by the Senate Education Committee**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**Sub. H. B. No. 164**

**Representative Ginter**

**Cosponsors: Representatives Dean, Becker, Koehler, Schaffer, Riedel, Stoltzfus, Romanchuk, Smith, R., Carfagna, Lang, Merrin, Hood, Lipps, LaTourette, Ryan, Greenspan, Keller, Seitz, Jones, Smith, T., Baldrige, Butler, Cross, DeVitis, Fraizer, Ghanbari, Green, Holmes, A., Hoops, Jordan, Kick, McClain, Patton, Perales, Richardson, Scherer, Stein, Stephens, Swearingen**

**Senators Brenner, Huffman, S.**

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**A BILL**

To amend sections 3313.601, 3314.02, 3314.03, 1  
3326.11, 3328.24, and 3781.1010 and to enact 2  
sections 3320.01, 3320.02, 3320.03, and 3323.10 3  
of the Revised Code and to amend Sections 4  
265.210 and 265.335 of H.B. 166 of the 133rd 5  
General Assembly, as subsequently amended, 6  
Sections 16 and 17 of H.B. 197 of the 133rd 7  
General Assembly, and Section 7 of S.B. 216 of 8  
the 132nd General Assembly regarding student 9  
religious expression, regarding retention under 10  
the Third Grade Reading Guarantee for the 2020- 11  
2021 school year, to make changes to education 12  
law for the 2020-2021 school year in response to 13  
implications of COVID-19, to require the 14  
Department of Education to make an additional 15  
payment in fiscal year 2020 or 2021 to certain 16  
city, local, exempted village, and joint 17  
vocational school districts that experience a 18  
decrease in the taxable value of the district's 19

utility tangible personal property and have at 20  
least one power plant in their territories, to 21  
permit a person to serve on more than five 22  
community school governing authorities under 23  
certain conditions, to extend until November 30, 24  
2022, the moratorium on the building code 25  
requirement for storm shelters for school 26  
construction projects, to make changes regarding 27  
the Quality Community School Support Program, to 28  
provide an additional payment for fiscal year 29  
2020 to school districts that experience a 30  
specified reduction in funding, to entitle the 31  
act the "Ohio Student Religious Liberties Act of 32  
2019," to make an appropriation, and to declare 33  
an emergency. 34

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

**Section 1.** That sections 3313.601, 3314.02, 3314.03, 35  
3326.11, 3328.24, and 3781.1010 be amended and sections 3320.01, 36  
3320.02, 3320.03, and 3323.10 of the Revised Code be enacted to 37  
read as follows: 38

**Sec. 3313.601.** The board of education of each school 39  
district may provide for a moment of silence each school day for 40  
prayer, reflection, or meditation upon a moral, philosophical, 41  
or patriotic theme. No board of education, school, or employee 42  
of the school district shall require a pupil to participate in a 43  
moment of silence provided for pursuant to this section. No 44  
board of education shall prohibit a classroom teacher from 45  
providing in the teacher's classroom reasonable periods of time 46

for activities of a moral, philosophical, or patriotic theme. No 47  
pupil shall be required to participate in such activities if 48  
they are contrary to the religious convictions of the pupil or 49  
the pupil's parents or guardians. 50

No board of education of a school district shall adopt any 51  
policy or rule respecting or promoting an establishment of 52  
religion or prohibiting any pupil from the free, individual, and 53  
voluntary exercise or expression of the pupil's religious 54  
beliefs in any primary or secondary school. ~~The board of 55  
education may limit the exercise or expression of the pupil's 56  
religious beliefs as described in this section to lunch periods 57  
or other noninstructional time periods when pupils are free to 58  
associate.~~ 59

**Sec. 3314.02.** (A) As used in this chapter: 60

(1) "Sponsor" means the board of education of a school 61  
district or the governing board of an educational service center 62  
that agrees to the conversion of all or part of a school or 63  
building under division (B) of this section, or an entity listed 64  
in division (C) (1) of this section, which has been approved by 65  
the department of education to sponsor community schools or is 66  
exempted by section 3314.021 or 3314.027 of the Revised Code 67  
from obtaining approval, and with which the governing authority 68  
of a community school enters into a contract under section 69  
3314.03 of the Revised Code. 70

(2) "Pilot project area" means the school districts 71  
included in the territory of the former community school pilot 72  
project established by former Section 50.52 of Am. Sub. H.B. No. 73  
215 of the 122nd general assembly. 74

(3) "Challenged school district" means any of the 75

following:	76
(a) A school district that is part of the pilot project area;	77 78
(b) A school district that meets one of the following conditions:	79 80
(i) On March 22, 2013, the district was in a state of academic emergency or in a state of academic watch under section 3302.03 of the Revised Code, as that section existed prior to March 22, 2013;	81 82 83 84
(ii) For two of the 2012-2013, 2013-2014, 2014-2015, and 2015-2016 school years, the district received a grade of "D" or "F" for the performance index score and a grade of "F" for the value-added progress dimension under section 3302.03 of the Revised Code;	85 86 87 88 89
(iii) For the 2016-2017 school year and for any school year thereafter, the district has received an overall grade of "D" or "F" under division (C) (3) of section 3302.03 of the Revised Code, or, for at least two of the three most recent school years, the district received a grade of "F" for the value-added progress dimension under division (C) (1) (e) of that section.	90 91 92 93 94 95 96
(c) A big eight school district;	97
(d) A school district ranked in the lowest five per cent of school districts according to performance index score under section 3302.21 of the Revised Code.	98 99 100
(4) "Big eight school district" means a school district that for fiscal year 1997 had both of the following:	101 102
(a) A percentage of children residing in the district and	103

participating in the predecessor of Ohio works first greater 104  
than thirty per cent, as reported pursuant to section 3317.10 of 105  
the Revised Code; 106

(b) An average daily membership greater than twelve 107  
thousand, as reported pursuant to former division (A) of section 108  
3317.03 of the Revised Code. 109

(5) "New start-up school" means a community school other 110  
than one created by converting all or part of an existing public 111  
school or educational service center building, as designated in 112  
the school's contract pursuant to division (A)(17) of section 113  
3314.03 of the Revised Code. 114

(6) "Urban school district" means one of the state's 115  
twenty-one urban school districts as defined in division (O) of 116  
section 3317.02 of the Revised Code as that section existed 117  
prior to July 1, 1998. 118

(7) "Internet- or computer-based community school" means a 119  
community school established under this chapter in which the 120  
enrolled students work primarily from their residences on 121  
assignments in nonclassroom-based learning opportunities 122  
provided via an internet- or other computer-based instructional 123  
method that does not rely on regular classroom instruction or 124  
via comprehensive instructional methods that include internet- 125  
based, other computer-based, and noncomputer-based learning 126  
opportunities unless a student receives career-technical 127  
education under section 3314.086 of the Revised Code. 128

A community school that operates mainly as an internet- or 129  
computer-based community school and provides career-technical 130  
education under section 3314.086 of the Revised Code shall be 131  
considered an internet- or computer-based community school, even 132

if it provides some classroom-based instruction, so long as it 133  
provides instruction via the methods described in this division. 134

(8) "Operator" or "management company" means either of the 135  
following: 136

(a) An individual or organization that manages the daily 137  
operations of a community school pursuant to a contract between 138  
the operator or management company and the school's governing 139  
authority; 140

(b) A nonprofit organization that provides programmatic 141  
oversight and support to a community school under a contract 142  
with the school's governing authority and that retains the right 143  
to terminate its affiliation with the school if the school fails 144  
to meet the organization's quality standards. 145

(9) "Alliance municipal school district" has the same 146  
meaning as in section 3311.86 of the Revised Code. 147

(B) (1) Any person or group of individuals may initially 148  
propose under this division the conversion of all or a portion 149  
of a public school to a community school. The proposal shall be 150  
made to the board of education of the city, local, exempted 151  
village, or joint vocational school district in which the public 152  
school is proposed to be converted. 153

(2) Any person or group of individuals may initially 154  
propose under this division the conversion of all or a portion 155  
of a building operated by an educational service center to a 156  
community school. The proposal shall be made to the governing 157  
board of the service center. 158

On or after July 1, 2017, except as provided in section 159  
3314.027 of the Revised Code, any educational service center 160  
that sponsors a community school shall be approved by and enter 161

into a written agreement with the department as described in 162  
section 3314.015 of the Revised Code. 163

(3) Upon receipt of a proposal, and after an agreement has 164  
been entered into pursuant to section 3314.015 of the Revised 165  
Code, a board may enter into a preliminary agreement with the 166  
person or group proposing the conversion of the public school or 167  
service center building, indicating the intention of the board 168  
to support the conversion to a community school. A proposing 169  
person or group that has a preliminary agreement under this 170  
division may proceed to finalize plans for the school, establish 171  
a governing authority for the school, and negotiate a contract 172  
with the board. Provided the proposing person or group adheres 173  
to the preliminary agreement and all provisions of this chapter, 174  
the board shall negotiate in good faith to enter into a contract 175  
in accordance with section 3314.03 of the Revised Code and 176  
division (C) of this section. 177

(4) The sponsor of a conversion community school proposed 178  
to open in an alliance municipal school district shall be 179  
subject to approval by the department of education for 180  
sponsorship of that school using the criteria established under 181  
division (A) of section 3311.87 of the Revised Code. 182

Division (B) (4) of this section does not apply to a 183  
sponsor that, on or before September 29, 2015, was exempted 184  
under section 3314.021 or 3314.027 of the Revised Code from the 185  
requirement to be approved for sponsorship under divisions (A) 186  
(2) and (B) (1) of section 3314.015 of the Revised Code. 187

(5) A school established in accordance with division (B) 188  
of this section that later enters into a sponsorship contract 189  
with an entity that is not a school district or educational 190  
service center shall, at the time of entering into the new 191

contract, be deemed a community school established in accordance	192
with division (C) of this section.	193
(C) (1) Any person or group of individuals may propose	194
under this division the establishment of a new start-up school	195
to be located in a challenged school district. The proposal may	196
be made to any of the following entities:	197
(a) The board of education of the district in which the	198
school is proposed to be located;	199
(b) The board of education of any joint vocational school	200
district with territory in the county in which is located the	201
majority of the territory of the district in which the school is	202
proposed to be located;	203
(c) The board of education of any other city, local, or	204
exempted village school district having territory in the same	205
county where the district in which the school is proposed to be	206
located has the major portion of its territory;	207
(d) The governing board of any educational service center,	208
regardless of the location of the proposed school, may sponsor a	209
new start-up school in any challenged school district in the	210
state if all of the following are satisfied:	211
(i) If applicable, it satisfies the requirements of	212
division (E) of section 3311.86 of the Revised Code;	213
(ii) It is approved to do so by the department;	214
(iii) It enters into an agreement with the department	215
under section 3314.015 of the Revised Code.	216
(e) A sponsoring authority designated by the board of	217
trustees of any of the thirteen state universities listed in	218
section 3345.011 of the Revised Code or the board of trustees	219



itself as long as a mission of the proposed school to be	220
specified in the contract under division (A) (2) of section	221
3314.03 of the Revised Code and as approved by the department	222
under division (B) (3) of section 3314.015 of the Revised Code	223
will be the practical demonstration of teaching methods,	224
educational technology, or other teaching practices that are	225
included in the curriculum of the university's teacher	226
preparation program approved by the state board of education;	227
(f) Any qualified tax-exempt entity under section 501(c)	228
(3) of the Internal Revenue Code as long as all of the following	229
conditions are satisfied:	230
(i) The entity has been in operation for at least five	231
years prior to applying to be a community school sponsor.	232
(ii) The entity has assets of at least five hundred	233
thousand dollars and a demonstrated record of financial	234
responsibility.	235
(iii) The department has determined that the entity is an	236
education-oriented entity under division (B) (4) of section	237
3314.015 of the Revised Code and the entity has a demonstrated	238
record of successful implementation of educational programs.	239
(iv) The entity is not a community school.	240
(g) The mayor of a city in which the majority of the	241
territory of a school district to which section 3311.60 of the	242
Revised Code applies is located, regardless of whether that	243
district has created the position of independent auditor as	244
prescribed by that section. The mayor's sponsorship authority	245
under this division is limited to community schools that are	246
located in that school district. Such mayor may sponsor	247
community schools only with the approval of the city council of	248

that city, after establishing standards with which community 249  
schools sponsored by the mayor must comply, and after entering 250  
into a sponsor agreement with the department as prescribed under 251  
section 3314.015 of the Revised Code. The mayor shall establish 252  
the standards for community schools sponsored by the mayor not 253  
later than one hundred eighty days after July 15, 2013, and 254  
shall submit them to the department upon their establishment. 255  
The department shall approve the mayor to sponsor community 256  
schools in the district, upon receipt of an application by the 257  
mayor to do so. Not later than ninety days after the 258  
department's approval of the mayor as a community school 259  
sponsor, the department shall enter into the sponsor agreement 260  
with the mayor. 261

