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Representatives Manning, G., Crawley

Cosponsors: Representatives Jones, Hillyer, Hambley, Riedel, Patterson, Boyd, Carruthers, Kent, Robinson, Crossman, Miranda, Leland, O'Brien, West, Kelly, Rogers, Sobecki, Edwards, Brent, Cera, Cross, Hicks-Hudson, Howse, Lepore-Hagan, Lightbody, Liston, Smith, K., Stephens, Sweeney

A BILL

To amend sections 3301.0712, 3301.0729, 3313.61, 1
3313.612, and 3313.6114 of the Revised Code to 2
remove the requirement that students take a 3
nationally standardized assessment for 4
graduation, to revise the law on end-of-course 5
examinations, to prohibit student retention 6
under the Third Grade Reading Guarantee for the 7
2020-2021 school year, and to require each 8
school district to form a work group to evaluate 9
the amount of time students spend on testing. 10

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

Section 1. That sections 3301.0712, 3301.0729, 3313.61, 11
3313.612, and 3313.6114 of the Revised Code be amended to read 12
as follows: 13

Sec. 3301.0712. (A) The state board of education, the 14
superintendent of public instruction, and the chancellor of 15
higher education shall develop a system of college and work 16
ready assessments as described in division (B) of this section 17

to assess whether each student upon graduating from high school 18
is ready to enter college or the workforce. Beginning with 19
students who enter the ninth grade for the first time on or 20
after July 1, 2014, the system shall replace the Ohio graduation 21
tests prescribed in division (B)(1) of section 3301.0710 of the 22
Revised Code as a measure of student academic performance and 23
one determinant of eligibility for a high school diploma in the 24
manner prescribed by rule of the state board adopted under 25
division (D) of this section. 26

(B) The college and work ready assessment system shall 27
consist of the following: 28

~~(1) Nationally (a) Except as provided in division (B)(1)~~ 29
~~(b) of this section, nationally standardized assessments that~~ 30
measure college and career readiness and are used for college 31
admission. The assessments shall be selected jointly by the 32
state superintendent and the chancellor, and one of which shall 33
be selected by each school district or school to administer to 34
its students. The assessments prescribed under division (B)(1) 35
of this section shall be administered to all eleventh-grade 36
students in the spring of the school year. 37

(b) Beginning with students who enter the ninth grade for 38
the first time on or after July 1, 2018, the nationally 39
standardized assessment selected under division (B)(1)(a) of 40
this section shall not be required for graduation. The 41
assessment shall be administered to any eleventh-grade student 42
in the spring of each school year, in accordance with procedures 43
prescribed by the department of education, whose parent or 44
guardian gives permission to the principal or chief 45
administrative officer of the student's school to administer the 46
assessment described under division (B)(1)(a) of this section to 47

that student. 48

(2) (a) Except as provided in division (B) (2) (b) of this 49
section, seven end-of-course examinations, one in each of the 50
areas of English language arts I, English language arts II, 51
science, Algebra I, geometry, American history, and American 52
government. The end-of-course examinations shall be selected 53
jointly by the state superintendent and the chancellor in 54
consultation with faculty in the appropriate subject areas at 55
institutions of higher education of the university system of 56
Ohio. Advanced placement examinations and international 57
baccalaureate examinations, as prescribed under section 58
3313.6013 of the Revised Code, in the areas of science, American 59
history, and American government may be used as end-of-course 60
examinations in accordance with division (B) (4) (a) (i) of this 61
section. Final course grades for courses taken under any other 62
advanced standing program, as prescribed under section 3313.6013 63
of the Revised Code, in the areas of science, American history, 64
and American government may be used in lieu of end-of-course 65
examinations in accordance with division (B) (4) (a) (ii) of this 66
section. 67

(b) Beginning with students who enter ninth grade for the 68
first time on or after July 1, 2019, ~~five-four~~ end-of-course 69
examinations, one in each areas of English language arts II, 70
science, Algebra I, and American history, ~~and American~~ 71
government. However, only the end-of-course examinations in 72
English language arts II and Algebra I shall be required for 73
graduation. 74

The department of education shall, as necessary to 75
implement division (B) (2) (b) of this section, seek a waiver from 76
the United States secretary of education for testing 77

requirements prescribed under federal law to allow for the use 78
and implementation of Algebra I as the primary assessment of 79
high school mathematics. If the department does not receive a 80
waiver under this division, the end-of-course examinations for 81
students described in division (B) (2) (b) of this section also 82
shall include an end-of-course examination in the area of 83
geometry. However, the geometry end-of-course examination shall 84
not be required for graduation. 85

(3) (a) Not later than July 1, 2013, each school district 86
board of education shall adopt interim end-of-course 87
examinations that comply with the requirements of divisions (B) 88
(3) (b) (i) and (ii) of this section to assess mastery of American 89
history and American government standards adopted under division 90
(A) (1) (b) of section 3301.079 of the Revised Code and the topics 91
required under division (M) of section 3313.603 of the Revised 92
Code. Each high school of the district shall use the interim 93
examinations until the state superintendent and chancellor 94
select end-of-course examinations in American history and 95
American government under division (B) (2) of this section. 96

