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133rd General Assembly

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Sub. H. B. No. 436

Representative Baldrige

Cosponsors: Representatives Sheehy, Rogers, Seitz, Jones, Blair, Strahorn, Stephens, Clites, Lepore-Hagan, Liston, Russo, West, Abrams, Antani, Brown, Carfagna, Crossman, Fraizer, Galonski, Hambley, Hicks-Hudson, Ingram, Lanese, Manning, G., Miller, J., O'Brien, Smith, K., Stein, Sykes, Upchurch

Senators Brenner, Fedor, Antonio, Blessing, Burke, Craig, Eklund, Gavarone, Hackett, Hoagland, Hottinger, Johnson, Kunze, Maharath, Peterson, Schuring, Sykes, Thomas, Wilson, Yuko

A BILL

To amend sections 3310.03, 3310.522, 3313.976, 1
3314.03, 3323.11, 3326.11, and 3328.24; to enact 2
new section 3323.25 and sections 3319.077, 3
3319.078, and 3323.251; and to repeal section 4
3323.25 of the Revised Code with regard to 5
screening and intervention for children with 6
dyslexia and to modify achievement assessment 7
requirements for students receiving state 8
scholarships. 9

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

Section 1. That sections 3310.03, 3310.522, 3313.976, 10
3314.03, 3323.11, 3326.11, and 3328.24 be amended and new 11
section 3323.25 and sections 3319.077, 3319.078, and 3323.251 of 12
the Revised Code be enacted to read as follows: 13

Sec. 3310.03. A student is an "eligible student" for 14

purposes of the educational choice scholarship pilot program if 15
the student's resident district is not a school district in 16
which the pilot project scholarship program is operating under 17
sections 3313.974 to 3313.979 of the Revised Code and the 18
student satisfies one of the conditions in division (A), (B), 19
(C), (D), or (E) of this section: 20

(A) (1) The student is enrolled in a school building 21
operated by the student's resident district that, on the report 22
card issued under section 3302.03 of the Revised Code published 23
prior to the first day of July of the school year for which a 24
scholarship is sought, did not receive a rating as described in 25
division (I) of this section, and to which any or a combination 26
of any of the following apply for two of the three most recent 27
report cards published prior to the first day of July of the 28
school year for which a scholarship is sought: 29

(a) The building was declared to be in a state of academic 30
emergency or academic watch under section 3302.03 of the Revised 31
Code as that section existed prior to March 22, 2013. 32

(b) The building received a grade of "D" or "F" for the 33
performance index score under division (A) (1) (b) or (B) (1) (b) of 34
section 3302.03 of the Revised Code and for the value-added 35
progress dimension under division (A) (1) (e) or (B) (1) (e) of 36
section 3302.03 of the Revised Code for the 2012-2013, 2013- 37
2014, 2014-2015, or 2015-2016 school year; or if the building 38
serves only grades ten through twelve, the building received a 39
grade of "D" or "F" for the performance index score under 40
division (A) (1) (b) or (B) (1) (b) of section 3302.03 of the 41
Revised Code and had a four-year adjusted cohort graduation rate 42
of less than seventy-five per cent. 43

(c) The building received an overall grade of "D" or "F" 44

under division (C) (3) of section 3302.03 of the Revised Code or 45
a grade of "F" for the value-added progress dimension under 46
division (C) (1) (e) of section 3302.03 of the Revised Code for 47
the 2016-2017 school year or any school year thereafter. 48

(2) The student will be enrolling in any of grades 49
kindergarten through twelve in this state for the first time in 50
the school year for which a scholarship is sought, will be at 51
least five years of age by the first day of January of the 52
school year for which a scholarship is sought, and otherwise 53
would be assigned under section 3319.01 of the Revised Code in 54
the school year for which a scholarship is sought, to a school 55
building described in division (A) (1) of this section. 56

(3) The student is enrolled in a community school 57
established under Chapter 3314. of the Revised Code but 58
otherwise would be assigned under section 3319.01 of the Revised 59
Code to a building described in division (A) (1) of this section. 60

(4) The student is enrolled in a school building operated 61
by the student's resident district or in a community school 62
established under Chapter 3314. of the Revised Code and 63
otherwise would be assigned under section 3319.01 of the Revised 64
Code to a school building described in division (A) (1) of this 65
section in the school year for which the scholarship is sought. 66

(5) The student will be both enrolling in any of grades 67
kindergarten through twelve in this state for the first time and 68
at least five years of age by the first day of January of the 69
school year for which a scholarship is sought, or is enrolled in 70
a community school established under Chapter 3314. of the 71
Revised Code, and all of the following apply to the student's 72
resident district: 73

(a) The district has in force an intradistrict open 74
enrollment policy under which no student in the student's grade 75
level is automatically assigned to a particular school building; 76

(b) In the most recent rating published prior to the first 77
day of July of the school year for which scholarship is sought, 78
the district did not receive a rating described in division (I) 79
of this section, and in at least two of the three most recent 80
report cards published prior to the first day of July of that 81
school year, any or a combination of the following apply to the 82
district: 83

(i) The district was declared to be in a state of academic 84
emergency under section 3302.03 of the Revised Code as it 85
existed prior to March 22, 2013. 86