Any entity described in division (C) (1) of this section 262  
may enter into a preliminary agreement pursuant to division (C) 263  
(2) of this section with the proposing person or group, provided 264  
that entity has been approved by and entered into a written 265  
agreement with the department pursuant to section 3314.015 of 266  
the Revised Code. 267

(2) A preliminary agreement indicates the intention of an 268  
entity described in division (C) (1) of this section to sponsor 269  
the community school. A proposing person or group that has such 270  
a preliminary agreement may proceed to finalize plans for the 271  
school, establish a governing authority as described in division 272  
(E) of this section for the school, and negotiate a contract 273  
with the entity. Provided the proposing person or group adheres 274  
to the preliminary agreement and all provisions of this chapter, 275  
the entity shall negotiate in good faith to enter into a 276  
contract in accordance with section 3314.03 of the Revised Code. 277

(3) A new start-up school that is established in a school 278

district described in either division (A) (3) (b) or (d) of this 279  
section may continue in existence once the school district no 280  
longer meets the conditions described in either division, 281  
provided there is a valid contract between the school and a 282  
sponsor. 283

(4) A copy of every preliminary agreement entered into 284  
under this division shall be filed with the superintendent of 285  
public instruction. 286

(D) A majority vote of the board of a sponsoring entity 287  
and a majority vote of the members of the governing authority of 288  
a community school shall be required to adopt a contract and 289  
convert the public school or educational service center building 290  
to a community school or establish the new start-up school. 291  
Beginning September 29, 2005, adoption of the contract shall 292  
occur not later than the fifteenth day of March, and signing of 293  
the contract shall occur not later than the fifteenth day of 294  
May, prior to the school year in which the school will open. The 295  
governing authority shall notify the department of education 296  
when the contract has been signed. Subject to sections 3314.013 297  
and 3314.016 of the Revised Code, an unlimited number of 298  
community schools may be established in any school district 299  
provided that a contract is entered into for each community 300  
school pursuant to this chapter. 301

(E) (1) As used in this division, "immediate relatives" are 302  
limited to spouses, children, parents, grandparents, and 303  
siblings, as well as in-laws residing in the same household as 304  
the person serving on the governing authority. 305

Each new start-up community school established under this 306  
chapter shall be under the direction of a governing authority 307  
which shall consist of a board of not less than five 308

individuals.	309
(2) (a) No person shall serve on the governing authority or	310
operate the community school under contract with the governing	311
authority under any of the following circumstances:	312
(i) The person owes the state any money or is in a dispute	313
over whether the person owes the state any money concerning the	314
operation of a community school that has closed.	315
(ii) The person would otherwise be subject to division (B)	316
of section 3319.31 of the Revised Code with respect to refusal,	317
limitation, or revocation of a license to teach, if the person	318
were a licensed educator.	319
(iii) The person has pleaded guilty to or been convicted	320
of theft in office under section 2921.41 of the Revised Code, or	321
has pleaded guilty to or been convicted of a substantially	322
similar offense in another state.	323
(b) No person shall serve on the governing authority or	324
engage in the financial day-to-day management of the community	325
school under contract with the governing authority unless and	326
until that person has submitted to a criminal records check in	327
the manner prescribed by section 3319.39 of the Revised Code.	328
(c) Each sponsor of a community school shall annually	329
verify that a finding for recovery has not been issued by the	330
auditor of state against any individual or individuals who	331
propose to create a community school or any member of the	332
governing authority, the operator, or any employee of each	333
community school with responsibility for fiscal operations or	334
authorization to expend money on behalf of the school.	335
(3) No person shall serve on the governing authorities of	336
more than five start-up community schools at the same time	337

unless both of the following apply: 338

(a) The person serves in a volunteer capacity and receives 339  
no compensation under division (E) (5) of this section from any 340  
governing authority on which the person serves. 341

(b) For any school that has an operator, the operator is a 342  
nonprofit organization. 343

(4) (a) For a community school established under this 344  
chapter that is not sponsored by a school district or an 345  
educational service center, no present or former member, or 346  
immediate relative of a present or former member, of the 347  
governing authority shall be an owner, employee, or consultant 348  
of the community school's sponsor or operator, unless at least 349  
one year has elapsed since the conclusion of the person's 350  
membership on the governing authority. 351

(b) For a community school established under this chapter 352  
that is sponsored by a school district or an educational service 353  
center, no present or former member, or immediate relative of a 354  
present or former member, of the governing authority shall: 355

(i) Be an officer of the district board or service center 356  
governing board that serves as the community school's sponsor, 357  
unless at least one year has elapsed since the conclusion of the 358  
person's membership on the governing authority; 359

(ii) Serve as an employee of, or a consultant for, the 360  
department, division, or section of the sponsoring district or 361  
service center that is directly responsible for sponsoring 362  
community schools, or have supervisory authority over such a 363  
department, division, or section, unless at least one year has 364  
elapsed since the conclusion of the person's membership on the 365  
governing authority. 366

(5) The governing authority of a start-up or conversion community school may provide by resolution for the compensation of its members. However, no individual who serves on the governing authority of a start-up or conversion community school shall be compensated more than one hundred twenty-five dollars per meeting of that governing authority and no such individual shall be compensated more than a total amount of five thousand dollars per year for all governing authorities upon which the individual serves. Each member of the governing authority may be paid compensation for attendance at an approved training program, provided that such compensation shall not exceed sixty dollars a day for attendance at a training program three hours or less in length and one hundred twenty-five dollars a day for attendance at a training program longer than three hours in length.

(6) No person who is the employee of a school district or educational service center shall serve on the governing authority of any community school sponsored by that school district or service center.

(7) Each member of the governing authority of a community school shall annually file a disclosure statement setting forth the names of any immediate relatives or business associates employed by any of the following within the previous three years:

(a) The sponsor or operator of that community school;

(b) A school district or educational service center that has contracted with that community school;

(c) A vendor that is or has engaged in business with that community school.

(8) No person who is a member of a school district board of education shall serve on the governing authority of any community school.

(F) (1) A new start-up school that is established prior to August 15, 2003, in an urban school district that is not also a big-eight school district may continue to operate after that date and the contract between the school's governing authority and the school's sponsor may be renewed, as provided under this chapter, after that date, but no additional new start-up schools may be established in such a district unless the district is a challenged school district as defined in this section as it exists on and after that date.

(2) A community school that was established prior to June 29, 1999, and is located in a county contiguous to the pilot project area and in a school district that is not a challenged school district may continue to operate after that date, provided the school complies with all provisions of this chapter. The contract between the school's governing authority and the school's sponsor may be renewed, but no additional start-up community school may be established in that district unless the district is a challenged school district.

(3) Any educational service center that, on June 30, 2007, sponsors a community school that is not located in a county within the territory of the service center or in a county contiguous to such county may continue to sponsor that community school on and after June 30, 2007, and may renew its contract with the school. However, the educational service center shall not enter into a contract with any additional community school, unless the governing board of the service center has entered into an agreement with the department authorizing the service

center to sponsor a community school in any challenged school 426  
district in the state. 427

**Sec. 3314.03.** A copy of every contract entered into under 428  
this section shall be filed with the superintendent of public 429  
instruction. The department of education shall make available on 430  
its web site a copy of every approved, executed contract filed 431  
with the superintendent under this section. 432

(A) Each contract entered into between a sponsor and the 433  
governing authority of a community school shall specify the 434  
following: 435

(1) That the school shall be established as either of the 436  
following: 437

(a) A nonprofit corporation established under Chapter 438  
1702. of the Revised Code, if established prior to April 8, 439  
2003; 440

(b) A public benefit corporation established under Chapter 441  
1702. of the Revised Code, if established after April 8, 2003. 442

(2) The education program of the school, including the 443  
school's mission, the characteristics of the students the school 444  
is expected to attract, the ages and grades of students, and the 445  
focus of the curriculum; 446

(3) The academic goals to be achieved and the method of 447  
measurement that will be used to determine progress toward those 448  
goals, which shall include the statewide achievement 449  
assessments; 450

(4) Performance standards, including but not limited to 451  
all applicable report card measures set forth in section 3302.03 452  
or 3314.017 of the Revised Code, by which the success of the 453



school will be evaluated by the sponsor;	454
(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	455 456 457
(6) (a) Dismissal procedures;	458
(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in seventy-two consecutive hours of the learning opportunities offered to the student.	459 460 461 462 463 464
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	465 466
(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code.	467 468 469 470 471 472
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	473 474
(a) A detailed description of each facility used for instructional purposes;	475 476
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	477 478
(c) The annual mortgage principal and interest payments that are paid by the school;	479 480

(d) The name of the lender or landlord, identified as 481  
such, and the lender's or landlord's relationship to the 482  
operator, if any. 483

(10) Qualifications of teachers, including a requirement 484  
that the school's classroom teachers be licensed in accordance 485  
with sections 3319.22 to 3319.31 of the Revised Code, except 486  
that a community school may engage noncertificated persons to 487  
teach up to twelve hours per week pursuant to section 3319.301 488  
of the Revised Code. 489

(11) That the school will comply with the following 490  
requirements: 491

(a) The school will provide learning opportunities to a 492  
minimum of twenty-five students for a minimum of nine hundred 493  
twenty hours per school year. 494

(b) The governing authority will purchase liability 495  
insurance, or otherwise provide for the potential liability of 496  
the school. 497

(c) The school will be nonsectarian in its programs, 498  
admission policies, employment practices, and all other 499  
operations, and will not be operated by a sectarian school or 500  
religious institution. 501

(d) The school will comply with sections 9.90, 9.91, 502  
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 503  
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3313.472, 504  
3313.50, 3313.536, 3313.539, 3313.5310, 3313.608, 3313.609, 505  
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.643, 506  
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3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.86, 510  
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3319.391, 3319.41, 3319.46, 3320.01, 3320.02, 3320.03, 3321.01, 512  
3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 513  
3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 514  
117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. 515  
of the Revised Code as if it were a school district and will 516  
comply with section 3301.0714 of the Revised Code in the manner 517  
specified in section 3314.17 of the Revised Code. 518

(e) The school shall comply with Chapter 102. and section 519  
2921.42 of the Revised Code. 520

(f) The school will comply with sections 3313.61, 521  
3313.611, and 3313.614 of the Revised Code, except that for 522  
students who enter ninth grade for the first time before July 1, 523  
2010, the requirement in sections 3313.61 and 3313.611 of the 524  
Revised Code that a person must successfully complete the 525  
curriculum in any high school prior to receiving a high school 526  
diploma may be met by completing the curriculum adopted by the 527  
governing authority of the community school rather than the 528  
curriculum specified in Title XXXVIII of the Revised Code or any 529  
rules of the state board of education. Beginning with students 530  
who enter ninth grade for the first time on or after July 1, 531  
2010, the requirement in sections 3313.61 and 3313.611 of the 532  
Revised Code that a person must successfully complete the 533  
curriculum of a high school prior to receiving a high school 534  
diploma shall be met by completing the requirements prescribed 535  
in division (C) of section 3313.603 of the Revised Code, unless 536  
the person qualifies under division (D) or (F) of that section. 537  
Each school shall comply with the plan for awarding high school 538  
credit based on demonstration of subject area competency, and 539  
beginning with the 2017-2018 school year, with the updated plan 540

that permits students enrolled in seventh and eighth grade to 541  
meet curriculum requirements based on subject area competency 542  
adopted by the state board of education under divisions (J) (1) 543  
and (2) of section 3313.603 of the Revised Code. Beginning with 544  
the 2018-2019 school year, the school shall comply with the 545  
framework for granting units of high school credit to students 546  
who demonstrate subject area competency through work-based 547  
learning experiences, internships, or cooperative education 548  
developed by the department under division (J) (3) of section 549  
3313.603 of the Revised Code. 550

(g) The school governing authority will submit within four 551  
months after the end of each school year a report of its 552  
activities and progress in meeting the goals and standards of 553  
divisions (A) (3) and (4) of this section and its financial 554  
status to the sponsor and the parents of all students enrolled 555  
in the school. 556