(b) Not later than July 1, 2014, the state superintendent 97
and the chancellor shall select the end-of-course examinations 98
in American history and American government. 99

(i) The end-of-course examinations in American history and 100
American government shall require demonstration of mastery of 101
the American history and American government content for social 102
studies standards adopted under division (A) (1) (b) of section 103
3301.079 of the Revised Code and the topics required under 104
division (M) of section 3313.603 of the Revised Code. 105

(ii) At least twenty per cent of the end-of-course 106
examination in American government shall address the topics on 107

American history and American government described in division 108
(M) of section 3313.603 of the Revised Code. 109

(c) Beginning with students who enter ninth grade for the 110
first time on or after July 1, 2019, students shall take one 111
end-of-course examination in American history and government 112
that complies with the requirements of division (B) (3) (b) (ii) of 113
this section to assess mastery of American history and American 114
government standards adopted under division (A) (1) (b) of section 115
3301.079 of the Revised Code and the topics required under 116
division (M) of section 3313.603 of the Revised Code. 117

The department of education shall take the steps necessary 118
to develop the American history and government end-of-course 119
examination so that it is available for the students to which 120
divisions (B) (2) (b) and (3) (c) of this section apply. The 121
department shall develop the examination in a manner so that it 122
is comparable to other end-of-course examinations in both 123
administration and length. 124

(4) (a) Notwithstanding anything to the contrary in this 125
section, beginning with the 2014-2015 school year, both of the 126
following shall apply: 127

(i) If a student is enrolled in an appropriate advanced 128
placement or international baccalaureate course, that student 129
shall take the advanced placement or international baccalaureate 130
examination in lieu of the science, American history, or 131
American government end-of-course examinations prescribed under 132
division (B) (2) of this section. The state board shall specify 133
the score levels for each advanced placement examination and 134
international baccalaureate examination for purposes of 135
calculating the minimum cumulative performance score that 136
demonstrates the level of academic achievement necessary to earn 137

a high school diploma. 138

However, beginning with students who enter ninth grade for 139
the first time on or after July 1, 2019, a student shall take 140
the advanced placement or international baccalaureate 141
examinations in both American history and American government to 142
qualify for an alternative to the American history and 143
government end-of-course examination prescribed under division 144
(B) (2) (b) of this section. 145

(ii) If a student is enrolled in an appropriate course 146
under any other advanced standing program, as described in 147
section 3313.6013 of the Revised Code, that student shall not be 148
required to take the science, American history, or American 149
government end-of-course examination, whichever is applicable, 150
prescribed under division (B) (2) of this section. Instead, that 151
student's final course grade shall be used in lieu of the 152
applicable end-of-course examination prescribed under that 153
section. The state superintendent, in consultation with the 154
chancellor, shall adopt guidelines for purposes of calculating 155
the corresponding final course grades that demonstrate the level 156
of academic achievement necessary to earn a high school diploma. 157

Division (B) (4) (a) (ii) of this section shall apply only to 158
courses for which students receive transcribed credit, as 159
defined in section 3365.01 of the Revised Code. It shall not 160
apply to remedial or developmental courses. 161

(b) No student shall take a substitute examination or 162
examination prescribed under division (B) (4) (a) of this section 163
in place of the end-of-course examinations in English language 164
arts I, English language arts II, Algebra I, or geometry 165
prescribed under division (B) (2) of this section. 166

(c) The state board shall consider additional assessments 167
that may be used, beginning with the 2016-2017 school year, as 168
substitute examinations in lieu of the end-of-course 169
examinations prescribed under division (B)(2) of this section. 170

(5) The state board shall do all of the following: 171

(a) Determine and designate at least five ranges of scores 172
on each of the end-of-course examinations prescribed under 173
division (B)(2) of this section, and substitute examinations 174
prescribed under division (B)(4) of this section. Not later than 175
sixty days after the designation of ranges of scores, the state 176
superintendent, or the state superintendent's designee, shall 177
conduct a public presentation before the standing committees of 178
the house of representatives and the senate that consider 179
primary and secondary education legislation regarding the 180
designated range of scores. Each range of scores shall be 181
considered to demonstrate a level of achievement so that any 182
student attaining a score within such range has achieved one of 183
the following: 184

(i) An advanced level of skill; 185

(ii) An accelerated level of skill; 186

(iii) A proficient level of skill; 187

(iv) A basic level of skill; 188

(v) A limited level of skill. 189

(b) Determine a method by which to calculate a cumulative 190
performance score based on the results of a student's end-of- 191
course examinations or substitute examinations; 192

(c) Determine the minimum cumulative performance score 193
that demonstrates the level of academic achievement necessary to 194

earn a high school diploma under division (A) (2) of section 195
3313.618 of the Revised Code. However, the state board shall not 196
determine a new minimum cumulative performance score after the 197
effective date of this amendment October 17, 2019. 198

(d) Develop a table of corresponding score equivalents for 199
the end-of-course examinations and substitute examinations in 200
order to calculate student performance consistently across the 201
different examinations. 202