(ii) The district received a grade of "D" or "F" for the 87
performance index score under division (A) (1) (b) or (B) (1) (b) of 88
section 3302.03 of the Revised Code and for the value-added 89
progress dimension under division (A) (1) (e) or (B) (1) (e) of 90
section 3302.03 of the Revised Code for the 2012-2013, 2013- 91
2014, 2014-2015, or 2015-2016 school year. 92

~~(e)~~ (iii) The district received an overall grade of "D" or 93
"F" under division (C) (3) of section 3302.03 of the Revised Code 94
or a grade of "F" for the value-added progress dimension under 95
division (C) (1) (e) of section 3302.03 of the Revised Code for 96
the 2016-2017 school year or any school year thereafter. 97

(6) Beginning in the 2019-2020 school year, the student 98
meets both of the following conditions: 99

(a) The student was enrolled in a public or nonpublic 100
school or was homeschooled in the prior school year and 101
completed any of grades eight through eleven in that school 102

year.	103
(b) The student would be assigned to a building in the school year for which the scholarship is sought that either:	104 105
(i) Serves any of grades nine through twelve and that received a grade of "D" or "F" for the four-year adjusted cohort graduation rate under division (A) (1) (d), (B) (1) (d), or (C) (1) (d) of section 3302.03 of the Revised Code in two of the three most recent report cards published prior to the first day of July of the school year for which a scholarship is sought;	106 107 108 109 110 111
(ii) Is a building described in division (A) (1) of this section.	112 113
Any student who was awarded a scholarship under division (A) (6) of this section as it existed prior to the effective date of this amendment <u>October 17, 2019</u> , may continue to receive scholarships in subsequent school years until the student completes grade twelve, as long as the student meets the criteria prescribed by division (F) of this section.	114 115 116 117 118 119
(B) (1) The student is enrolled in a school building operated by the student's resident district and to which both of the following apply:	120 121 122
(a) The building was ranked, for at least two of the three most recent rankings prior to the first day of July of the school year for which a scholarship is sought, in the lowest ten per cent of all buildings operated by city, local, and exempted village school districts according to performance index score as determined by the department of education.	123 124 125 126 127 128
(b) The building was not declared to be excellent or effective, or the equivalent of such ratings as determined by the department, under section 3302.03 of the Revised Code in the	129 130 131

most recent rating published prior to the first day of July of 132
the school year for which a scholarship is sought. 133

(2) The student will be enrolling in any of grades 134
kindergarten through twelve in this state for the first time in 135
the school year for which a scholarship is sought, will be at 136
least five years of age, as defined in section 3321.01 of the 137
Revised Code, by the first day of January of the school year for 138
which a scholarship is sought, and otherwise would be assigned 139
under section 3319.01 of the Revised Code in the school year for 140
which a scholarship is sought, to a school building described in 141
division (B) (1) of this section. 142

(3) The student is enrolled in a community school 143
established under Chapter 3314. of the Revised Code but 144
otherwise would be assigned under section 3319.01 of the Revised 145
Code to a building described in division (B) (1) of this section. 146

(4) The student is enrolled in a school building operated 147
by the student's resident district or in a community school 148
established under Chapter 3314. of the Revised Code and 149
otherwise would be assigned under section 3319.01 of the Revised 150
Code to a school building described in division (B) (1) of this 151
section in the school year for which the scholarship is sought. 152

(C) The student is enrolled in a nonpublic school at the 153
time the school is granted a charter by the state board of 154
education under section 3301.16 of the Revised Code and the 155
student meets the standards of division (B) of section 3310.031 156
of the Revised Code. 157

(D) For the 2016-2017 school year and each school year 158
thereafter, the student is in any of grades kindergarten through 159
three, is enrolled in a school building that is operated by the 160

student's resident district or will be enrolling in any of 161
grades kindergarten through twelve in this state for the first 162
time in the school year for which a scholarship is sought, and 163
to which both of the following apply: 164

(1) The building, in at least two of the three most recent 165
ratings of school buildings published prior to the first day of 166
July of the school year for which a scholarship is sought, 167
received a grade of "D" or "F" for making progress in improving 168
literacy in grades kindergarten through three under division (B) 169
(1) (g) or (C) (1) (g) of section 3302.03 of the Revised Code; 170

(2) The building did not receive a grade of "A" for making 171
progress in improving literacy in grades kindergarten through 172
three under division (B) (1) (g) or (C) (1) (g) of section 3302.03 173
of the Revised Code in the most recent rating published prior to 174
the first day of July of the school year for which a scholarship 175
is sought. 176

(E) The student's resident district is subject to section 177
3302.10 of the Revised Code and the student either: 178

(1) Is enrolled in a school building operated by the 179
resident district or in a community school established under 180
Chapter 3314. of the Revised Code; 181

(2) Will be both enrolling in any of grades kindergarten 182
through twelve in this state for the first time and at least 183
five years of age by the first day of January of the school year 184
for which a scholarship is sought. 185

(F) A student who receives a scholarship under the 186
educational choice scholarship pilot program remains an eligible 187
student and may continue to receive scholarships in subsequent 188
school years until the student completes grade twelve, so long 189

as all of the following apply: 190

(1) The student's resident district remains the same, or 191
the student transfers to a new resident district and otherwise 192
would be assigned in the new resident district to a school 193
building described in division (A) (1), (B) (1), (D), or (E) of 194
this section. 195