(h) The school, unless it is an internet- or computer- 557  
based community school, will comply with section 3313.801 of the 558  
Revised Code as if it were a school district. 559

(i) If the school is the recipient of moneys from a grant 560  
awarded under the federal race to the top program, Division (A), 561  
Title XIV, Sections 14005 and 14006 of the "American Recovery 562  
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 563  
the school will pay teachers based upon performance in 564  
accordance with section 3317.141 and will comply with section 565  
3319.111 of the Revised Code as if it were a school district. 566

(j) If the school operates a preschool program that is 567  
licensed by the department of education under sections 3301.52 568  
to 3301.59 of the Revised Code, the school shall comply with 569  
sections 3301.50 to 3301.59 of the Revised Code and the minimum 570

standards for preschool programs prescribed in rules adopted by	571
the state board under section 3301.53 of the Revised Code.	572
(k) The school will comply with sections 3313.6021 and	573
3313.6023 of the Revised Code as if it were a school district	574
unless it is either of the following:	575
(i) An internet- or computer-based community school;	576
(ii) A community school in which a majority of the	577
enrolled students are children with disabilities as described in	578
division (A) (4) (b) of section 3314.35 of the Revised Code.	579
(12) Arrangements for providing health and other benefits	580
to employees;	581
(13) The length of the contract, which shall begin at the	582
beginning of an academic year. No contract shall exceed five	583
years unless such contract has been renewed pursuant to division	584
(E) of this section.	585
(14) The governing authority of the school, which shall be	586
responsible for carrying out the provisions of the contract;	587
(15) A financial plan detailing an estimated school budget	588
for each year of the period of the contract and specifying the	589
total estimated per pupil expenditure amount for each such year.	590
(16) Requirements and procedures regarding the disposition	591
of employees of the school in the event the contract is	592
terminated or not renewed pursuant to section 3314.07 of the	593
Revised Code;	594
(17) Whether the school is to be created by converting all	595
or part of an existing public school or educational service	596
center building or is to be a new start-up school, and if it is	597
a converted public school or service center building,	598

specification of any duties or responsibilities of an employer 599  
that the board of education or service center governing board 600  
that operated the school or building before conversion is 601  
delegating to the governing authority of the community school 602  
with respect to all or any specified group of employees provided 603  
the delegation is not prohibited by a collective bargaining 604  
agreement applicable to such employees; 605

(18) Provisions establishing procedures for resolving 606  
disputes or differences of opinion between the sponsor and the 607  
governing authority of the community school; 608

(19) A provision requiring the governing authority to 609  
adopt a policy regarding the admission of students who reside 610  
outside the district in which the school is located. That policy 611  
shall comply with the admissions procedures specified in 612  
sections 3314.06 and 3314.061 of the Revised Code and, at the 613  
sole discretion of the authority, shall do one of the following: 614

(a) Prohibit the enrollment of students who reside outside 615  
the district in which the school is located; 616

(b) Permit the enrollment of students who reside in 617  
districts adjacent to the district in which the school is 618  
located; 619

(c) Permit the enrollment of students who reside in any 620  
other district in the state. 621

(20) A provision recognizing the authority of the 622  
department of education to take over the sponsorship of the 623  
school in accordance with the provisions of division (C) of 624  
section 3314.015 of the Revised Code; 625

(21) A provision recognizing the sponsor's authority to 626  
assume the operation of a school under the conditions specified 627

in division (B) of section 3314.073 of the Revised Code; 628

(22) A provision recognizing both of the following: 629

(a) The authority of public health and safety officials to 630  
inspect the facilities of the school and to order the facilities 631  
closed if those officials find that the facilities are not in 632  
compliance with health and safety laws and regulations; 633

(b) The authority of the department of education as the 634  
community school oversight body to suspend the operation of the 635  
school under section 3314.072 of the Revised Code if the 636  
department has evidence of conditions or violations of law at 637  
the school that pose an imminent danger to the health and safety 638  
of the school's students and employees and the sponsor refuses 639  
to take such action. 640

(23) A description of the learning opportunities that will 641  
be offered to students including both classroom-based and non- 642  
classroom-based learning opportunities that is in compliance 643  
with criteria for student participation established by the 644  
department under division (H) (2) of section 3314.08 of the 645  
Revised Code; 646

(24) The school will comply with sections 3302.04 and 647  
3302.041 of the Revised Code, except that any action required to 648  
be taken by a school district pursuant to those sections shall 649  
be taken by the sponsor of the school. However, the sponsor 650  
shall not be required to take any action described in division 651  
(F) of section 3302.04 of the Revised Code. 652

(25) Beginning in the 2006-2007 school year, the school 653  
will open for operation not later than the thirtieth day of 654  
September each school year, unless the mission of the school as 655  
specified under division (A) (2) of this section is solely to 656

serve dropouts. In its initial year of operation, if the school 657  
fails to open by the thirtieth day of September, or within one 658  
year after the adoption of the contract pursuant to division (D) 659  
of section 3314.02 of the Revised Code if the mission of the 660  
school is solely to serve dropouts, the contract shall be void. 661

(26) Whether the school's governing authority is planning 662  
to seek designation for the school as a STEM school equivalent 663  
under section 3326.032 of the Revised Code; 664

(27) That the school's attendance and participation 665  
policies will be available for public inspection; 666

(28) That the school's attendance and participation 667  
records shall be made available to the department of education, 668  
auditor of state, and school's sponsor to the extent permitted 669  
under and in accordance with the "Family Educational Rights and 670  
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, 671  
and any regulations promulgated under that act, and section 672  
3319.321 of the Revised Code; 673

(29) If a school operates using the blended learning 674  
model, as defined in section 3301.079 of the Revised Code, all 675  
of the following information: 676

(a) An indication of what blended learning model or models 677  
will be used; 678

(b) A description of how student instructional needs will 679  
be determined and documented; 680

(c) The method to be used for determining competency, 681  
granting credit, and promoting students to a higher grade level; 682

(d) The school's attendance requirements, including how 683  
the school will document participation in learning 684



opportunities;	685
(e) A statement describing how student progress will be monitored;	686 687
(f) A statement describing how private student data will be protected;	688 689
(g) A description of the professional development activities that will be offered to teachers.	690 691
(30) A provision requiring that all moneys the school's operator loans to the school, including facilities loans or cash flow assistance, must be accounted for, documented, and bear interest at a fair market rate;	692 693 694 695
(31) A provision requiring that, if the governing authority contracts with an attorney, accountant, or entity specializing in audits, the attorney, accountant, or entity shall be independent from the operator with which the school has contracted.	696 697 698 699 700
(32) A provision requiring the governing authority to adopt an enrollment and attendance policy that requires a student's parent to notify the community school in which the student is enrolled when there is a change in the location of the parent's or student's primary residence.	701 702 703 704 705
(33) A provision requiring the governing authority to adopt a student residence and address verification policy for students enrolling in or attending the school.	706 707 708
(B) The community school shall also submit to the sponsor a comprehensive plan for the school. The plan shall specify the following:	709 710 711
(1) The process by which the governing authority of the	712

school will be selected in the future;	713
(2) The management and administration of the school;	714
(3) If the community school is a currently existing public school or educational service center building, alternative arrangements for current public school students who choose not to attend the converted school and for teachers who choose not to teach in the school or building after conversion;	715 716 717 718 719
(4) The instructional program and educational philosophy of the school;	720 721
(5) Internal financial controls.	722
When submitting the plan under this division, the school shall also submit copies of all policies and procedures regarding internal financial controls adopted by the governing authority of the school.	723 724 725 726
(C) A contract entered into under section 3314.02 of the Revised Code between a sponsor and the governing authority of a community school may provide for the community school governing authority to make payments to the sponsor, which is hereby authorized to receive such payments as set forth in the contract between the governing authority and the sponsor. The total amount of such payments for monitoring, oversight, and technical assistance of the school shall not exceed three per cent of the total amount of payments for operating expenses that the school receives from the state.	727 728 729 730 731 732 733 734 735 736
(D) The contract shall specify the duties of the sponsor which shall be in accordance with the written agreement entered into with the department of education under division (B) of section 3314.015 of the Revised Code and shall include the following:	737 738 739 740 741

(1) Monitor the community school's compliance with all	742
laws applicable to the school and with the terms of the	743
contract;	744
(2) Monitor and evaluate the academic and fiscal	745
performance and the organization and operation of the community	746
school on at least an annual basis;	747
(3) Report on an annual basis the results of the	748
evaluation conducted under division (D) (2) of this section to	749
the department of education and to the parents of students	750
enrolled in the community school;	751
(4) Provide technical assistance to the community school	752
in complying with laws applicable to the school and terms of the	753
contract;	754
(5) Take steps to intervene in the school's operation to	755
correct problems in the school's overall performance, declare	756
the school to be on probationary status pursuant to section	757
3314.073 of the Revised Code, suspend the operation of the	758
school pursuant to section 3314.072 of the Revised Code, or	759
terminate the contract of the school pursuant to section 3314.07	760
of the Revised Code as determined necessary by the sponsor;	761
(6) Have in place a plan of action to be undertaken in the	762
event the community school experiences financial difficulties or	763
closes prior to the end of a school year.	764
(E) Upon the expiration of a contract entered into under	765
this section, the sponsor of a community school may, with the	766
approval of the governing authority of the school, renew that	767
contract for a period of time determined by the sponsor, but not	768
ending earlier than the end of any school year, if the sponsor	769
finds that the school's compliance with applicable laws and	770

terms of the contract and the school's progress in meeting the 771  
academic goals prescribed in the contract have been 772  
satisfactory. Any contract that is renewed under this division 773  
remains subject to the provisions of sections 3314.07, 3314.072, 774  
and 3314.073 of the Revised Code. 775

(F) If a community school fails to open for operation 776  
within one year after the contract entered into under this 777  
section is adopted pursuant to division (D) of section 3314.02 778  
of the Revised Code or permanently closes prior to the 779  
expiration of the contract, the contract shall be void and the 780  
school shall not enter into a contract with any other sponsor. A 781  
school shall not be considered permanently closed because the 782  
operations of the school have been suspended pursuant to section 783  
3314.072 of the Revised Code. 784

Sec. 3320.01. (A) Sections 3320.01, 3320.02, and 3320.03 785  
of the Revised Code shall be collectively known as the "Ohio 786  
Student Religious Liberties Act of 2019." 787

(B) As used in sections 3320.01 to 3320.03 of the Revised 788  
Code, "religious expression" includes any of the following: 789

(1) Prayer; 790

(2) Religious gatherings, including but not limited to 791  
prayer groups, religious clubs, "see you at the pole" 792  
gatherings, or other religious gatherings; 793

(3) Distribution of written materials or literature of a 794  
religious nature; 795

(4) Any other activity of a religious nature, including 796  
wearing symbolic clothing or expression of a religious 797  
viewpoint, provided that the activity is not obscene, vulgar, 798  
offensively lewd, or indecent. 799

Sec. 3320.02. (A) A student enrolled in a public school 800  
may engage in religious expression before, during, and after 801  
school hours in the same manner and to the same extent that a 802  
student is permitted to engage in secular activities or 803  
expression before, during, and after school hours. 804

(B) A school district, community school established under 805  
Chapter 3314., STEM school established under Chapter 3326., or a 806  
college-preparatory boarding school established under Chapter 807  
3328. of the Revised Code shall give the same access to school 808  
facilities to students who wish to conduct a meeting for the 809  
purpose of engaging in religious expression as is given to 810  
secular student groups, without regard to the content of a 811  
student's or group's expression. 812

Sec. 3320.03. No school district board of education, 813  
governing authority of a community school established under 814  
Chapter 3314. of the Revised Code, governing body of a STEM 815  
school established under Chapter 3326. of the Revised Code, or 816  
board of trustees of a college-preparatory boarding school 817  
established under Chapter 3328. of the Revised Code shall 818  
prohibit a student from engaging in religious expression in the 819  
completion of homework, artwork, or other written or oral 820  
assignments. Assignment grades and scores shall be calculated 821  
using ordinary academic standards of substance and relevance, 822  
including any legitimate pedagogical concerns, and shall not 823  
penalize or reward a student based on the religious content of a 824  
student's work. 825