A score of two on an advanced placement examination or a 203
score of two or three on an international baccalaureate 204
examination shall be considered equivalent to a proficient level 205
of skill as specified under division (B) (5) (a) (iii) of this 206
section. 207

(6) (a) A student who meets both of the following 208
conditions shall not be required to take an end-of-course 209
examination: 210

(i) The student received high school credit prior to July 211
1, 2015, for a course for which the end-of-course examination is 212
prescribed. 213

(ii) The examination was not available for administration 214
prior to July 1, 2015. 215

Receipt of credit for the course described in division (B) 216
(6) (a) (i) of this section shall satisfy the requirement to take 217
the end-of-course examination. A student exempted under division 218
(B) (6) (a) of this section may take the applicable end-of-course 219
examination at a later date. 220

(b) For purposes of determining whether a student who is 221
exempt from taking an end-of-course examination under division 222
(B) (6) (a) of this section has attained the cumulative score 223

prescribed by division (B) (5) (c) of this section, such student	224
shall select either of the following:	225
(i) The student is considered to have attained a	226
proficient score on the end-of-course examination from which the	227
student is exempt;	228
(ii) The student's final course grade shall be used in	229
lieu of a score on the end-of-course examination from which the	230
student is exempt.	231
The state superintendent, in consultation with the	232
chancellor, shall adopt guidelines for purposes of calculating	233
the corresponding final course grades and the minimum cumulative	234
performance score that demonstrates the level of academic	235
achievement necessary to earn a high school diploma.	236
(7) (a) Notwithstanding anything to the contrary in this	237
section, the state board may replace the algebra I end-of-course	238
examination prescribed under division (B) (2) of this section	239
with an algebra II end-of-course examination, beginning with the	240
2016-2017 school year for students who enter ninth grade on or	241
after July 1, 2016.	242
(b) If the state board replaces the algebra I end-of-	243
course examination with an algebra II end-of-course examination	244
as authorized under division (B) (7) (a) of this section, both of	245
the following shall apply:	246
(i) A student who is enrolled in an advanced placement or	247
international baccalaureate course in algebra II shall take the	248
advanced placement or international baccalaureate examination in	249
lieu of the algebra II end-of-course examination.	250
(ii) A student who is enrolled in an algebra II course	251
under any other advanced standing program, as described in	252

section 3313.6013 of the Revised Code, shall not be required to 253
take the algebra II end-of-course examination. Instead, that 254
student's final course grade shall be used in lieu of the 255
examination. 256

(c) If a school district or school utilizes an integrated 257
approach to mathematics instruction, the district or school may 258
do either or both of the following: 259

(i) Administer an integrated mathematics I end-of-course 260
examination in lieu of the prescribed algebra I end-of-course 261
examination; 262

(ii) Administer an integrated mathematics II end-of-course 263
examination in lieu of the prescribed geometry end-of-course 264
examination. 265

(8) (a) For students entering the ninth grade for the first 266
time on or after July 1, 2014, but prior to July 1, 2015, the 267
assessment in the area of science shall be physical science or 268
biology. For students entering the ninth grade for the first 269
time on or after July 1, 2015, the assessment in the area of 270
science shall be biology. 271

(b) Until July 1, 2019, the department shall make 272
available the end-of-course examination in physical science for 273
students who entered the ninth grade for the first time on or 274
after July 1, 2014, but prior to July 1, 2015, and who wish to 275
retake the examination. 276

(c) Not later than July 1, 2016, the state board shall 277
adopt rules prescribing the requirements for the end-of-course 278
examination in science for students who entered the ninth grade 279
for the first time on or after July 1, 2014, but prior to July 280
1, 2015, and who have not met the requirement prescribed by 281

section 3313.618 of the Revised Code by July 1, 2019, due to a 282
student's failure to satisfy division (A) (2) of section 3313.618 283
of the Revised Code. 284

(9) Neither the state board nor the department of 285
education shall develop or administer an end-of-course 286
examination in the area of world history. 287

(10) Not later than March 1, 2020, the department, in 288
consultation with the chancellor and the governor's office of 289
workforce transformation, shall determine a competency score for 290
both of the Algebra I and English language arts II end-of-course 291
examinations for the purpose of graduation eligibility. 292

(C) The state board shall convene a group of national 293
experts, state experts, and local practitioners to provide 294
advice, guidance, and recommendations for the alignment of 295
standards and model curricula to the assessments and in the 296
design of the end-of-course examinations prescribed by this 297
section. 298

(D) Upon completion of the development of the assessment 299
system, the state board shall adopt rules prescribing all of the 300
following: 301

(1) A timeline and plan for implementation of the 302
assessment system, including a phased implementation if the 303
state board determines such a phase-in is warranted; 304

(2) The date after which a person shall meet the 305
requirements of the entire assessment system as a prerequisite 306
for a diploma of adult education under section 3313.611 of the 307
Revised Code; 308

(3) Whether and the extent to which a person may be 309
excused from an ~~American history~~ end-of-course examination ~~and~~ 310

~~an in American history or American government end of course~~ 311
~~examination or both~~ under division (H) of section 3313.61 and 312
division (B) (3) of section 3313.612 of the Revised Code; 313