(2) ~~Except as provided in divisions (K) (1) and (L) of~~ 196
~~section 3301.0711 of the Revised Code, the~~ The student takes 197
each assessment prescribed for the student's grade level under 198
~~section sections 3301.0710 or, 3301.0712, or 3313.619~~ of the 199
Revised Code while enrolled in a chartered nonpublic school, 200
unless one of the following applies to the student: 201

(a) The student is excused from taking that assessment 202
under federal law, the student's individualized education 203
program, or division (C) (1) (c) (i) of section 3301.0711 of the 204
Revised Code. 205

(b) The student is enrolled in a chartered nonpublic 206
school that meets the conditions specified in division (K) (2) or 207
(L) (4) of section 3301.0711 of the Revised Code. 208

(c) The student is enrolled in any of grades three to 209
eight and takes an alternative standardized assessment under 210
division (K) (1) of section 3301.0711 of the Revised Code. 211

(d) The student is excused from taking the assessment 212
prescribed under division (B) (1) of section 3301.0712 of the 213
Revised Code pursuant to division (C) (1) (c) (ii) of section 214
3301.0711 of the Revised Code. 215

(3) In each school year that the student is enrolled in a 216
chartered nonpublic school, the student is absent from school 217
for not more than twenty days that the school is open for 218

instruction, not including excused absences. 219

(G) (1) The department shall cease awarding first-time 220
scholarships pursuant to divisions (A) (1) to (4) of this section 221
with respect to a school building that, in the most recent 222
ratings of school buildings published under section 3302.03 of 223
the Revised Code prior to the first day of July of the school 224
year, ceases to meet the criteria in division (A) (1) of this 225
section. The department shall cease awarding first-time 226
scholarships pursuant to division (A) (5) of this section with 227
respect to a school district that, in the most recent ratings of 228
school districts published under section 3302.03 of the Revised 229
Code prior to the first day of July of the school year, ceases 230
to meet the criteria in division (A) (5) of this section. 231

(2) The department shall cease awarding first-time 232
scholarships pursuant to divisions (B) (1) to (4) of this section 233
with respect to a school building that, in the most recent 234
ratings of school buildings under section 3302.03 of the Revised 235
Code prior to the first day of July of the school year, ceases 236
to meet the criteria in division (B) (1) of this section. 237

(3) The department shall cease awarding first-time 238
scholarships pursuant to division (D) of this section with 239
respect to a school building that, in the most recent ratings of 240
school buildings under section 3302.03 of the Revised Code prior 241
to the first day of July of the school year, ceases to meet the 242
criteria in division (D) of this section. 243

(4) The department shall cease awarding first-time 244
scholarships pursuant to division (E) of this section with 245
respect to a school district subject to section 3302.10 of the 246
Revised Code when the academic distress commission established 247
for the district ceases to exist. 248

(5) However, students who have received scholarships in	249
the prior school year remain eligible students pursuant to	250
division (F) of this section.	251
(H) The state board of education shall adopt rules	252
defining excused absences for purposes of division (F) (3) of	253
this section.	254
(I) (1) A student who satisfies only the conditions	255
prescribed in divisions (A) (1) to (4) of this section shall not	256
be eligible for a scholarship if the student's resident building	257
meets any of the following in the most recent rating under	258
section 3302.03 of the Revised Code published prior to the first	259
day of July of the school year for which a scholarship is	260
sought:	261
(a) The building has an overall designation of excellent	262
or effective under section 3302.03 of the Revised Code as it	263
existed prior to March 22, 2013.	264
(b) For the 2012-2013, 2013-2014, 2014-2015, or 2015-2016	265
school year, the building has a grade of "A" or "B" for the	266
performance index score under division (A) (1) (b) or (B) (1) (b) of	267
section 3302.03 of the Revised Code and for the value-added	268
progress dimension under division (A) (1) (e) or (B) (1) (e) of	269
section 3302.03 of the Revised Code; or if the building serves	270
only grades ten through twelve, the building received a grade of	271
"A" or "B" for the performance index score under division (A) (1)	272
(b) or (B) (1) (b) of section 3302.03 of the Revised Code and had	273
a four-year adjusted cohort graduation rate of greater than or	274
equal to seventy-five per cent.	275
(c) For the 2016-2017 school year or any school year	276
thereafter, the building has a grade of "A" or "B" under	277

division (C) (3) of section 3302.03 of the Revised Code and a 278
grade of "A" for the value-added progress dimension under 279
division (C) (1) (e) of section 3302.03 of the Revised Code; or if 280
the building serves only grades ten through twelve, the building 281
received a grade of "A" or "B" for the performance index score 282
under division (C) (1) (b) of section 3302.03 of the Revised Code 283
and had a four-year adjusted cohort graduation rate of greater 284
than or equal to seventy-five per cent. 285

(2) A student who satisfies only the conditions prescribed 286
in division (A) (5) of this section shall not be eligible for a 287
scholarship if the student's resident district meets any of the 288
following in the most recent rating under section 3302.03 of the 289
Revised Code published prior to the first day of July of the 290
school year for which a scholarship is sought: 291

(a) The district has an overall designation of excellent 292
or effective under section 3302.03 of the Revised Code as it 293
existed prior to March 22, 2013. 294

(b) The district has a grade of "A" or "B" for the 295
performance index score under division (A) (1) (b) or (B) (1) (b) of 296
section 3302.03 of the Revised Code and for the value-added 297
progress dimension under division (A) (1) (e) or (B) (1) (e) of 298
section 3302.03 of the Revised Code for the 2012-2013, 2013- 299
2014, 2014-2015, and 2015-2016 school years. 300