Sec. 3323.10. (A) As used in this section, "public school 826  
preschool integrated class" means a class that is operated by a 827  
public school, educational service center, or county board of 828  
developmental disabilities in which fifty per cent of the 829

students in the class are children with disabilities. 830

(B) Notwithstanding any change to administrative rule 831  
adopted by the state board of education prescribing licensure 832  
qualifications for teaching a public school preschool integrated 833  
class, a teacher who is licensed to teach special education and 834  
is employed to teach a public school preschool integrated class 835  
on the initial effective date of any rule change prescribing 836  
such licensure qualifications may continue to teach a public 837  
school preschool integrated class until the teacher retires, 838  
resigns, or is reassigned by the employing school, educational 839  
service center, or county board of developmental disabilities. 840  
Following the retirement, resignation, or reassignment of the 841  
teacher, the teacher must meet the licensure qualifications 842  
prescribed by administrative rule to teach a public school 843  
preschool integrated class. Upon retirement, resignation, or 844  
reassignment of the teacher, the school, service center, or 845  
county board of developmental disabilities shall employ only a 846  
teacher who meets the licensure qualifications prescribed by the 847  
rule to teach a public school preschool integrated class. 848

**Sec. 3326.11.** Each science, technology, engineering, and 849  
mathematics school established under this chapter and its 850  
governing body shall comply with sections 9.90, 9.91, 109.65, 851  
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 852  
3301.0714, 3301.0715, 3301.0729, 3301.948, 3313.14, 3313.15, 853  
3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 854  
3313.481, 3313.482, 3313.50, 3313.536, 3313.539, 3313.5310, 855  
3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 856  
3313.6021, 3313.61, 3313.611, 3313.614, 3313.615, 3313.643, 857  
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 858  
3313.667, 3313.668, 3313.67, 3313.671, 3313.672, 3313.673, 859  
3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 860

3313.721, 3313.80, 3313.801, 3313.814, 3313.816, 3313.817, 861  
3313.86, 3313.89, 3313.96, 3319.073, 3319.21, 3319.32, 3319.321, 862  
3319.35, 3319.39, 3319.391, 3319.41, 3319.45, 3319.46, 3320.01, 863  
3320.02, 3320.03, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 864  
3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 865  
4113.52, and 5705.391 and Chapters 102., 117., 1347., 2744., 866  
3307., 3309., 3365., 3742., 4112., 4123., 4141., and 4167. of 867  
the Revised Code as if it were a school district. 868

**Sec. 3328.24.** A college-preparatory boarding school 869  
established under this chapter and its board of trustees shall 870  
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 871  
3301.0714, 3301.0729, 3301.948, 3313.536, 3313.6013, 3313.6021, 872  
3313.6411, 3313.7112, 3313.721, 3313.89, 3319.39, 3319.391, ~~and~~ 873  
3319.46, 3320.01, 3320.02, and 3320.03 and Chapter 3365. of the 874  
Revised Code as if the school were a school district and the 875  
school's board of trustees were a district board of education. 876

**Sec. 3781.1010.** (A) No rule of the board of building 877  
standards for the erection, construction, repair, alteration, 878  
and maintenance of buildings adopted under section 3781.10 of 879  
the Revised Code shall require the installation of a storm 880  
shelter in any school building operated by a public or private 881  
school prior to ~~September 15, 2020,~~ November 30, 2022, or in any 882  
such school building undergoing or about to undergo 883  
construction, alteration, repair, or maintenance for which 884  
financing has been secured prior to that date. 885

(B) Any rule adopted by the board that conflicts with this 886  
section shall not be effective with respect to any school 887  
building prior to ~~September 15, 2020~~ November 30, 2022. 888

(C) As used in this section, "school building," "public 889  
school," and "private school" have the same meanings as in 890

section 3781.106 of the Revised Code. 891

**Section 2.** That existing sections 3313.601, 3314.02, 892  
3314.03, 3326.11, 3328.24, and 3781.1010 of the Revised Code are 893  
hereby repealed. 894

**Section 3.** That Sections 265.210 (as amended by S.B. 120 895  
of the 133rd General Assembly) and 265.335 of H.B. 166 of the 896  
133rd General Assembly be amended to read as follows: 897

**Sec. 265.210.** FOUNDATION FUNDING 898

Of the foregoing appropriation item 200550, Foundation 899  
Funding, up to \$40,000,000 in each fiscal year shall be used to 900  
provide additional state aid to school districts, joint 901  
vocational school districts, community schools, and STEM schools 902  
for special education students under division (C) (3) of section 903  
3314.08, section 3317.0214 and division (B) of section 3317.16 904  
in accordance with the section of H.B. 166 of the 133rd General 905  
Assembly entitled "OPERATING FUNDING FOR FISCAL YEARS 2020 and 906  
2021," and section 3326.34 of the Revised Code, except that the 907  
Controlling Board may increase these amounts if presented with 908  
such a request from the Department of Education at the final 909  
meeting of the fiscal year. 910

Of the foregoing appropriation item 200550, Foundation 911  
Funding, up to \$3,800,000 in each fiscal year shall be used to 912  
fund gifted education at educational service centers. The 913  
Department shall distribute the funding through the unit-based 914  
funding methodology in place under division (L) of section 915  
3317.024, division (E) of section 3317.05, and divisions (A), 916  
(B), and (C) of section 3317.053 of the Revised Code as they 917  
existed prior to fiscal year 2010. 918

Of the foregoing appropriation item 200550, Foundation 919



Funding, up to \$40,000,000 in each fiscal year shall be reserved 920  
to fund the state reimbursement of educational service centers 921  
under the section of H.B. 166 of the 133rd General Assembly 922  
entitled "EDUCATIONAL SERVICE CENTERS FUNDING." 923

Of the foregoing appropriation item 200550, Foundation 924  
Funding, up to \$3,500,000 in each fiscal year shall be 925  
distributed to educational service centers for School 926  
Improvement Initiatives and for the provision of technical 927  
assistance to schools and districts consistent with requirements 928  
of section 3312.01 of the Revised Code. The Department may 929  
distribute these funds through a competitive grant process. 930

Of the foregoing appropriation item 200550, Foundation 931  
Funding, up to \$7,000,000 in each fiscal year shall be reserved 932  
for payments under section 3317.029 of the Revised Code, in 933  
accordance with the section of H.B. 166 of the 133rd General 934  
Assembly entitled "OPERATING FUNDING FOR FISCAL YEARS 2020 and 935  
2021~~7~~," and Section 9 of H.B. 164 of the 133rd General Assembly. 936  
If this amount is not sufficient, the Superintendent of Public 937  
Instruction may reallocate excess funds for other purposes 938  
supported by this appropriation item in order to fully pay the 939  
amounts required by that section, provided that the aggregate 940  
amount appropriated in appropriation item 200550, Foundation 941  
Funding, is not exceeded. 942

Of the foregoing appropriation item 200550, Foundation 943  
Funding, up to \$26,400,000 in each fiscal year shall be used to 944  
support school choice programs. 945

Of the portion of the funds distributed to the Cleveland 946  
Municipal School District under this section, up to \$23,501,887 947  
in each fiscal year shall be used to operate the school choice 948  
program in the Cleveland Municipal School District under 949

sections 3313.974 to 3313.979 of the Revised Code. 950  
Notwithstanding divisions (B) and (C) of section 3313.978 and 951  
division (C) of section 3313.979 of the Revised Code, up to 952  
\$1,000,000 in each fiscal year of this amount shall be used by 953  
the Cleveland Municipal School District to provide tutorial 954  
assistance as provided in division (H) of section 3313.974 of 955  
the Revised Code. The Cleveland Municipal School District shall 956  
report the use of these funds in the district's three-year 957  
continuous improvement plan as described in section 3302.04 of 958  
the Revised Code in a manner approved by the Department. 959

Of the foregoing appropriation item 200550, Foundation 960  
Funding, up to \$2,000,000 in each fiscal year may be used for 961  
payment of the College Credit Plus Program for students 962  
instructed at home pursuant to section 3321.04 of the Revised 963  
Code. An amount equal to the unexpended, unencumbered balance of 964  
this earmark at the end of fiscal year 2020 is hereby 965  
reappropriated for the same purpose for fiscal year 2021. 966

Of the foregoing appropriation item 200550, Foundation 967  
Funding, an amount shall be available in each fiscal year to be 968  
paid to joint vocational school districts in accordance with the 969  
section of H.B. 166 of the 133rd General Assembly entitled 970  
"FUNDING FOR JOINT VOCATIONAL SCHOOL DISTRICTS." 971

Of the foregoing appropriation item 200550, Foundation 972  
Funding, up to \$700,000 in each fiscal year shall be used by the 973  
Department for a program to pay for educational services for 974  
youth who have been assigned by a juvenile court or other 975  
authorized agency to any of the facilities described in division 976  
(A) of the section of H.B. 166 of the 133rd General Assembly 977  
entitled "PRIVATE TREATMENT FACILITY PROJECT." 978

Of the foregoing appropriation item 200550, Foundation 979

Funding, a portion may be used to pay college-preparatory 980  
boarding schools the per pupil boarding amount pursuant to 981  
section 3328.34 of the Revised Code. 982

Of the foregoing appropriation item 200550, Foundation 983  
Funding, a portion in each fiscal year shall be used to pay 984  
community schools and STEM schools the amounts calculated for 985  
the graduation and third-grade reading bonuses under sections 986  
3314.085 and 3326.41 of the Revised Code, in accordance with the 987  
sections of H.B. 166 of the 133rd General Assembly entitled 988  
"FUNDING FOR COMMUNITY SCHOOLS" and "FUNDING FOR STEM SCHOOLS." 989

Of the foregoing appropriation item 200550, Foundation 990  
Funding, up to \$1,172,000 in fiscal year 2020 and up to 991  
\$1,760,000 in fiscal year 2021 may be used by the Department for 992  
duties and activities related to the establishment of academic 993  
distress commissions under section 3302.10 of the Revised Code, 994  
to provide support and assistance to academic distress 995  
commissions to further their duties under Chapter 3302. of the 996  
Revised Code, and to provide technical assistance and tools to 997  
support districts subject to academic distress commissions. 998

Of the foregoing appropriation item 200550, Foundation 999  
Funding, up to \$350,000 in fiscal year 2020 shall be used by the 1000  
Department of Education to conduct return on investment studies 1001  
for programming funded through student success and wellness 1002  
funds and to provide technical assistance to school districts on 1003  
implementing these strategies. 1004

Of the foregoing appropriation item 200550, Foundation 1005  
Funding, up to \$100,000 in each fiscal year shall be used to 1006  
make payments under section 3314.06 of the Revised Code to each 1007  
community school that operates a program that uses the 1008  
Montessori method endorsed by the American Montessori society, 1009

the Montessori Accreditation Council for Teacher Education, or 1010  
the Association Montessori Internationale as its primary method 1011  
of instruction for students younger than four years of age who 1012  
are enrolled in the school. 1013

Of the foregoing appropriation item 200550, Foundation 1014  
Funding, up to \$10,000,000 in fiscal year 2021 shall be used to 1015  
pay scholarships awarded as follows. Notwithstanding anything in 1016  
the Revised Code to the contrary, for applications for the 2020- 1017  
2021 school year, the Department of Education shall accept, 1018  
process, and award performance-based Educational Choice 1019  
scholarships under section 3310.03 of the Revised Code as 1020  
follows. An application period for students who are eligible for 1021  
the first time for the 2020-2021 school year shall open April 1, 1022  
2020, and run not less than sixty days or to the extent funds 1023  
appropriated by the General Assembly under Section 265.10 of 1024  
H.B. 166 of the 133rd General Assembly and this section remain 1025  
available. The Department shall award scholarships in the order 1026  
that it receives applications and shall continue to award 1027  
scholarships to the extent the funds appropriated by the General 1028  
Assembly under Section 265.10 of H.B. 166 of the 133rd General 1029  
Assembly and this section remain available. An application 1030  
period for students who were eligible for scholarships for the 1031  
2019-2020 school year, regardless of whether the students 1032  
received scholarships for that school year, and remain eligible 1033  
for the 2020-2021 school year shall open April 1, 2020, and run 1034  
not less than sixty days. These scholarships shall be funded and 1035  
paid in accordance with section 3310.08 of the Revised Code. 1036

The remainder of the foregoing appropriation item 200550, 1037  
Foundation Funding, shall be used to fund the payments included 1038  
in the state funding allocation under division (A)(1) of the 1039  
section of H.B. 166 of the 133rd General Assembly entitled 1040