(4) The date after which a person who has fulfilled the 314
curriculum requirement for a diploma but has not passed one or 315
more of the required assessments at the time the person 316
fulfilled the curriculum requirement shall meet the requirements 317
of the entire assessment system as a prerequisite for a high 318
school diploma under division (B) of section 3313.614 of the 319
Revised Code; 320

(5) The extent to which the assessment system applies to 321
students enrolled in a dropout recovery and prevention program 322
for purposes of division (F) of section 3313.603 and section 323
3314.36 of the Revised Code. 324

(E) Not later than forty-five days prior to the state 325
board's adoption of a resolution directing the department to 326
file the rules prescribed by division (D) of this section in 327
final form under section 119.04 of the Revised Code, the 328
superintendent of public instruction shall present the 329
assessment system developed under this section to the respective 330
committees of the house of representatives and senate that 331
consider education legislation. 332

(F) (1) Any person enrolled in a nonchartered nonpublic 333
school or any person who has been excused from attendance at 334
school for the purpose of home instruction under section 3321.04 335
of the Revised Code may choose to participate in the system of 336
assessments administered under divisions (B) (1) and (2) of this 337
section. However, no such person shall be required to 338
participate in the system of assessments. 339

(2) The department shall adopt rules for the 340
administration and scoring of any assessments under division (F) 341
(1) of this section. 342

(G) Not later than December 31, 2014, the state board 343
shall select at least one nationally recognized job skills 344
assessment. Each school district shall administer that 345
assessment to those students who opt to take it. The state shall 346
reimburse a school district for the costs of administering that 347
assessment. The state board shall establish the minimum score a 348
student must attain on the job skills assessment in order to 349
demonstrate a student's workforce readiness and employability. 350
The administration of the job skills assessment to a student 351
under this division shall not exempt a school district from 352
administering the assessments prescribed in division (B) of this 353
section to that student. 354

Sec. 3301.0729. (A) Except as provided for in divisions 355
(B) and (C) of this section, beginning with assessments 356
administered on or after July 1, 2017, the board of education of 357
each city, local, and exempted village school district shall 358
ensure that no student is required to do either of the 359
following: 360

(1) Spend a cumulative amount of time in excess of two per 361
cent of the school year taking the following assessments 362
combined: 363

(a) The applicable state assessments prescribed by 364
division (A) of section 3301.0710 and division (B)(2) of section 365
3301.0712 of the Revised Code; 366

(b) Any assessment required by the district board to be 367
administered district-wide to all students in a specified 368

subject area or grade level. 369

(2) Spend a cumulative amount of time in excess of one per 370
cent of the school year taking practice or diagnostic 371
assessments used to prepare for assessments described in 372
divisions (A) (1) (a) and (b) of this section. 373

(B) The limitations prescribed by division (A) of this 374
section shall not apply to assessments for students with 375
disabilities, any related diagnostic assessment for students who 376
failed to attain a passing score on the English language arts 377
achievement assessment prescribed by division (A) (1) (a) of 378
section 3301.0710 of the Revised Code, substitute examinations 379
as prescribed by division (B) (4) of section 3301.0712 of the 380
Revised Code, or additional assessments administered to identify 381
a student as gifted under Chapter 3324. of the Revised Code. 382

(C) The board of education of each city, exempted village, 383
and local school district may exceed the limitations prescribed 384
by division (A) of this section by annual resolution of the 385
district board. ~~However, prior~~ Prior to the adoption of such a 386
resolution, the board shall conduct at least one public hearing 387
on the proposed resolution and consider recommendations from the 388
testing work group formed under division (D) of this section. 389
Resolutions adopted under division (C) of this section shall be 390
reported to the department of education and made available to 391
the public. 392

(D) (1) Within ninety days of the effective date of this 393
amendment, each school district shall form a work group to 394
examine the amount of time students spend on district-required 395
testing and make recommendations to the district board of 396
education on how to reduce testing amounts. The work group shall 397
consist of the following members: 398

<u>(a) The district superintendent;</u>	399
<u>(b) A district curriculum or testing administrator or designee of the superintendent;</u>	400 401
<u>(c) Three building principals, one each from an elementary, middle, and high school;</u>	402 403
<u>(d) Three classroom teachers selected by the local teacher's association, one each from an elementary, middle, and high school;</u>	404 405 406
<u>(e) Three parents of students enrolled in the district selected by the local parent-teacher organization or similar organization, one each from an elementary, middle, and high school.</u>	407 408 409 410
<u>If a district does not employ enough individuals to meet the membership requirements under division (D)(1) of this section, the district is exempt from those requirements it cannot meet.</u>	411 412 413 414
<u>(2) In order to make testing reduction recommendations, the work group described in division (D)(1) of this section shall consider the following:</u>	415 416 417
<u>(a) Time students spend on district required testing;</u>	418
<u>(b) The current district testing calendar;</u>	419
<u>(c) Identifying if there are groups of students being tested at a greater rate than others;</u>	420 421
<u>(d) The purpose of testing and if that purpose has been achieved;</u>	422 423
<u>(e) The use of testing data to drive instructional decisions;</u>	424 425