(c) The district has an overall grade of "A" or "B" under 301
division (C) (3) of section 3302.03 of the Revised Code and a 302
grade of "A" for the value-added progress dimension under 303
division (C) (1) (e) of section 3302.03 of the Revised Code for 304
the 2016-2017 school year or any school year thereafter. 305

Sec. 3310.522. (A) In order to maintain eligibility for a 306

scholarship, a student shall take each assessment prescribed by 307
section 3301.0710, 3301.0712, or 3313.619 of the Revised Code, 308
as applicable, in accordance with section 3301.0711 of the 309
Revised Code, unless ~~the one of the following applies to the~~ 310
student: 311

(1) The student is excused from taking that assessment 312
under federal law ~~or, the student's individualized education~~ 313
program, ~~or the division (C) (1) (c) (i) of section 3301.0711 of~~ 314
the Revised Code. 315

(2) The student is enrolled in a chartered nonpublic 316
school that meets the conditions specified in division (K) (2) or 317
(L) (4) of section 3301.0711 of the Revised Code. 318

(3) The student is enrolled in any of grades three to 319
eight and takes an alternative standardized assessment under 320
division (K) (1) of section 3301.0711 of the Revised Code or 321
division (B) (3) of this section. 322

(4) The student is excused from taking the assessment 323
prescribed under division (B) (1) of section 3301.0712 of the 324
Revised Code pursuant to division (C) (1) (c) (ii) of section 325
3301.0711 of the Revised Code. 326

(B) Each registered private provider that is not subject 327
to division (K) (1) of section 3301.0711 of the Revised Code and 328
enrolls a student who is awarded a scholarship shall administer 329
each assessment prescribed by section 3301.0710, 3301.0712, or 330
3313.619 of the Revised Code, as applicable, to that student in 331
accordance with section 3301.0711 of the Revised Code, unless 332
~~the one of the following applies to the student:~~ 333

(1) The student is excused from taking that assessment ~~or~~ 334
the under division (A) (1) of this section. 335

(2) The student is enrolled in a chartered nonpublic 336
school that meets the conditions specified in division (K) (2) or 337
(L) (4) of section 3301.0711 of the Revised Code, ~~and~~. 338

(3) The student is enrolled in any of grades three to 339
eight and the registered private provider administers an 340
alternative standardized assessment determined by the department 341
of education under division (K) (1) of section 3301.0711 of the 342
Revised Code to the student. 343

(4) The student is excused from taking the assessment 344
prescribed under division (B) (1) of section 3301.0712 of the 345
Revised Code pursuant to division (C) (1) (c) (ii) of section 346
3301.0711 of the Revised Code. 347

The registered private provider shall report to the 348
department the results of each assessment so administered under 349
division (B) of this section. 350

(C) Nothing in this section requires any chartered 351
nonpublic school that is a registered private provider to 352
administer any achievement assessment, except for an Ohio 353
graduation test prescribed by division (B) (1) of section 354
3301.0710 or the college and work ready assessment system 355
prescribed by division (B) of section 3301.0712 of the Revised 356
Code to any student enrolled in the school who is not a 357
scholarship student. 358

Sec. 3313.976. (A) No private school may receive 359
scholarship payments from parents pursuant to section 3313.979 360
of the Revised Code until the chief administrator of the private 361
school registers the school with the superintendent of public 362
instruction. The state superintendent shall register any school 363
that meets the following requirements: 364

(1) The school either:	365
(a) Offers any of grades kindergarten through twelve and is located within the boundaries of the pilot project school district;	366 367 368
(b) Offers any of grades nine through twelve and is located within the boundaries of a city, local, or exempted village school district that is both:	369 370 371
(i) Located in a municipal corporation with a population of fifteen thousand or more;	372 373
(ii) Located within five miles of the border of the pilot project school district.	374 375
(2) The school indicates in writing its commitment to follow all requirements for a state-sponsored scholarship program specified under sections 3313.974 to 3313.979 of the Revised Code, including, but not limited to, the requirements for admitting students pursuant to section 3313.977 of the Revised Code;	376 377 378 379 380 381
(3) The school meets all state minimum standards for chartered nonpublic schools in effect on July 1, 1992, except that the state superintendent at the superintendent's discretion may register nonchartered nonpublic schools meeting the other requirements of this division;	382 383 384 385 386
(4) The school does not discriminate on the basis of race, religion, or ethnic background;	387 388
(5) The school enrolls a minimum of ten students per class or a sum of at least twenty-five students in all the classes offered;	389 390 391
(6) The school does not advocate or foster unlawful	392

behavior or teach hatred of any person or group on the basis of	393
race, ethnicity, national origin, or religion;	394
(7) The school does not provide false or misleading	395
information about the school to parents, students, or the	396
general public;	397
(8) For students in grades kindergarten through eight with	398
family incomes at or below two hundred per cent of the federal	399
poverty guidelines, as defined in section 5104.46 of the Revised	400
Code, the school agrees not to charge any tuition in excess of	401
the scholarship amount established pursuant to division (C) (1)	402
of section 3313.978 of the Revised Code, excluding any increase	403
described in division (C) (2) of that section.	404
(9) For students in grades kindergarten through eight with	405
family incomes above two hundred per cent of the federal poverty	406
guidelines, whose scholarship amounts are less than the actual	407
tuition charge of the school, the school agrees not to charge	408
any tuition in excess of the difference between the actual	409
tuition charge of the school and the scholarship amount	410
established pursuant to division (C) (1) of section 3313.978 of	411
the Revised Code, excluding any increase described in division	412
(C) (2) of that section. The school shall permit such tuition, at	413
the discretion of the parent, to be satisfied by the family's	414
provision of in-kind contributions or services.	415
(10) The school agrees not to charge any tuition to	416
families of students in grades nine through twelve receiving a	417
scholarship in excess of the actual tuition charge of the school	418
less the scholarship amount established pursuant to division (C)	419
(1) of section 3313.978 of the Revised Code, excluding any	420
increase described in division (C) (2) of that section.	421