"FUNDING FOR CITY, LOCAL, AND EXEMPTED VILLAGE SCHOOL 1041  
DISTRICTS." 1042

Appropriation items 200502, Pupil Transportation, 200540, 1043  
Special Education Enhancements, and 200550, Foundation Funding, 1044  
other than specific set-asides, are collectively used in each 1045  
fiscal year to pay state formula aid obligations for school 1046  
districts, community schools, STEM schools, college preparatory 1047  
boarding schools, and joint vocational school districts under 1048  
~~this act~~H.B. 166 of the 133rd General Assembly. The first 1049  
priority of these appropriation items, with the exception of 1050  
specific set-asides, is to fund state formula aid obligations. 1051  
It may be necessary to reallocate funds among these 1052  
appropriation items or use excess funds from other general 1053  
revenue fund appropriation items in the Department of 1054  
Education's budget, including appropriation item 200903, 1055  
Property Tax Reimbursement - Education, in each fiscal year in 1056  
order to meet state formula aid obligations. If it is determined 1057  
that it is necessary to transfer funds among these appropriation 1058  
items or to transfer funds from other General Revenue Fund 1059  
appropriations in the Department's budget to meet state formula 1060  
aid obligations, the Superintendent of Public Instruction shall 1061  
seek approval from the Director of Budget and Management to 1062  
transfer funds as needed. 1063

The Superintendent of Public Instruction shall make 1064  
payments, transfers, and deductions, as authorized by Title 1065  
XXXIII of the Revised Code in amounts substantially equal to 1066  
those made in the prior year, or otherwise, at the discretion of 1067  
the Superintendent, until at least the effective date of the 1068  
amendments and enactments made to Title XXXIII by H.B. 166 of 1069  
the 133rd General Assembly. Any funds paid to districts or 1070  
schools under this section shall be credited toward the annual 1071

funds calculated for the district or school after the changes 1072  
made to Title XXXIII in H.B. 166 of the 133rd General Assembly 1073  
are effective. Upon the effective date of changes made to Title 1074  
XXXIII in H.B. 166 of the 133rd General Assembly, funds shall be 1075  
calculated as an annual amount. 1076

**Sec. 265.335. QUALITY COMMUNITY SCHOOLS SUPPORT** 1077

(A) The foregoing appropriation item 200631, Quality 1078  
Community Schools Support, shall be used for the Quality 1079  
Community School Support Program. Under the program, the 1080  
Department of Education shall pay each community school 1081  
established under Chapter 3314. of the Revised Code and 1082  
designated as a Community School of Quality under this section 1083  
an amount equal to \$1,750 in each fiscal year for each pupil 1084  
identified as economically disadvantaged and \$1,000 in each 1085  
fiscal year for each pupil that is not identified as 1086  
economically disadvantaged. The payment for the current fiscal 1087  
year shall be calculated using the final adjusted full-time 1088  
equivalent number of students enrolled in a community school for 1089  
the prior fiscal year, except that if a school is in its first 1090  
year of operation the payment for the current fiscal year shall 1091  
be calculated using the adjusted full-time equivalent number of 1092  
students enrolled in the school for the current fiscal year as 1093  
of the date the payment is made, as reported by the school under 1094  
section 3314.08 of the Revised Code. The Department shall make 1095  
the payment to each Community School of Quality not later than 1096  
January 31 of each fiscal year. 1097

(B) To be designated as a Community School of Quality, a 1098  
community school shall satisfy at least one of the following 1099  
conditions: 1100

(1) The community school meets all of the following 1101

criteria:	1102
(a) The school's sponsor was rated "exemplary" or	1103
"effective" on the sponsor's most recent evaluation conducted	1104
under section 3314.016 of the Revised Code.	1105
(b) The school received a higher performance index score	1106
than the school district in which the school is located on the	1107
two most recent report cards issued for the school under section	1108
3302.03 of the Revised Code.	1109
(c) The school received an overall grade of "A" or "B" for	1110
the value-added progress dimension on the most recent report	1111
card issued for the school under section 3302.03 of the Revised	1112
Code or is a school described under division (A)(4) of section	1113
3314.35 of the Revised Code and did not receive a grade for the	1114
value-added progress dimension on the most recent report card.	1115
(d) At least fifty per cent of the students enrolled in	1116
the school are economically disadvantaged, as determined by the	1117
Department.	1118
(2) The community school meets all of the following	1119
criteria:	1120
(a) The school's sponsor was rated "exemplary" or	1121
"effective" on the sponsor's most recent evaluation conducted	1122
under section 3314.016 of the Revised Code.	1123
(b) The school is in its first year of operation or the	1124
school opened as a kindergarten school and has added one grade	1125
per year and has been in operation for less than four school	1126
years.	1127
(c) The school is replicating an operational and	1128
instructional model used by a community school described in	1129

division (B) (1) of this section.	1130
(3) The community school meets all of the following	1131
criteria:	1132
(a) The school's sponsor was rated "exemplary" or	1133
"effective" on the sponsor's most recent evaluation conducted	1134
under section 3314.016 of the Revised Code.	1135
(b) The school contracts with an operator that operates	1136
schools in other states and meets at least one of the following	1137
criteria:	1138
(i) Has operated a school that received a grant funded	1139
through the federal Charter School Program established under 20	1140
U.S.C. 7221 or received funding from the Charter School Growth	1141
Fund;	1142
(ii) Meets all of the following criteria:	1143
(I) One of the operator's schools in another state	1144
performed better than the school district in which the school is	1145
located, as determined by the Department.	1146
(II) At least fifty per cent of the total number of	1147
students enrolled in all of the operator's schools are	1148
economically disadvantaged, as determined by the Department.	1149
(III) The operator is in good standing in all states where	1150
it operates schools.	1151
(IV) The Department has determined that the operator does	1152
not have any financial viability issues that would prevent it	1153
from effectively operating a community school in Ohio.	1154
<u>(c) The school is in its first year of operation.</u>	1155
(C) A school that is designated as a Community School of	1156



Quality under division (B) of this section shall maintain that 1157  
designation for the two fiscal years following the fiscal year 1158  
in which the school was initially designated as a Community 1159  
School of Quality. 1160

**Section 4.** That existing Sections 265.210 (as amended by 1161  
S.B. 120 of the 133rd General Assembly) and 265.335 of H.B. 166 1162  
of the 133rd General Assembly are hereby repealed. 1163

**Section 5.** That Sections 16 and 17 of H.B. 197 of the 1164  
133rd General Assembly be amended to read as follows: 1165

**Sec. 16.** (A) As used in this section, "license" includes 1166  
any license, certificate, permit, or other authorization issued 1167  
by a state licensing board that allows the holder to practice a 1168  
job or profession. 1169

(B) This section applies to all of the following during 1170  
the period of the Director of Health's order under section 1171  
3701.13 of the Revised Code "In Re: Order the Closure of All K- 1172  
12 Schools in the State of Ohio" issued on March 14, 2020, any 1173  
local board of health order to close schools, or any extension 1174  
of an order due to the implications of COVID-19, ~~or until~~ 1175  
~~December 1, 2020, if the order or extension of the order has not~~ 1176  
~~been rescinded by that date~~ and shall continue to so apply for 1177  
the balance of the 2019-2020 school year and for the entirety of 1178  
the 2020-2021 school year, even if the order or extension has 1179  
been rescinded prior to July 1, 2021: 1180

(1) The Ohio Speech and Hearing Professionals Board 1181  
described in section 4753.05 of the Revised Code; 1182

(2) The Ohio Occupational Therapy, Physical Therapy, and 1183  
Athletic Trainers Board created under section 4755.01 of the 1184  
Revised Code; 1185

(3) The State Board of Psychology appointed under section 1186  
4732.02 of the Revised Code; 1187

(4) The Counselor, Social Worker, and Marriage and Family 1188  
Therapist Board created under section 4757.03 of the Revised 1189  
Code; 1190

(5) The State Board of Education with respect to 1191  
intervention specialists and school psychologists. 1192

(C) Notwithstanding anything to the contrary in the 1193  
Revised Code or in an administrative rule adopted by a licensing 1194  
board to which this section applies, a person who holds a valid 1195  
license issued by such a board may provide services within the 1196  
scope of practice authorized under the license by electronic 1197  
delivery method or telehealth communication to any student 1198  
participating in the Autism Scholarship Program established 1199  
under section 3310.41 of the Revised Code or the Jon Peterson 1200  
Special Needs Scholarship Program established under section 1201  
3310.52 of the Revised Code, or to any student ~~who was~~ enrolled 1202  
in a public or private school ~~and was~~ receiving those services, 1203  
regardless of the method of delivery, prior to the issuance of 1204  
the Director of Health's order. No licensing board to which this 1205  
section applies shall take any disciplinary action against a 1206  
license holder who provides services to a student in accordance 1207  
with this section, including limiting, suspending, or revoking 1208  
the person's license or refusing to issue a license to the 1209  
person, solely because the license holder provided such 1210  
services. 1211

**Sec. 17.** Notwithstanding anything in the Revised Code or 1212  
Administrative Code to the contrary, for the 2019-2020 school 1213  
year only, except as otherwise provided in this section, due to 1214  
the Director of Health's order under section 3701.13 of the 1215

Revised Code "In re: Order the Closure of All K-12 Schools in 1216  
the State of Ohio" issued on March 14, 2020, or any local board 1217  
of health order, and any extension of any order, based on the 1218  
implications of COVID-19, all of the following apply: 1219

(A) (1) Any city, exempted village, local, joint 1220  
vocational, or municipal school district, any community school 1221  
established under Chapter 3314. of the Revised Code, any STEM 1222  
school established under Chapter 3326. of the Revised Code, any 1223  
chartered nonpublic school, and the State School for the Deaf 1224  
and the State School for the Blind shall not be required to 1225  
administer the assessments prescribed in sections 3301.0710, 1226  
3301.0711, 3301.0712, 3313.903, and 3314.017 of the Revised 1227  
Code, including the Ohio English Language Proficiency Assessment 1228  
administered to English learners pursuant to division (C) (3) (b) 1229  
of section 3301.0711 of the Revised Code and the Alternate 1230  
Assessment for Students with Significant Cognitive Disabilities 1231  
prescribed in division (C) (1) of section 3301.0711 of the 1232  
Revised Code. 1233

(2) Any chartered nonpublic school that has chosen to 1234  
administer assessments under section 3313.619 of the Revised 1235  
Code that has not administered such assessments by March 17, 1236  
2020, shall not be required to administer those assessments. 1237

(3) The Department of Education shall not exclude any 1238  
student to whom an assessment was not administered in the 2019- 1239  
2020 school year under division (A) of this section from 1240  
counting in a district's or school's enrollment for the 2020- 1241  
2021 school year pursuant to division (L) (3) of section 3314.08, 1242  
division (E) (3) of section 3317.03, or division (C) of section 1243  
3326.37 of the Revised Code. 1244

(4) If a student was not administered an assessment in the 1245

2019-2020 school year under division (A) of this section, that 1246  
school year shall not count in determining if the student is 1247  
subject to withdrawal from a school pursuant to section 1248  
3313.6410 or 3314.26 of the Revised Code. 1249

(5) No student who received a scholarship under the 1250  
Educational Choice Scholarship Program under section 3310.03 or 1251  
3310.032 of the Revised Code, the Jon Peterson Special Needs 1252  
Scholarship Program under section 3310.52 of the Revised Code, 1253  
or the Pilot Project Scholarship Program under section 3313.975 1254  
of the Revised Code for the 2019-2020 school year shall be 1255  
considered ineligible to renew that scholarship for the 2020- 1256  
2021 school year solely because the student was not administered 1257  
an assessment in the 2019-2020 school year under division (A) of 1258  
this section. 1259

(B) (1) The Department of Education shall not publish state 1260  
report card ratings under section 3302.03, 3302.033, 3314.012, 1261  
or 3314.017 of the Revised Code nor shall the Department be 1262  
required to submit preliminary data for the report cards by July 1263  
31, 2020, as required by those sections. Furthermore, the 1264  
Department shall not assign an overall letter grade under 1265  
division (C) (3) of section 3302.03 of the Revised Code for any 1266  
school district or building, shall not assign an individual 1267  
grade to any component prescribed under division (C) (3) of 1268  
section 3302.03 of the Revised Code, shall not assign a grade to 1269  
any measures under division (C) (1) of section 3302.03 of the 1270  
Revised Code, and shall not rank school districts, community 1271  
schools, or STEM schools under section 3302.21 of the Revised 1272  
Code for the 2019-2020 school year. 1273

However, the Department shall report any data that it has 1274  
regarding the performance of districts and buildings for the 1275