<u>(f) The financial cost of testing;</u>	426
<u>(g) If tests are duplicative;</u>	427
<u>(h) Any previous testing audit or examination of testing</u> <u>the district may have.</u>	428 429
<u>(3) The work group shall report any findings and</u> <u>recommendations to the district board of education not later</u> <u>than six months after formation. Upon completion of this report,</u> <u>the work group may be dissolved, continue to meet, or be</u> <u>reconstituted in the future based on local need.</u>	430 431 432 433 434
<u>(E) The department annually shall publish a report on the</u> <u>amount of time students spent on required state and district</u> <u>testing. The report shall include all of the following:</u>	435 436 437
<u>(1) Information disaggregated by required state testing</u> <u>and by additional testing required by a district;</u>	438 439
<u>(2) Efforts to reduce testing time and increase</u> <u>instructional time;</u>	440 441
<u>(3) Caps on testing time as described in division (A) of</u> <u>this section and a list of any district that exceeded them;</u>	442 443
<u>(4) The purpose and use of the required state and district</u> <u>tests;</u>	444 445
<u>(5) Resources for parents to ask questions regarding</u> <u>testing of their child.</u>	446 447
<u>The report shall be published on the department's web site</u> <u>and delivered to the governor and the respective standing</u> <u>committees of the house of representatives and senate that</u> <u>consider primary and secondary education legislation.</u>	448 449 450 451
<u>(F) It is the intent of the general assembly to reduce the</u>	452

time students spend on standardized testing and restore 453
classroom instructional time. The department of education or 454
other state entity should not require local school districts to 455
increase testing for Ohio students or create policies that 456
result in further testing as part of an improvement plan. 457

Sec. 3313.61. (A) A diploma shall be granted by the board 458
of education of any city, exempted village, or local school 459
district that operates a high school to any person to whom all 460
of the following apply: 461

(1) The person has successfully completed the curriculum 462
in any high school or the individualized education program 463
developed for the person by any high school pursuant to section 464
3323.08 of the Revised Code, or has qualified under division (D) 465
or (F) of section 3313.603 of the Revised Code, provided that no 466
school district shall require a student to remain in school for 467
any specific number of semesters or other terms if the student 468
completes the required curriculum early; 469

(2) Subject to section 3313.614 of the Revised Code, the 470
person has met the assessment requirements of division (A) (2) (a) 471
or (b) of this section, as applicable. 472

(a) If the person entered the ninth grade prior to July 1, 473
2014, the person either: 474

(i) Has attained at least the applicable scores designated 475
under division (B) (1) of section 3301.0710 of the Revised Code 476
on all the assessments required by that division unless the 477
person was excused from taking any such assessment pursuant to 478
section 3313.532 of the Revised Code or unless division (H) or 479
(L) of this section applies to the person; 480

(ii) Has satisfied the alternative conditions prescribed 481

in section 3313.615 of the Revised Code. 482

(b) If the person entered the ninth grade on or after July 483
1, 2014, the person has met the requirement prescribed by 484
section 3313.618 of the Revised Code, except to the extent that 485
the person is excused from an assessment prescribed by that 486
section pursuant to section 3313.532 of the Revised Code or 487
division (H) or (L) of this section. 488

(3) The person is not eligible to receive an honors 489
diploma granted pursuant to division (B) of this section. 490

Except as provided in divisions (C), (E), (J), and (L) of 491
this section, no diploma shall be granted under this division to 492
anyone except as provided under this division. 493

(B) In lieu of a diploma granted under division (A) of 494
this section, an honors diploma shall be granted, in accordance 495
with rules of the state board, by any such district board to 496
anyone who accomplishes all of the following: 497

(1) Successfully completes the curriculum in any high 498
school or the individualized education program developed for the 499
person by any high school pursuant to section 3323.08 of the 500
Revised Code; 501

(2) Subject to section 3313.614 of the Revised Code, has 502
met the assessment requirements of division (B) (2) (a) or (b) of 503
this section, as applicable. 504

(a) If the person entered the ninth grade prior to July 1, 505
2014, the person either: 506

(i) Has attained at least the applicable scores designated 507
under division (B) (1) of section 3301.0710 of the Revised Code 508
on all the assessments required by that division; 509

(ii) Has satisfied the alternative conditions prescribed 510
in section 3313.615 of the Revised Code. 511

(b) If the person entered the ninth grade on or after July 512
1, 2014, the person has met the requirement prescribed under 513
section 3313.618 of the Revised Code. 514

(3) Has met additional criteria established by the state 515
board for the granting of such a diploma. 516

An honors diploma shall not be granted to a student who is 517
subject to the requirements prescribed in division (C) of 518
section 3313.603 of the Revised Code but elects the option of 519
division (D) or (F) of that section. Except as provided in 520
divisions (C), (E), and (J) of this section, no honors diploma 521
shall be granted to anyone failing to comply with this division 522
and no more than one honors diploma shall be granted to any 523
student under this division. 524