(11) ~~Except as provided in divisions (K) (1) and (L) of~~ 422
~~section 3301.0711 of the Revised Code, it~~ It annually 423
administers the applicable assessments prescribed by section 424
3301.0710, 3301.0712, or 3313.619 of the Revised Code to each 425
scholarship student enrolled in the school in accordance with 426
section 3301.0711 or 3301.0712 of the Revised Code and reports 427
to the department of education the results of each such 428
assessment administered to each scholarship student, unless one 429
of the following applies to the student: 430

(a) The student is excused from taking that assessment 431
under federal law, the student's individualized education 432
program, or division (C) (1) (c) (i) of section 3301.0711 of the 433
Revised Code. 434

(b) The student is enrolled in a chartered nonpublic 435
school that meets the conditions specified in division (K) (2) or 436
(L) (4) of section 3301.0711 of the Revised Code. 437

(c) The student is enrolled in any of grades three to 438
eight and takes an alternative standardized assessment under 439
division (K) (1) of section 3301.0711 of the Revised Code. 440

(d) The student is excused from taking the assessment 441
prescribed under division (B) (1) of section 3301.0712 of the 442
Revised Code pursuant to division (C) (1) (c) (ii) of section 443
3301.0711 of the Revised Code. 444

(B) The state superintendent shall revoke the registration 445
of any school if, after a hearing, the superintendent determines 446
that the school is in violation of any of the provisions of 447
division (A) of this section. 448

(C) Any public school located in a school district 449
adjacent to the pilot project district may receive scholarship 450

payments on behalf of parents pursuant to section 3313.979 of 451
the Revised Code if the superintendent of the district in which 452
such public school is located notifies the state superintendent 453
prior to the first day of March that the district intends to 454
admit students from the pilot project district for the ensuing 455
school year pursuant to section 3327.06 of the Revised Code. 456

(D) Any parent wishing to purchase tutorial assistance 457
from any person or governmental entity pursuant to the pilot 458
project program under sections 3313.974 to 3313.979 of the 459
Revised Code shall apply to the state superintendent. The state 460
superintendent shall approve providers who appear to possess the 461
capability of furnishing the instructional services they are 462
offering to provide. 463

Sec. 3314.03. A copy of every contract entered into under 464
this section shall be filed with the superintendent of public 465
instruction. The department of education shall make available on 466
its web site a copy of every approved, executed contract filed 467
with the superintendent under this section. 468

(A) Each contract entered into between a sponsor and the 469
governing authority of a community school shall specify the 470
following: 471

(1) That the school shall be established as either of the 472
following: 473

(a) A nonprofit corporation established under Chapter 474
1702. of the Revised Code, if established prior to April 8, 475
2003; 476

(b) A public benefit corporation established under Chapter 477
1702. of the Revised Code, if established after April 8, 2003. 478

(2) The education program of the school, including the 479

school's mission, the characteristics of the students the school 480
is expected to attract, the ages and grades of students, and the 481
focus of the curriculum; 482

(3) The academic goals to be achieved and the method of 483
measurement that will be used to determine progress toward those 484
goals, which shall include the statewide achievement 485
assessments; 486

(4) Performance standards, including but not limited to 487
all applicable report card measures set forth in section 3302.03 488
or 3314.017 of the Revised Code, by which the success of the 489
school will be evaluated by the sponsor; 490

(5) The admission standards of section 3314.06 of the 491
Revised Code and, if applicable, section 3314.061 of the Revised 492
Code; 493

(6) (a) Dismissal procedures; 494

(b) A requirement that the governing authority adopt an 495
attendance policy that includes a procedure for automatically 496
withdrawing a student from the school if the student without a 497
legitimate excuse fails to participate in seventy-two 498
consecutive hours of the learning opportunities offered to the 499
student. 500

(7) The ways by which the school will achieve racial and 501
ethnic balance reflective of the community it serves; 502

(8) Requirements for financial audits by the auditor of 503
state. The contract shall require financial records of the 504
school to be maintained in the same manner as are financial 505
records of school districts, pursuant to rules of the auditor of 506
state. Audits shall be conducted in accordance with section 507
117.10 of the Revised Code. 508