2019-2020 school year by September 15, 2020. 1276

(2) The absence of report card ratings for the 2019-2020 1277  
school year shall have no effect in determining sanctions or 1278  
penalties, and shall not create a new starting point for 1279  
determinations that are based on ratings over multiple years. 1280  
The report card ratings of any previous or subsequent years 1281  
shall be considered in determining whether a school district or 1282  
building is subject to sanctions or penalties. If a school 1283  
district or building was subject to any of the following 1284  
penalties or sanctions in the 2019-2020 school year based on its 1285  
report card rating for previous school years, those penalties or 1286  
sanctions shall remain for the 2020-2021 school year. Those 1287  
penalties and sanctions include the following: 1288

(a) Any restructuring provisions established under Chapter 1289  
3302. of the Revised Code, except as required under federal law; 1290

(b) Provisions for the Columbus City School Pilot Project 1291  
under section 3302.042 of the Revised Code; 1292

(c) Provisions for academic distress commissions under 1293  
section 3302.10 of the Revised Code. While a district subject to 1294  
an academic distress commission prior to the effective date of 1295  
this section shall be considered to be subject to an academic 1296  
distress commission for the 2020-2021 school year, that year 1297  
shall not be included for purposes of determining progressive 1298  
consequences under divisions (H), (I), (J), (K), and (L) of 1299  
section 3302.10 of the Revised Code that are in addition to 1300  
those that were being exercised by the chief executive officer 1301  
during the 2019-2020 school year or for purposes of the 1302  
appointment of a new board of education under division (K) of 1303  
that section. Nothing in division (B) (2) (c) of this section 1304  
shall be construed to limit the powers that the chief executive 1305

officer exercised under section 3302.10 of the Revised Code	1306
prior to the 2020-2021 school year.	1307
(d) Provisions prescribing new buildings where students	1308
are eligible for the Educational Choice Scholarships under	1309
section 3310.03 of the Revised Code;	1310
(e) Provisions defining "challenged school districts" in	1311
which new start-up community schools may be located, as	1312
prescribed in section 3314.02 of the Revised Code;	1313
(f) Provisions prescribing community school closure	1314
requirements under section 3314.35 or 3314.351 of the Revised	1315
Code;	1316
(g) Provisions of state or federal law that identify	1317
school districts or buildings for comprehensive or targeted	1318
support and improvement or additional targeted support and	1319
improvement. Districts and buildings so identified shall	1320
continue to receive supports and interventions consistent with	1321
their support and improvement plans in the 2020-2021 school	1322
year.	1323
(h) Provisions that determine the conditions under which	1324
community schools may change sponsors under section 3314.034 of	1325
the Revised Code.	1326
(C) No school district, community school, or STEM school	1327
and no chartered nonpublic school that is subject to section	1328
3301.163 of the Revised Code shall retain a student in the third	1329
grade under that section or section 3313.608 of the Revised Code	1330
based solely on a student's academic performance in reading in	1331
the 2019-2020 school year unless the principal of the school	1332
building in which a student is enrolled and the student's	1333
reading teacher agree that the student is reading below grade	1334

level and is not prepared to be promoted to the fourth grade. 1335

(D) (1) Division (D) of this section applies to any student 1336  
who meets both of the following criteria: 1337

(a) The student was enrolled in the twelfth grade in the 1338  
2019-2020 school year or was on track to graduate in the 2019- 1339  
2020 school year, as determined by the school district or other 1340  
public or chartered nonpublic school in which the student was 1341  
enrolled, regardless of the graduation cohort in which the 1342  
student is included. 1343

(b) The student had not completed the requirements for a 1344  
high school diploma under section 3313.61, 3313.612, or 3325.08 1345  
of the Revised Code or under Section 3 of H.B. 491 of the 132nd 1346  
General Assembly, as of March 17, 2020. 1347

(2) A city, exempted village, local, or municipal school 1348  
district, a community school, a STEM school, a chartered 1349  
nonpublic school, the State School for the Blind, and the State 1350  
School for the Deaf shall grant a high school diploma to any 1351  
student to whom this section applies, if the student's 1352  
principal, in consultation with teachers and counselors, reviews 1353  
the student's progress toward meeting the requirements for a 1354  
diploma and determines that the student has successfully 1355  
completed the curriculum in the student's high school or the 1356  
individualized education program developed for the student by 1357  
the student's high school pursuant to section 3323.08 of the 1358  
Revised Code, or qualified under division (D) or (F) of section 1359  
3313.603 of the Revised Code, at the time the student's school 1360  
closed pursuant to the Director of Health's order under section 1361  
3701.13 of the Revised Code "In Re: Order the Closure of All K- 1362  
12 Schools in the State of Ohio" issued on March 14, 2020. No 1363  
district or school shall grant a high school diploma under 1364

division (D) (2) of this section after September 30, 2020. 1365

(3) If the board of education of a school district or the 1366  
governing authority of a community school, STEM school, 1367  
chartered nonpublic school, the State School for the Blind, or 1368  
the State School for the Deaf has adopted a resolution under 1369  
division (E) of section 3313.603 of the Revised Code requiring a 1370  
more challenging curriculum than otherwise required under 1371  
division (C) of that section, the district superintendent or the 1372  
chief administrator of the school may elect to require only the 1373  
minimum curriculum specified in division (C) of that section for 1374  
the purpose of determining if a student to whom division (D) of 1375  
this section applies has successfully completed the curriculum 1376  
under division (D) (2) of this section. If such an election is 1377  
made, the superintendent or chief administrator shall evaluate 1378  
each student to whom division (D) of this section applies using 1379  
the minimum curriculum specified in division (C) of this 1380  
section. 1381

(4) It is the intent of the General Assembly that school 1382  
districts and other public and private schools do both of the 1383  
following: 1384

(a) Continue to provide ways to keep students actively 1385  
engaged in learning opportunities between March 17, 2020, and 1386  
the remainder of the school year; 1387

(b) Grant students who need in-person instructional 1388  
experiences to complete requirements for a diploma or a career- 1389  
technical education program access to school facilities as soon 1390  
as it is reasonably possible after the Director of Health 1391  
permits such access to resume, even if the last instructional 1392  
day of the school year has already passed. 1393



(E) For the purpose of teacher evaluations conducted under 1394  
sections 3319.111 and 3319.112 of the Revised Code, no school 1395  
district board of education shall use value-added progress 1396  
dimension data, established under section 3302.021 of the 1397  
Revised Code, from the 2019-2020 school year to measure student 1398  
learning attributable to the teacher being evaluated. 1399

(F) (1) For community school sponsor evaluations required 1400  
under section 3314.016 of the Revised Code, the Department shall 1401  
not issue a rating for the ~~academic performance component~~ 1402  
~~components~~ under division (B) (1) ~~(a)~~ of that section to any 1403  
sponsor ~~and, nor shall not include academic performance in the~~ 1404  
~~calculation of the Department issue~~ an overall rating for the 1405  
sponsor. ~~The Department's rating of a sponsor for the 2019-2020~~ 1406  
~~school year shall be based only on the components listed in~~ 1407  
~~divisions (B) (1) (b) and (c) of that section~~ The Department shall 1408  
allow a sponsor to indicate that it could not comply with an 1409  
applicable law or administrative rule or fully adhere to a 1410  
quality practice because the required action was unable to be 1411  
completed due to the Director of Health's order under section 1412  
3701.13 of the Revised Code "In Re: Order the Closure of All K- 1413  
12 Schools in the State of Ohio" issued on March 14, 2020, any 1414  
local board of health order, or any extension of an order. 1415

~~In evaluating a sponsor based on the components in~~ 1416  
~~divisions (B) (1) (b) and (c) of section 3314.016 of the Revised~~ 1417  
~~Code for the 2019-2020 school year, the Department shall not~~ 1418  
~~find a sponsor or a school out of compliance with an applicable~~ 1419  
~~law or administrative rule for any requirement for an action~~ 1420  
~~that should have occurred while schools were closed pursuant to~~ 1421  
~~the Director of Health's order under section 3701.13 of the~~ 1422  
~~Revised Code "In Re: Order the Closure of All K-12 Schools in~~ 1423  
~~the State of Ohio" issued on March 14, 2020, any local board of~~ 1424

~~health order, or any extension of an order.~~ 1425

(2) The absence of community school sponsor ratings for 1426  
the 2019-2020 school year shall have no effect in determining 1427  
sanctions or penalties of a sponsor under Chapter 3314. of the 1428  
Revised Code and shall not create a new starting point for 1429  
determinations that are based on ratings over multiple years. 1430  
The sponsor ratings of any previous or subsequent school years 1431  
shall be considered when a sponsor is subject to sanctions or 1432  
penalties under that chapter. A sponsor shall remain eligible in 1433  
the 2020-2021 school year for any incentives that the sponsor 1434  
was eligible for in the 2019-2020 school year, and the 2019-2020 1435  
school year shall not count toward the number of years in which 1436  
a sponsor subject to division (B) (7) (b) of section 3314.016 of 1437  
the Revised Code is not required to be evaluated. 1438

(G) The Superintendent of Public Instruction may waive the 1439  
requirement to complete any report prescribed by law that is 1440  
based on data from assessments that would have been but were not 1441  
administered during the 2019-2020 school year pursuant to 1442  
division (A) of this section. 1443

(H) The Department, on behalf of the State Board of 1444  
Education, may issue a one-year, nonrenewable provisional 1445  
license to any individual to practice in any category, type, and 1446  
level for which the State Board issues a license pursuant to 1447  
Title XXXIII of the Revised Code, if the individual has met all 1448  
requirements for the requested license except for the 1449  
requirement to pass an examination prescribed by the State Board 1450  
in the subject area for which application is being made. Any 1451  
individual to whom a provisional license is issued under this 1452  
division shall take and pass the appropriate subject area 1453  
examination prior to expiration of the license as a condition of 1454

advancing the license in the appropriate category, type, and 1455  
level. The Department shall not issue a provisional license 1456  
under this division that is valid on or after July 1, 2021. 1457

(I) The Superintendent of Public Instruction may extend or 1458  
waive any deadline for an action required of the State Board of 1459  
Education, the Department of Education, or any person or entity 1460  
licensed or regulated by the State Board or Department during 1461  
the duration of the Director of Health's order under section 1462  
3701.13 of the Revised Code "In re: Order the Closure of All K- 1463  
12 Schools in the State of Ohio" issued on March 14, 2020, or 1464  
any local board of health order, and any extension of any order, 1465  
based on the implications of COVID-19, as necessary to ensure 1466  
that the safety of students, families, and communities are 1467  
prioritized while continuing to ensure the efficient operation 1468  
of the Department and public and private schools in this state. 1469  
Deadlines that may be extended or waived by the State 1470  
Superintendent include, but are not limited to, deadlines 1471  
related to the following: 1472

(1) The conduct of evaluations for school personnel under 1473  
Chapter 3319. of the Revised Code; 1474

(2) Notice of intent not to reemploy school personnel 1475  
under Chapter 3319. Of the Revised Code; 1476

(3) The conduct of school safety drills under section 1477  
3737.73 of the Revised Code; 1478

(4) The emergency management test required by division (E) 1479  
of section 3313.536 of the Revised Code; 1480

(5) The filling of a vacancy in a board of education; 1481

(6) Updating of teacher evaluation policies to conform 1482  
with the framework for evaluation of teachers adopted under 1483

section 3319.112 of the Revised Code; 1484

(7) Identification and screening of gifted students under 1485  
Chapter 3324. of the Revised Code. 1486

(J) Notwithstanding anything in the Revised Code or 1487  
Administrative Code to the contrary, the Chancellor of Higher 1488  
Education, in consultation with the Superintendent of Public 1489  
Instruction, may waive, extend, suspend, or modify requirements 1490  
of the College Credit Plus program if the Chancellor, in 1491  
consultation with the Superintendent, determines the waiver, 1492  
extension, suspension, or modification is necessary in response 1493  
to COVID-19. 1494

(K) The Superintendent of Public Instruction shall 1495  
collaborate with providers in the 22+ Adult High School Diploma 1496  
Program authorized under sections 3314.38, 3317.23, 3317.231, 1497  
3317.24, and 3345.86 of the Revised Code and the Adult Diploma 1498  
Program authorized under section 3313.902 of the Revised Code, 1499  
and rules adopted thereunder, to ensure that the providers have 1500  
maximum flexibility to assist students whose progress in the 1501  
program has been affected by the Director of Health's order to 1502  
complete the requirements to earn a high school diploma. For 1503  
this purpose, the State Superintendent may waive or extend 1504  
deadlines, or otherwise grant providers and students 1505  
flexibility, for completion of program requirements. 1506