The state board shall adopt rules prescribing the granting 525
of honors diplomas under this division. These rules may 526
prescribe the granting of honors diplomas that recognize a 527
student's achievement as a whole or that recognize a student's 528
achievement in one or more specific subjects or both. The rules 529
may prescribe the granting of an honors diploma recognizing 530
technical expertise for a career-technical student. In any case, 531
the rules shall designate two or more criteria for the granting 532
of each type of honors diploma the board establishes under this 533
division and the number of such criteria that must be met for 534
the granting of that type of diploma. The number of such 535
criteria for any type of honors diploma shall be at least one 536
less than the total number of criteria designated for that type 537
and no one or more particular criteria shall be required of all 538
persons who are to be granted that type of diploma. 539

(C) Any district board administering any of the 540
assessments required by section 3301.0710 of the Revised Code to 541
any person requesting to take such assessment pursuant to 542
division (B) (8) (b) of section 3301.0711 of the Revised Code 543
shall award a diploma to such person if the person attains at 544
least the applicable scores designated under division (B) (1) of 545
section 3301.0710 of the Revised Code on all the assessments 546
administered and if the person has previously attained the 547
applicable scores on all the other assessments required by 548
division (B) (1) of that section or has been exempted or excused 549
from attaining the applicable score on any such assessment 550
pursuant to division (H) or (L) of this section or from taking 551
any such assessment pursuant to section 3313.532 of the Revised 552
Code. 553

(D) Each diploma awarded under this section shall be 554
signed by the president and treasurer of the issuing board, the 555
superintendent of schools, and the principal of the high school. 556
Each diploma shall bear the date of its issue, be in such form 557
as the district board prescribes, and be paid for out of the 558
district's general fund. 559

(E) A person who is a resident of Ohio and is eligible 560
under state board of education minimum standards to receive a 561
high school diploma based in whole or in part on credits earned 562
while an inmate of a correctional institution operated by the 563
state or any political subdivision thereof, shall be granted 564
such diploma by the correctional institution operating the 565
programs in which such credits were earned, and by the board of 566
education of the school district in which the inmate resided 567
immediately prior to the inmate's placement in the institution. 568
The diploma granted by the correctional institution shall be 569
signed by the director of the institution, and by the person 570

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serving as principal of the institution's high school and shall
bear the date of issue.

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(F) Persons who are not residents of Ohio but who are
inmates of correctional institutions operated by the state or
any political subdivision thereof, and who are eligible under
state board of education minimum standards to receive a high
school diploma based in whole or in part on credits earned while
an inmate of the correctional institution, shall be granted a
diploma by the correctional institution offering the program in
which the credits were earned. The diploma granted by the
correctional institution shall be signed by the director of the
institution and by the person serving as principal of the
institution's high school and shall bear the date of issue.

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(G) The state board of education shall provide by rule for
the administration of the assessments required by sections
3301.0710 and 3301.0712 of the Revised Code to inmates of
correctional institutions.

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(H) Any person to whom all of the following apply shall be
exempted from attaining the applicable score on the assessment
in social studies designated under division (B)(1) of section
3301.0710 of the Revised Code, any ~~American history~~ end-of-
course examination ~~and any~~ in American history or American
government ~~end-of-course examination~~ or both as required under
division (B) of section 3301.0712 of the Revised Code if such an
exemption is prescribed by rule of the state board under
division (D)(3) of section 3301.0712 of the Revised Code, or the
test in citizenship designated under former division (B) of
section 3301.0710 of the Revised Code as it existed prior to
September 11, 2001:

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(1) The person is not a citizen of the United States;

(2) The person is not a permanent resident of the United States;
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(3) The person indicates no intention to reside in the United States after the completion of high school.
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(I) Notwithstanding division (D) of section 3311.19 and division (D) of section 3311.52 of the Revised Code, this section and section 3313.611 of the Revised Code do not apply to the board of education of any joint vocational school district or any cooperative education school district established pursuant to divisions (A) to (C) of section 3311.52 of the Revised Code.
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(J) Upon receipt of a notice under division (D) of section 3325.08 or division (D) of section 3328.25 of the Revised Code that a student has received a diploma under either section, the board of education receiving the notice may grant a high school diploma under this section to the student, except that such board shall grant the student a diploma if the student meets the graduation requirements that the student would otherwise have had to meet to receive a diploma from the district. The diploma granted under this section shall be of the same type the notice indicates the student received under section 3325.08 or 3328.25 of the Revised Code.
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(K) As used in this division, "English learner" has the same meaning as in division (C) (3) of section 3301.0711 of the Revised Code.
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Notwithstanding division (C) (3) of section 3301.0711 of the Revised Code, no English learner who has not either attained the applicable scores designated under division (B) (1) of section 3301.0710 of the Revised Code on all the assessments
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required by that division, or met the requirement prescribed by 630
section 3313.618 of the Revised Code, shall be awarded a diploma 631
under this section. 632

(L) Any student described by division (A)(1) of this 633
section may be awarded a diploma without meeting the requirement 634
prescribed by section 3313.618 of the Revised Code provided an 635
individualized education program specifically exempts the 636
student from meeting such requirement. This division does not 637
negate the requirement for a student to take the assessments 638
prescribed by section 3301.0710 or under division (B) of section 639
3301.0712 of the Revised Code, or alternate assessments required 640
by division (C) (1) of section 3301.0711 of the Revised Code, for 641
the purpose of assessing student progress as required by federal 642
law. 643