(9) An addendum to the contract outlining the facilities	509
to be used that contains at least the following information:	510
(a) A detailed description of each facility used for	511
instructional purposes;	512
(b) The annual costs associated with leasing each facility	513
that are paid by or on behalf of the school;	514
(c) The annual mortgage principal and interest payments	515
that are paid by the school;	516
(d) The name of the lender or landlord, identified as	517
such, and the lender's or landlord's relationship to the	518
operator, if any.	519
(10) Qualifications of teachers, including a requirement	520
that the school's classroom teachers be licensed in accordance	521
with sections 3319.22 to 3319.31 of the Revised Code, except	522
that a community school may engage noncertificated persons to	523
teach up to twelve hours per week pursuant to section 3319.301	524
of the Revised Code.	525
(11) That the school will comply with the following	526
requirements:	527
(a) The school will provide learning opportunities to a	528
minimum of twenty-five students for a minimum of nine hundred	529
twenty hours per school year.	530
(b) The governing authority will purchase liability	531
insurance, or otherwise provide for the potential liability of	532
the school.	533
(c) The school will be nonsectarian in its programs,	534
admission policies, employment practices, and all other	535
operations, and will not be operated by a sectarian school or	536

religious institution. 537

(d) The school will comply with sections 9.90, 9.91, 538
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 539
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3313.472, 540
3313.50, 3313.536, 3313.539, 3313.5310, 3313.608, 3313.609, 541
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 542
3313.6024, 3313.643, 3313.648, 3313.6411, 3313.66, 3313.661, 543
3313.662, 3313.666, 3313.667, 3313.668, 3313.67, 3313.671, 544
3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 545
3313.719, 3313.7112, 3313.721, 3313.80, 3313.814, 3313.816, 546
3313.817, 3313.818, 3313.86, 3313.89, 3313.96, 3319.073, 547
3319.077, 3319.078, 3319.321, 3319.39, 3319.391, 3319.41, 548
3319.46, 3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.13, 549
3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 550
3323.251, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 551
117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. 552
of the Revised Code as if it were a school district and will 553
comply with section 3301.0714 of the Revised Code in the manner 554
specified in section 3314.17 of the Revised Code. 555

(e) The school shall comply with Chapter 102. and section 556
2921.42 of the Revised Code. 557

(f) The school will comply with sections 3313.61, 558
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 559
Revised Code, except that for students who enter ninth grade for 560
the first time before July 1, 2010, the requirement in sections 561
3313.61 and 3313.611 of the Revised Code that a person must 562
successfully complete the curriculum in any high school prior to 563
receiving a high school diploma may be met by completing the 564
curriculum adopted by the governing authority of the community 565
school rather than the curriculum specified in Title XXXVIII of 566

the Revised Code or any rules of the state board of education. 567
Beginning with students who enter ninth grade for the first time 568
on or after July 1, 2010, the requirement in sections 3313.61 569
and 3313.611 of the Revised Code that a person must successfully 570
complete the curriculum of a high school prior to receiving a 571
high school diploma shall be met by completing the requirements 572
prescribed in division (C) of section 3313.603 of the Revised 573
Code, unless the person qualifies under division (D) or (F) of 574
that section. Each school shall comply with the plan for 575
awarding high school credit based on demonstration of subject 576
area competency, and beginning with the 2017-2018 school year, 577
with the updated plan that permits students enrolled in seventh 578
and eighth grade to meet curriculum requirements based on 579
subject area competency adopted by the state board of education 580
under divisions (J)(1) and (2) of section 3313.603 of the 581
Revised Code. Beginning with the 2018-2019 school year, the 582
school shall comply with the framework for granting units of 583
high school credit to students who demonstrate subject area 584
competency through work-based learning experiences, internships, 585
or cooperative education developed by the department under 586
division (J)(3) of section 3313.603 of the Revised Code. 587

(g) The school governing authority will submit within four 588
months after the end of each school year a report of its 589
activities and progress in meeting the goals and standards of 590
divisions (A)(3) and (4) of this section and its financial 591
status to the sponsor and the parents of all students enrolled 592
in the school. 593

(h) The school, unless it is an internet- or computer- 594
based community school, will comply with section 3313.801 of the 595
Revised Code as if it were a school district. 596

(i) If the school is the recipient of moneys from a grant 597
awarded under the federal race to the top program, Division (A), 598
Title XIV, Sections 14005 and 14006 of the "American Recovery 599
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 600
the school will pay teachers based upon performance in 601
accordance with section 3317.141 and will comply with section 602
3319.111 of the Revised Code as if it were a school district. 603

(j) If the school operates a preschool program that is 604
licensed by the department of education under sections 3301.52 605
to 3301.59 of the Revised Code, the school shall comply with 606
sections 3301.50 to 3301.59 of the Revised Code and the minimum 607
standards for preschool programs prescribed in rules adopted by 608
the state board under section 3301.53 of the Revised Code. 609

(k) The school will comply with sections 3313.6021 and 610
3313.6023 of the Revised Code as if it were a school district 611
unless it is either of the following: 612

(i) An internet- or computer-based community school; 613

(ii) A community school in which a majority of the 614
enrolled students are children with disabilities as described in 615
division (A) (4) (b) of section 3314.35 of the Revised Code. 616

(12) Arrangements for providing health and other benefits 617
to employees; 618

(13) The length of the contract, which shall begin at the 619
beginning of an academic year. No contract shall exceed five 620
years unless such contract has been renewed pursuant to division 621
(E) of this section. 622

(14) The governing authority of the school, which shall be 623
responsible for carrying out the provisions of the contract; 624

(15) A financial plan detailing an estimated school budget 625
for each year of the period of the contract and specifying the 626
total estimated per pupil expenditure amount for each such year. 627

(16) Requirements and procedures regarding the disposition 628
of employees of the school in the event the contract is 629
terminated or not renewed pursuant to section 3314.07 of the 630
Revised Code; 631