(L) No school district shall require the parent of any 1507  
student who was instructed at home in accordance with section 1508  
3321.04 of the Revised Code for the 2019-2020 school year to 1509  
submit to the district superintendent the ~~results of a~~ 1510  
~~standardized achievement academic assessment administered to the~~ 1511  
~~student report required under rule 3301-34-04 of the~~ 1512  
Administrative Code as a condition of the district allowing the 1513

student to continue to receive home instruction for the 2020- 1514  
2021 school year. 1515

(M) Notwithstanding anything in the Revised Code to the 1516  
contrary, the board of education of any school district that, 1517  
prior to the Director of Health's order under section 3701.13 of 1518  
the Revised Code "In re: Order the Closure of All K-12 Schools 1519  
in the State of Ohio" issued on March 14, 2020, had not 1520  
completed an evaluation that was required under Chapter 3319. of 1521  
the Revised Code for the 2019-2020 school year for an employee 1522  
of the district, including a teacher, administrator, or 1523  
superintendent, may elect not to conduct an evaluation of the 1524  
employee for that school year, if the district board determines 1525  
that it would be impossible or impracticable to do so. If a 1526  
district board elects not to evaluate an employee for the 2019- 1527  
2020 school year, the employee shall be considered not to have 1528  
had evaluation procedures complied with pursuant to section 1529  
3319.111 of the Revised Code for purposes of section 3319.11 of 1530  
the Revised Code. The district board may collaborate with any 1531  
bargaining organization representing employees of the district 1532  
in determining whether to complete evaluations for the 2019-2020 1533  
school year. Nothing in this section shall preclude a district 1534  
board from using an evaluation completed prior to the Director 1535  
of Health's order in employment decisions. 1536

**Section 6.** That existing Sections 16 and 17 of H.B. 197 of 1537  
the 133rd General Assembly are hereby repealed. 1538

**Section 7.** That Section 7 of S.B. 216 of the 132nd General 1539  
Assembly be amended to read as follows: 1540

**Sec. 7.** Notwithstanding the amendment or repeal of 1541  
sections 3319.111, 3319.112, and 3319.114 of the Revised Code by 1542  
~~this act~~ S.B. 216 of the 132nd General Assembly, for the 2018- 1543

2019 and 2019-2020 school years, the following shall apply: 1544

(A) Each school district, other than a district 1545  
participating in the pilot program established under Section 6 1546  
of ~~this act~~ S.B. 216 of the 132nd General Assembly, shall 1547  
conduct teacher evaluations in accordance with those sections as 1548  
they existed prior to ~~the effective date of this section~~ 1549  
November 2, 2018, except that if the district board of 1550  
education, in the 2019-2020 school year, chooses to complete an 1551  
evaluation for a teacher to whom division (C) (2) (a) or (b) of 1552  
section 3319.111 of the Revised Code applies without a student 1553  
growth measure as part of the evaluation, the board may continue 1554  
to evaluate that teacher every three or two years, respectively. 1555  
Any teacher who did not have a student academic growth measure 1556  
as part of the teacher's evaluation for the 2019-2020 school 1557  
year shall remain at the same point in the teacher's evaluation 1558  
cycle, and shall retain the same evaluation rating, for the 1559  
2020-2021 school year as for the 2019-2020 school year. 1560

(B) Each state agency that employs teachers shall conduct 1561  
teacher evaluations in accordance with its teacher evaluation 1562  
policy developed under former division (E) of section 3319.112 1563  
of the Revised Code, as it existed prior to ~~the effective date~~ 1564  
~~of this section~~ November 2, 2018. 1565

(C) Any reference in law to evaluations conducted under 1566  
section 3319.111 of the Revised Code shall be construed to 1567  
include evaluations conducted as required by this section. 1568

(D) References to "evaluation procedures" in section 1569  
3319.11 of the Revised Code shall be construed to include the 1570  
evaluation procedures required by this section. 1571

**Section 8.** That existing Section 7 of S.B. 216 of the 1572

132nd General Assembly is hereby repealed. 1573

**Section 9.** (A) (1) Not later than ten days after the 1574  
effective date of this section, the Tax Commissioner shall 1575  
determine all of the following for each city, local, exempted 1576  
village, and joint vocational school district that has at least 1577  
one power plant located within its territory: 1578

(a) Whether the taxable value of all utility tangible 1579  
personal property subject to taxation by the district in tax 1580  
year 2019 was less than the taxable value of such property 1581  
during tax year 2017; 1582

(b) Whether the taxable value of all utility tangible 1583  
personal property subject to taxation by the district in tax 1584  
year 2019 was less than the taxable value of such property 1585  
during tax year 2018; 1586

(c) Whether the taxable value of all utility tangible 1587  
personal property subject to taxation by the district in tax 1588  
year 2018 was less than the taxable value of such property 1589  
during tax year 2017. 1590

(2) If the decrease determined under division (A) (1) (a), 1591  
(b), or (c) of this section exceeds ten per cent, the Tax 1592  
Commissioner shall certify all of the following to the 1593  
Department of Education and the Office of Budget and Management: 1594

(a) The district's total taxable value for tax year 2019; 1595

(b) The change in taxes charged and payable on the 1596  
district's total taxable value for tax year 2017 and tax year 1597  
2019; 1598

(c) The taxable value of the utility tangible personal 1599  
property decrease, which shall be considered a change in 1600

valuation; 1601

(d) The change in taxes charged and payable on such change 1602  
in taxable value calculated in the same manner as in division 1603  
(A) (3) of section 3317.021 of the Revised Code. 1604

(3) Upon receipt of a certification under division (A) (2) 1605  
of this section, the Department of Education shall replace the 1606  
three-year average valuations that were used in computing the 1607  
district's state education aid for fiscal year 2019 with the 1608  
taxable value certified under division (A) (2) (a) of this section 1609  
and shall recompute the district's state education aid for 1610  
fiscal year 2019 without applying any funding limitations 1611  
enacted by the General Assembly to the computation. The 1612  
Department shall pay to the district an amount equal to the 1613  
greater of the following: 1614

(a) The lesser of the following: 1615

(i) The positive difference between the district's state 1616  
education aid for fiscal year 2019 prior to the recomputation 1617  
under division (A) (3) of this section and the district's 1618  
recomputed state education aid for fiscal year 2019; 1619

(ii) The absolute value of the amount certified under 1620  
division (A) (2) (b) of this section. 1621

(b) The absolute value of the amount certified under 1622  
division (A) (2) (b) of this section X 0.50. 1623

(B) (1) On or before May 15, 2021, the Tax Commissioner 1624  
shall determine for each city, local, exempted village, or joint 1625  
vocational school district that has at least one power plant 1626  
located within its territory: 1627

(a) Whether the taxable value of all utility tangible 1628



personal property subject to taxation by the district in tax 1629  
year 2020 was less than the taxable value of such property 1630  
during tax year 2017; 1631

(b) Whether the taxable value of all utility tangible 1632  
personal property subject to taxation by the district in tax 1633  
year 2020 was less than the taxable value of such property 1634  
during tax year 2019. 1635

(2) If the decrease determined under division (B) (1) (a) or 1636  
(b) of this section exceeds ten per cent, the Tax Commissioner 1637  
shall certify all of the following to the Department of 1638  
Education and the Office of Budget and Management: 1639

(a) The district's total taxable value for tax year 2020; 1640

(b) The change in taxes charged and payable on the 1641  
district's total taxable value for tax year 2017 and tax year 1642  
2020; 1643

(c) The taxable value of the utility tangible personal 1644  
property decrease, which shall be considered a change in 1645  
valuation; 1646

(d) The change in taxes charged and payable on such change 1647  
in taxable value calculated in the same manner as in division 1648  
(A) (3) of section 3317.021 of the Revised Code. 1649

(3) Upon receipt of a certification under division (B) (2) 1650  
of this section, the Department of Education shall replace the 1651  
three-year average valuations that were used in computing the 1652  
district's state education aid for fiscal year 2019 with the 1653  
taxable value certified under division (B) (2) (a) of this section 1654  
and shall recompute the district's state education aid for 1655  
fiscal year 2019 without applying any funding limitations 1656  
enacted by the General Assembly to the computation. The 1657

Department shall pay to the district an amount equal to the 1658  
greater of the following: 1659

(a) The lesser of the following: 1660

(i) The positive difference between the district's state 1661  
education aid for fiscal year 2019 prior to the recomputation 1662  
under division (B) (3) of this section and the district's 1663  
recomputed state education aid for fiscal year 2019; 1664

(ii) The absolute value of the amount certified under 1665  
division (B) (2) (b) of this section. 1666

(b) The absolute value of the amount certified under 1667  
division (B) (2) (b) of this section X 0.50. 1668

(C) The Department of Education shall make payments under 1669  
division (A) (3) of this section not later than fourteen days 1670  
after the effective date of this section, and the Department 1671  
shall make payments under division (B) (3) of this section 1672  
between June 1, 2021, and June 30, 2021. 1673

(D) If a city, local, or exempted village school district 1674  
experienced an increase in the taxable value of all utility 1675  
tangible personal property subject to taxation by the district 1676  
between tax years 2016 and 2017 and, as a result, the Department 1677  
of Education deducted funds from the district under division (B) 1678  
of former section 3317.028 of the Revised Code, the Department, 1679  
not later than ten days after the effective date of this 1680  
section, shall credit the deducted amount to the district. 1681

**Section 10.** Notwithstanding anything to the contrary in 1682  
sections 3319.02, 3319.111, and 3319.112 of the Revised Code, a 1683  
school district board of education shall not use value-added 1684  
progress dimension data established under section 3302.021 of 1685  
the Revised Code, any other high-quality student data as defined 1686

by the state board of education under section 3319.112 of the Revised Code, or any other student academic growth data to measure student learning attributable to a teacher or principal while conducting performance evaluations under sections 3319.02, 3319.111, and 3319.112 of the Revised Code for the 2020-2021 school year. Rather, a district board shall use only the other evaluation factors and components prescribed under sections 3319.02, 3319.111, and 3319.112 of the Revised Code to conduct a teacher's or principal's performance evaluation under those sections for that school year. Nothing in this section shall be construed to prohibit a district board from considering as part of a teacher's or principal's evaluation how that teacher or principal collects, analyzes, and uses student data, including student academic growth data, to adapt instruction to meet individual student needs or to improve the teacher's or principal's practice.

**Section 11.** Notwithstanding anything to the contrary in section 3319.02 of the Revised Code, a school district board of education may choose to complete the performance evaluation of a principal for the 2019-2020 school year under that section without a student growth measure as part of the evaluation.

**Section 12.** (A) As used in this section:

(1) "End-of-course examination" means an end-of-course examination prescribed under section 3301.0712 of the Revised Code.