Sec. 3313.612. (A) No nonpublic school chartered by the 644
state board of education shall grant a high school diploma to 645
any person unless, subject to section 3313.614 of the Revised 646
Code, the person has met the assessment requirements of division 647
(A) (1) or (2) of this section, as applicable. 648

(1) If the person entered the ninth grade prior to July 1, 649
2014, the person has attained at least the applicable scores 650
designated under division (B) (1) of section 3301.0710 of the 651
Revised Code on all the assessments required by that division, 652
or has satisfied the alternative conditions prescribed in 653
section 3313.615 of the Revised Code. 654

(2) If the person entered the ninth grade on or after July 655
1, 2014, the person has met the requirement prescribed by 656
section 3313.618 or 3313.619 of the Revised Code. 657

(B) This section does not apply to any of the following: 658

(1) Any person with regard to any assessment from which 659
the person was excused pursuant to division (C) (1) (c) of section 660
3301.0711 of the Revised Code; 661

(2) Except as provided in division (B) (4) of this section, 662
any person who attends a nonpublic school accredited through the 663
independent schools association of the central states, except 664
for a student attending the school under a state scholarship 665
program as defined in section 3301.0711 of the Revised Code; 666

(3) Any person with regard to the social studies 667
assessment under division (B) (1) of section 3301.0710 of the 668
Revised Code, any ~~American history end-of-course examination and~~ 669
~~any in American history or American government end-of-course~~ 670
~~examination or both as~~ required under division (B) of section 671
3301.0712 of the Revised Code if such an exemption is prescribed 672
by rule of the state board of education under division (D) (3) of 673
section 3301.0712 of the Revised Code, or the citizenship test 674
under former division (B) of section 3301.0710 of the Revised 675
Code as it existed prior to September 11, 2001, if all of the 676
following apply: 677

(a) The person is not a citizen of the United States; 678

(b) The person is not a permanent resident of the United 679
States; 680

(c) The person indicates no intention to reside in the 681
United States after completion of high school. 682

(4) Any person who attends a chartered nonpublic school 683
that satisfies the requirements of division (L) (4) of section 684
3301.0711 of the Revised Code. In the case of such a student, 685
the student's chartered nonpublic school shall determine the 686
student's eligibility for graduation based on the standards of 687

the school's accrediting body. 688

(C) As used in this division, "English learner" has the 689
same meaning as in division (C) (3) of section 3301.0711 of the 690
Revised Code. 691

Notwithstanding division (C) (3) of section 3301.0711 of 692
the Revised Code, no English learner who has not either attained 693
the applicable scores designated under division (B) (1) of 694
section 3301.0710 of the Revised Code on all the assessments 695
required by that division, or met the requirement prescribed by 696
section 3313.618 or 3313.619 of the Revised Code, shall be 697
awarded a diploma under this section. 698

(D) The state board shall not impose additional 699
requirements or assessments for the granting of a high school 700
diploma under this section that are not prescribed by this 701
section. 702

(E) The department of education shall furnish the 703
assessment administered by a nonpublic school pursuant to 704
division (B) (1) of section 3301.0712 of the Revised Code. 705

Sec. 3313.6114. (A) The state board of education shall 706
establish a system of state diploma seals for the purposes of 707
allowing a student to qualify for graduation under section 708
3313.618 of the Revised Code. State diploma seals may be 709
attached or affixed to the high school diploma of a student 710
enrolled in a public or chartered nonpublic school. The system 711
of state diploma seals shall consist of all of the following: 712

(1) The state seal of biliteracy established under section 713
3313.6111 of the Revised Code; 714

(2) The OhioMeansJobs-readiness seal established under 715
section 3313.6112 of the Revised Code; 716

(3) The state diploma seals prescribed under division (C) 717
of this section. 718

(B) A school district, community school established under 719
Chapter 3314. of the Revised Code, STEM school established under 720
Chapter 3326. of the Revised Code, college-preparatory boarding 721
school established under Chapter 3328. of the Revised Code, or 722
chartered nonpublic school shall attach or affix the state seals 723
prescribed under division (C) of this section to the diploma and 724
transcript of a student enrolled in the district or school who 725
meets the requirements established under that division. 726

(C) The state board shall establish all of the following 727
state diploma seals: 728

(1) An industry-recognized credential seal. A student 729
shall meet the requirement for this seal by earning an industry- 730
recognized credential approved under section 3313.6113 of the 731
Revised Code that is aligned to a job that is determined to be 732
in demand in this state and its regions under section 6301.11 of 733
the Revised Code. 734

(2) A college-ready seal. A student shall meet the 735
requirement for this seal by attaining a score that is 736
remediation-free, in accordance with standards adopted under 737
division (F) of section 3345.061 of the Revised Code, on a 738
nationally standardized assessment prescribed under division (B) 739
(1) of section 3301.0712 of the Revised Code. 740

(3) A military enlistment seal. A student shall meet the 741
requirement for this seal by doing either of the following: 742