(17) Whether the school is to be created by converting all 632
or part of an existing public school or educational service 633
center building or is to be a new start-up school, and if it is 634
a converted public school or service center building, 635
specification of any duties or responsibilities of an employer 636
that the board of education or service center governing board 637
that operated the school or building before conversion is 638
delegating to the governing authority of the community school 639
with respect to all or any specified group of employees provided 640
the delegation is not prohibited by a collective bargaining 641
agreement applicable to such employees; 642

(18) Provisions establishing procedures for resolving 643
disputes or differences of opinion between the sponsor and the 644
governing authority of the community school; 645

(19) A provision requiring the governing authority to 646
adopt a policy regarding the admission of students who reside 647
outside the district in which the school is located. That policy 648
shall comply with the admissions procedures specified in 649
sections 3314.06 and 3314.061 of the Revised Code and, at the 650
sole discretion of the authority, shall do one of the following: 651

(a) Prohibit the enrollment of students who reside outside 652
the district in which the school is located; 653

(b) Permit the enrollment of students who reside in 654
districts adjacent to the district in which the school is 655
located; 656

(c) Permit the enrollment of students who reside in any 657
other district in the state. 658

(20) A provision recognizing the authority of the 659
department of education to take over the sponsorship of the 660
school in accordance with the provisions of division (C) of 661
section 3314.015 of the Revised Code; 662

(21) A provision recognizing the sponsor's authority to 663
assume the operation of a school under the conditions specified 664
in division (B) of section 3314.073 of the Revised Code; 665

(22) A provision recognizing both of the following: 666

(a) The authority of public health and safety officials to 667
inspect the facilities of the school and to order the facilities 668
closed if those officials find that the facilities are not in 669
compliance with health and safety laws and regulations; 670

(b) The authority of the department of education as the 671
community school oversight body to suspend the operation of the 672
school under section 3314.072 of the Revised Code if the 673
department has evidence of conditions or violations of law at 674
the school that pose an imminent danger to the health and safety 675
of the school's students and employees and the sponsor refuses 676
to take such action. 677

(23) A description of the learning opportunities that will 678
be offered to students including both classroom-based and non- 679
classroom-based learning opportunities that is in compliance 680
with criteria for student participation established by the 681
department under division (H) (2) of section 3314.08 of the 682

Revised Code;	683
(24) The school will comply with sections 3302.04 and 3302.041 of the Revised Code, except that any action required to be taken by a school district pursuant to those sections shall be taken by the sponsor of the school. However, the sponsor shall not be required to take any action described in division (F) of section 3302.04 of the Revised Code.	684 685 686 687 688 689
(25) Beginning in the 2006-2007 school year, the school will open for operation not later than the thirtieth day of September each school year, unless the mission of the school as specified under division (A) (2) of this section is solely to serve dropouts. In its initial year of operation, if the school fails to open by the thirtieth day of September, or within one year after the adoption of the contract pursuant to division (D) of section 3314.02 of the Revised Code if the mission of the school is solely to serve dropouts, the contract shall be void.	690 691 692 693 694 695 696 697 698
(26) Whether the school's governing authority is planning to seek designation for the school as a STEM school equivalent under section 3326.032 of the Revised Code;	699 700 701
(27) That the school's attendance and participation policies will be available for public inspection;	702 703
(28) That the school's attendance and participation records shall be made available to the department of education, auditor of state, and school's sponsor to the extent permitted under and in accordance with the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any regulations promulgated under that act, and section 3319.321 of the Revised Code;	704 705 706 707 708 709 710
(29) If a school operates using the blended learning	711

model, as defined in section 3301.079 of the Revised Code, all	712
of the following information:	713
(a) An indication of what blended learning model or models	714
will be used;	715
(b) A description of how student instructional needs will	716
be determined and documented;	717
(c) The method to be used for determining competency,	718
granting credit, and promoting students to a higher grade level;	719
(d) The school's attendance requirements, including how	720
the school will document participation in learning	721
opportunities;	722
(e) A statement describing how student progress will be	723
monitored;	724
(f) A statement describing how private student data will	725
be protected;	726
(g) A description of the professional development	727
activities that will be offered to teachers.	728
(30) A provision requiring that all moneys the school's	729
operator loans to the school, including facilities loans or cash	730
flow assistance, must be accounted for, documented, and bear	731
interest at a fair market rate;	732
(31) A provision requiring that, if the governing	733
authority contracts with an attorney, accountant, or entity	734
specializing in audits, the attorney, accountant, or entity	735
shall be independent from the operator with which the school has	736
contracted.	737
(32) A provision requiring the governing authority to	738

adopt an enrollment and attendance policy that requires a 739
student's parent to notify the community school in which the 740
student is enrolled when there is a change in the location of 741
the parent's or student's primary residence. 742

(33) A provision requiring the governing authority to 743
adopt a student residence and address verification policy for 744
students enrolling in or attending the school. 745

(B) The community school shall also submit to the sponsor 746
a comprehensive plan for the school. The plan shall specify the 747
following: 748

(1) The process by which the governing authority of the 749
school will be selected in the future; 750

(2) The management and administration of the school; 751

(3) If the community school is a currently existing public 752
school or educational service center building, alternative 753
arrangements for current public school students who choose not 754
to attend the converted school and for teachers who choose not 755
to teach in the school or building after conversion; 756