(2) "District or school" means any of the following:

(a) A city, local, exempted village, or joint vocational school district;

(b) A community school established under Chapter 3314. of

the Revised Code;	1716
(c) A STEM school established under Chapter 3326. of the Revised Code;	1717 1718
(d) A college-preparatory boarding school established under Chapter 3328. of the Revised Code;	1719 1720
(e) The State School for the Deaf;	1721
(f) The State School for the Blind;	1722
(g) A chartered nonpublic school.	1723
(3) "Qualifying course" means a course associated with an end-of-course examination.	1724 1725
(B) Notwithstanding anything to the contrary in sections 3313.618 and 3313.6114 of the Revised Code, a student who was scheduled to take or retake an end-of-course examination in the 2019-2020 school year, but did not do so because the administration of that examination was canceled, may use the student's final course grade in the course associated with that examination in lieu of a score on the examination to satisfy conditions for a high school diploma prescribed under sections 3313.618 and 3313.6114 of the Revised Code. A student who was scheduled to take the end-of-course examination for the first time in the 2019-2020 school year may use the final course grade for the qualifying course that the student completed in that school year, while a student who was scheduled to retake the examination in the 2019-2020 school year may use a final course grade for a qualifying course that the student completed in the 2019-2020 school year or a prior school year. For the purposes of determining whether a student satisfies a condition, a final course grade shall be equivalent to a level of skill prescribed under division (B) (5) (a) of section 3301.0712 of the Revised	1726 1727 1728 1729 1730 1731 1732 1733 1734 1735 1736 1737 1738 1739 1740 1741 1742 1743 1744

Code or a competency score prescribed under division (B) (10) of 1745  
that section, as follows: 1746

(1) Any "A" letter grade shall be equivalent to an 1747  
advanced level of skill. 1748

(2) Any "B" letter grade shall be equivalent to an 1749  
accelerated level of skill. 1750

(3) Any "C" letter grade shall be equivalent to a 1751  
proficient level of skill. 1752

(4) Any "D" letter grade shall be equivalent to a basic 1753  
level of skill. 1754

(5) Any "F" letter grade shall be equivalent to a limited 1755  
level of skill. 1756

(6) Any "C" letter grade or higher shall be equivalent to 1757  
a competency score. 1758

(7) In the case of a course that issues a pass or fail 1759  
designation rather than a letter grade for a final course grade, 1760  
a fail designation shall be equivalent to an "F" letter grade 1761  
and a limited level of skill. For a pass designation, the 1762  
student's district or school shall determine which level of 1763  
skill is equivalent to the student's performance in the course. 1764  
A pass designation also shall be equivalent to a competency 1765  
score. 1766

(C) A student who completed a qualifying course in the 1767  
2019-2020 school year shall be deemed to have completed an 1768  
administration of the end-of-course examination associated with 1769  
that course for the purposes of determining whether that student 1770  
may demonstrate competency in a subject area using one of the 1771  
options prescribed under divisions (B) (1) (a) to (c) of section 1772

3313.618 of the Revised Code. 1773

(D) A student who completed a qualifying course in the 1774  
2019-2020 school year may elect to take the end-of-course 1775  
examination associated with that course in an administration of 1776  
that examination in a subsequent school year. 1777

**Section 13.** Notwithstanding anything to the contrary in 1778  
the Revised Code, for the 2020-2021 school year, all of the 1779  
following shall apply: 1780

(A) The State Board of Education shall not review and 1781  
adjust upward the level of achievement designated under division 1782  
(A) (3) of section 3301.0710 of the Revised Code for the third 1783  
grade English language arts assessment for the 2020-2021 school 1784  
year. Rather, the level of achievement for that assessment for 1785  
the 2020-2021 school year shall be the same level of achievement 1786  
as designated by the State Board for that assessment for the 1787  
2019-2020 school year. 1788

The State Board shall resume reviewing and adjusting 1789  
upward the level of achievement designated under division (A) (3) 1790  
of section 3301.0710 of the Revised Code for the third grade 1791  
English language arts assessment in accordance with that 1792  
division for the 2021-2022 school year. 1793

(B) A teacher assigned to a student for the purposes of 1794  
division (B) (3) or (C) of section 3313.608 of the Revised Code 1795  
shall not be required to meet the criteria set forth in division 1796  
(H) of that section. 1797

(C) No school district or community school established 1798  
under Chapter 3314. of the Revised Code shall be subject to 1799  
section 3302.13 of the Revised Code in the 2020-2021 school year 1800  
based on either assessment results or report cards issued under 1801

section 3302.03 of the Revised Code for the 2019-2020 school 1802  
year. 1803

**Section 14.** Notwithstanding anything to the contrary in 1804  
the Revised Code, no school district, community school 1805  
established under Chapter 3314. of the Revised Code, or STEM 1806  
school established under Chapter 3326. of the Revised Code shall 1807  
be subject to division (G) of section 3301.0715 of the Revised 1808  
Code in the 2020-2021 school year based on assessment results 1809  
for the 2019-2020 school year. 1810

**Section 15.** For the 2020-2021 school year, notwithstanding 1811  
anything to the contrary in Chapter 3327. of the Revised Code or 1812  
Chapter 3301-83 of the Administrative Code, the Department of 1813  
Education shall develop an online bus driver training program to 1814  
satisfy the classroom portion of pre-service and annual in- 1815  
service training for school bus driver certification. On-the-bus 1816  
training for drivers shall continue to be completed in person. 1817

**Section 16.** (A) As used in this section: 1818

(1) "Community school" means a community school 1819  
established under Chapter 3314. of the Revised Code that is not 1820  
an internet- or computer-based community school, as defined in 1821  
section 3314.02 of the Revised Code. 1822

(2) "Qualifying public school" means a school district, a 1823  
community school, or a STEM school that has not been approved to 1824  
use a blended learning model in accordance with section 3302.41 1825  
of the Revised Code for the 2020-2021 school year on the 1826  
effective date of this section. 1827

(3) "School district" means a city, local, exempted 1828  
village, or joint vocational school district. 1829

(4) "STEM school" means a STEM school established under 1830

Chapter 3326. of the Revised Code. 1831

(B) Each qualifying public school governing body may adopt 1832  
a plan to provide instruction using a remote learning model for 1833  
the 2020-2021 school year in accordance with this section. Not 1834  
later than July 31, 2020, the qualifying public school shall 1835  
submit the adopted plan to the Department of Education. An 1836  
adopted plan shall not be subject to approval by the Department. 1837  
Each plan shall include all of the following: 1838

(1) A description of how student instructional needs will 1839  
be determined and documented; 1840

(2) The method to be used for determining competency, 1841  
granting credit, and promoting students to a higher grade level; 1842

(3) The school's attendance requirements, including how 1843  
the school will document participation in learning 1844  
opportunities; 1845

(4) A statement describing how student progress will be 1846  
monitored; 1847

(5) A description as to how equitable access to quality 1848  
instruction will be ensured; 1849

(6) A description of the professional development 1850  
activities that will be offered to teachers. 1851

(C) The Department shall make each plan it receives under 1852  
division (B) of this section publicly available on its web site. 1853

(D) For the 2020-2021 school year only, a school district 1854  
that implements a plan in accordance with this section shall be 1855  
considered to have complied with both of the following: 1856

(1) The minimum number of hours required under section 1857



3313.48 of the Revised Code;	1858
(2) Any requirements to receive state funds prescribed	1859
under Chapter 3317. of the Revised Code.	1860
(E) For the 2020-2021 school year only, a STEM school that	1861
implements a plan in accordance with this section shall be	1862
considered to have complied with both of the following:	1863
(1) The minimum number of hours required under section	1864
3313.48 of the Revised Code;	1865
(2) Any requirements to receive state funds prescribed	1866
under Chapter 3326. of the Revised Code.	1867
(F) For the 2020-2021 school year only, a community school	1868
that implements a plan in accordance with this section shall be	1869
considered to have complied with both of the following:	1870
(1) The minimum number of hours required under division	1871
(A) (11) (a) of section 3314.03 of the Revised Code;	1872
(2) Any requirements to receive state funds prescribed	1873
under Chapter 3314. of the Revised Code.	1874
(G) No student who receives instruction under a plan	1875
implemented in accordance with this section shall exceed "1.0"	1876
full-time equivalency for any state funding purposes prescribed	1877
under Chapter 3314., 3317., or 3326. of the Revised Code.	1878
<b>Section 17.</b> Notwithstanding any provision of the Revised	1879
Code or any rule of the State Board of Education to the	1880
contrary, a superintendent of a school district may employ or	1881
reassign a person licensed under section 3319.22 of the Revised	1882
Code to teach a subject area for which the person is not	1883
licensed or a grade level for which the person is not licensed	1884
that is within two grade levels of the person's licensure grade	1885

band for the 2020-2021 school year if that person has three or 1886  
more years of teaching experience. 1887

**Section 18.** (A) Notwithstanding section 3301.163, 1888  
3313.608, or any other section of the Revised Code, for the 1889  
2020-2021 school year, no school district, community school, or 1890  
STEM school and no chartered nonpublic school that is subject to 1891  
section 3301.163 of the Revised Code shall retain a student in 1892  
the third grade under that section or section 3313.608 of the 1893  
Revised Code who fails to attain at least the equivalent level 1894  
of achievement designated under division (A) (3) of section 1895  
3301.0710 of the Revised Code on the fall administration of the 1896  
third grade English language arts assessment as prescribed under 1897  
that section for the 2020-2021 school year if the student has 1898  
demonstrated competency as described in division (B) of this 1899  
section. 1900

(B) If the student's principal and reading teacher agree 1901  
that other evaluations of the student's skill in reading 1902  
demonstrate that the student is academically prepared to be 1903  
promoted to the fourth grade the student shall be promoted. 1904

**Section 19.** For fiscal year 2020, the department of 1905  
education shall pay each city, local, and exempted village 1906  
school district additional funds computed as follows: 1907

(0.94 X the amount calculated for the district for fiscal year 1908  
2020 under division (A) of Section 265.220 of H.B. 166 of the 1909  
133rd General Assembly prior to any funding reductions 1910  
authorized by Executive Order 2020-19D, "Implementing Additional 1911  
Spending Controls to Balance the State Budget" issued on May 7, 1912  
2020) - (the amount calculated for the district for fiscal year 1913  
2020 under division (A) of Section 265.220 of H.B. 166 of the 1914  
133rd General Assembly including any funding reductions 1915

authorized by Executive Order 2020-19D, "Implementing Additional 1916  
 Spending Controls to Balance the State Budget" issued on May 7, 1917  
 2020 + any funding received by the district from the federal 1918  
 Elementary and Secondary School Emergency Relief Fund 1919  
 established by the "Coronavirus Aid, Relief, and Economic 1920  
 Security Act," Pub. L. No. 116-136) 1921

If the result is a negative number, no payment shall be 1922  
 made under this section. 1923

**Section 20.** All items in this section are hereby 1924  
 appropriated as designated out of any moneys in the state 1925  
 treasury to the credit of the designated fund. For all 1926  
 appropriations made in this act, those in the first column are 1927  
 for fiscal year 2020 and those in the second column are for 1928  
 fiscal year 2021. The appropriations made in this act are in 1929  
 addition to any other appropriations made for the FY 2020-FY 1930  
 2021 biennium. 1931

1932

	1	2	3	4	5
A	EDU DEPARTMENT OF EDUCATION				
B	General Revenue Fund				
C	GRF	200550	Foundation Funding	\$ 24,000,000	\$ 0
D	TOTAL	General Revenue Fund		\$ 24,000,000	\$ 0
E	TOTAL ALL BUDGET FUND GROUPS			\$ 24,000,000	\$ 0
	FOUNDATION FUNDING				1933

The foregoing appropriation item 200550, Foundation 1934  
Funding, shall be used to make payments to city, local, and 1935  
exempted village school districts pursuant to Section 19 of this 1936  
act. 1937

Within the limits set forth in this act, the Director of 1938  
Budget and Management shall establish accounts indicating the 1939  
source and amount of funds for each appropriation made in this 1940  
act, and shall determine the form and manner in which 1941  
appropriation accounts shall be maintained. Expenditures from 1942  
appropriations contained in this act shall be accounted for as 1943  
though made in H.B. 166 of the 133rd General Assembly. 1944

The appropriations made in this act are subject to all 1945  
provisions of H.B. 166 of the 133rd General Assembly that are 1946  
generally applicable to such appropriations. 1947

**Section 21.** Section 3328.24 of the Revised Code is 1948  
presented in this act as a composite of the section as amended 1949  
by both Am. Sub. H.B. 410 and Sub. S.B. 3 of the 131st General 1950  
Assembly. The General Assembly, applying the principle stated in 1951  
division (B) of section 1.52 of the Revised Code that amendments 1952  
are to be harmonized if reasonably capable of simultaneous 1953  
operation, finds that the composite is the resulting version of 1954  
the section in effect prior to the effective date of the section 1955  
as presented in this act. 1956

**Section 22.** Nothing in this act is intended or shall be 1957  
construed to limit or abrogate religious expression of students 1958  
already guaranteed under the Ohio Constitution and the United 1959  
States Constitution. 1960

**Section 23.** Sections 3314.02 and 3781.1010 of the Revised 1961  
Code as amended by this act, section 3323.10 of the Revised Code 1962

as enacted by this act, Section 265.210 of H.B. 166 of the 133rd 1963  
General Assembly as amended by this act, Sections 16 and 17 of 1964  
H.B. 197 of the 133rd General Assembly as amended by this act, 1965  
Section 7 of S.B. 216 of the 132nd General Assembly as amended 1966  
by this act, and Sections 9, 10, 11, 12, 13, 14, 15, 16, 17, and 1967  
18 of this act are hereby declared to be an emergency measure 1968  
necessary for the immediate preservation of the public peace, 1969  
health, and safety. The reason for such necessity is to ensure 1970  
that the changes made by this act take effect before the start 1971  
of the 2020-2021 school year. Therefore, those sections shall go 1972  
into immediate effect. 1973