(a) Providing evidence that the student has enlisted in a 743
branch of the armed services of the United States as defined in 744
section 5910.01 of the Revised Code; 745

(b) Participating in a junior reserve officer training 746
program approved by the congress of the United States under 747
title 10 of the United States Code. 748

(4) A citizenship seal. A student shall meet the 749
requirement for this seal by doing any of the following: 750

(a) Demonstrating at least a proficient level of skill as 751
prescribed under division (B) (5) (a) of section 3301.0712 of the 752
Revised Code on both the American history and American 753
government end-of-course examinations prescribed under division 754
~~(B) (2)~~ (B) (2) (a) of section 3301.0712 of the Revised Code or, for 755
students who enter the ninth grade for the first time on or 756
after July 1, 2019, demonstrating at least a proficient level of 757
skill as prescribed under division (B) (5) (a) of that section on 758
the American history and government end-of-course examination 759
prescribed under division (B) (2) (b) of that section; 760

(b) Attaining a score level prescribed under division (B) 761
(5) (d) of section 3301.0712 of the Revised Code that is at least 762
the equivalent of a proficient level of skill in appropriate 763
advanced placement or international baccalaureate examinations 764
in lieu of the American history and American government end-of- 765
course examinations or the American history and government end- 766
of-course examination; 767

(c) Attaining a final course grade that is the equivalent 768
of a "B" or higher in appropriate courses taken through the 769
college credit plus program established under Chapter 3365. of 770
the Revised Code in lieu of the American history and American 771
government end-of-course examinations. 772

(5) A science seal. A student shall meet the requirement 773
for this seal by doing any of the following: 774

(a) Demonstrating at least a proficient level of skill as prescribed under division (B) (5) (a) of section 3301.0712 of the Revised Code on the science end-of-course examination prescribed under division (B) (2) of section 3301.0712 of the Revised Code;	775 776 777 778
(b) Attaining a score level prescribed under division (B) (5) (d) of section 3301.0712 of the Revised Code that is at least the equivalent of a proficient level of skill in an appropriate advanced placement or international baccalaureate examination in lieu of the science end-of-course examination;	779 780 781 782 783
(c) Attaining a final course grade that is the equivalent of a "B" or higher in an appropriate course taken through the college credit plus program established under Chapter 3365. of the Revised Code in lieu of the science end-of-course examination.	784 785 786 787 788
(6) An honors diploma seal. A student shall meet the requirement for this seal by meeting the additional criteria for an honors diploma under division (B) of section 3313.61 of the Revised Code.	789 790 791 792
(7) A technology seal. A student shall meet the requirement for this seal by doing any of the following:	793 794
(a) Subject to division (B) (5) (d) of section 3301.0712 of the Revised Code, attaining a score level that is at least the equivalent of a proficient level of skill in an appropriate advanced placement or international baccalaureate examination;	795 796 797 798
(b) Attaining a final course grade that is the equivalent of a "B" or higher in an appropriate course taken through the college credit plus program established under Chapter 3365. of the Revised Code;	799 800 801 802
(c) Completing a course offered through the student's	803

district or school that meets guidelines developed by the 804
department of education. However, a district or school shall not 805
be required to offer a course that meets guidelines developed by 806
the department. 807

(8) A community service seal. A student shall meet the 808
requirement for this seal by completing a community service 809
project that is aligned with guidelines adopted by the student's 810
district board or school governing authority. 811

(9) A fine and performing arts seal. A student shall meet 812
the requirement for this seal by demonstrating skill in the fine 813
or performing arts according to an evaluation that is aligned 814
with guidelines adopted by the student's district board or 815
school governing authority. 816

(10) A student engagement seal. A student shall meet the 817
requirement for this seal by participating in extracurricular 818
activities such as athletics, clubs, or student government to a 819
meaningful extent, as determined by guidelines adopted by the 820
student's district board or school governing authority. 821

(D) Each district or school shall develop guidelines for 822
at least one of the state seals prescribed under divisions (C) 823
(8) to (10) of this section. 824

(E) Each district or school shall maintain appropriate 825
records to identify students who have met the requirements 826
prescribed under division (C) of this section for earning the 827
state seals established under that division. 828

(F) The department shall prepare and deliver to each 829
district or school an appropriate mechanism for assigning a 830
state diploma seal established under division (C) of this 831
section. 832

(G) A student shall not be charged a fee to be assigned a state seal prescribed under division (C) of this section on the student's diploma and transcript.

Section 2. That existing sections 3301.0712, 3301.0729, 3313.61, 3313.612, and 3313.6114 of the Revised Code are hereby repealed.

Section 3. Notwithstanding section 3301.163, 3313.608, or any other section of the Revised Code, for the 2020-2021 school year, no school district, community school, or STEM school and no chartered nonpublic school that is subject to section 3301.163 of the Revised Code shall retain a student in the third grade under that section or section 3313.608 of the Revised Code who fails to attain at least the equivalent level of achievement designated under division (A) (3) of section 3301.0710 of the Revised Code on the third grade English language arts assessment as prescribed under that section for the 2020-2021 school year.