(4) The instructional program and educational philosophy 757
of the school; 758

(5) Internal financial controls. 759

When submitting the plan under this division, the school 760
shall also submit copies of all policies and procedures 761
regarding internal financial controls adopted by the governing 762
authority of the school. 763

(C) A contract entered into under section 3314.02 of the 764
Revised Code between a sponsor and the governing authority of a 765
community school may provide for the community school governing 766

authority to make payments to the sponsor, which is hereby 767
authorized to receive such payments as set forth in the contract 768
between the governing authority and the sponsor. The total 769
amount of such payments for monitoring, oversight, and technical 770
assistance of the school shall not exceed three per cent of the 771
total amount of payments for operating expenses that the school 772
receives from the state. 773

(D) The contract shall specify the duties of the sponsor 774
which shall be in accordance with the written agreement entered 775
into with the department of education under division (B) of 776
section 3314.015 of the Revised Code and shall include the 777
following: 778

(1) Monitor the community school's compliance with all 779
laws applicable to the school and with the terms of the 780
contract; 781

(2) Monitor and evaluate the academic and fiscal 782
performance and the organization and operation of the community 783
school on at least an annual basis; 784

(3) Report on an annual basis the results of the 785
evaluation conducted under division (D) (2) of this section to 786
the department of education and to the parents of students 787
enrolled in the community school; 788

(4) Provide technical assistance to the community school 789
in complying with laws applicable to the school and terms of the 790
contract; 791

(5) Take steps to intervene in the school's operation to 792
correct problems in the school's overall performance, declare 793
the school to be on probationary status pursuant to section 794
3314.073 of the Revised Code, suspend the operation of the 795

school pursuant to section 3314.072 of the Revised Code, or 796
terminate the contract of the school pursuant to section 3314.07 797
of the Revised Code as determined necessary by the sponsor; 798

(6) Have in place a plan of action to be undertaken in the 799
event the community school experiences financial difficulties or 800
closes prior to the end of a school year. 801

(E) Upon the expiration of a contract entered into under 802
this section, the sponsor of a community school may, with the 803
approval of the governing authority of the school, renew that 804
contract for a period of time determined by the sponsor, but not 805
ending earlier than the end of any school year, if the sponsor 806
finds that the school's compliance with applicable laws and 807
terms of the contract and the school's progress in meeting the 808
academic goals prescribed in the contract have been 809
satisfactory. Any contract that is renewed under this division 810
remains subject to the provisions of sections 3314.07, 3314.072, 811
and 3314.073 of the Revised Code. 812

(F) If a community school fails to open for operation 813
within one year after the contract entered into under this 814
section is adopted pursuant to division (D) of section 3314.02 815
of the Revised Code or permanently closes prior to the 816
expiration of the contract, the contract shall be void and the 817
school shall not enter into a contract with any other sponsor. A 818
school shall not be considered permanently closed because the 819
operations of the school have been suspended pursuant to section 820
3314.072 of the Revised Code. 821

Sec. 3319.077. (A) As used in this section: 822

(1) "Dyslexia" has the same meaning as in section 3323.25 823
of the Revised Code. 824

(2) "Ohio dyslexia committee" means the committee 825
established under section 3325.25 of the Revised Code. 826

(3) "Special education" has the same meaning as in section 827
3323.01 of the Revised Code. 828

(B) (1) The department of education, in collaboration with 829
the Ohio dyslexia committee, shall maintain a list of courses 830
that fulfill the professional development requirements 831
prescribed in division (C) of this section. The list may consist 832
of online or classroom learning models. 833

(2) Each approved course shall align with the guidebook 834
developed under section 3323.25 of the Revised Code, be 835
evidence-based, and require instruction and training for 836
identifying characteristics of dyslexia and understanding the 837
pedagogy for instructing students with dyslexia. 838

(3) The Ohio dyslexia committee shall prescribe a total 839
number of clock hours of instruction in courses approved under 840
this section for a teacher to complete to satisfy the 841
professional development requirements prescribed in division (C) 842
of this section. The Ohio dyslexia committee shall prescribe a 843
total number of clock hours that is not less than six clock 844
hours and not more than eighteen clock hours. 845

(C) (1) Not later than the beginning of the 2023-2024 846
school year, each teacher employed by a local, city, or exempted 847
village school district who provides instruction for students in 848
kindergarten and first grade, including those providing special 849
education instruction, shall complete the number of 850
instructional hours in approved professional development courses 851
required by the committee under this section. 852

(2) Not later than the beginning of the 2024-2025 school 853

year, each teacher employed by a school district who provides 854
instruction for students in grades two and three, including 855
those providing special education instruction, shall complete 856
the number of instructional hours in approved professional 857
development courses required by the committee under this 858
section. 859

(3) Not later than the beginning of the 2025-2026 school 860
year, each teacher employed by a school district who provides 861
special education instruction for students in grades four 862
through twelve shall complete a professional development course 863
approved under division (B) of this section. 864

(D) Any professional development course completed by a 865
teacher prior to the effective date of this section that is then 866
included on the list of courses approved under division (B) (1) 867
of this section shall count toward the number of instructional 868
hours in approved professional development courses required 869
under division (C) of this section. 870

Sec. 3319.078. Beginning in the 2022-2023 school year, 871
each city, local, and exempted village school district shall 872
establish a multi-sensory structured literacy certification 873
process for teachers providing instruction for students in 874
grades kindergarten through three employed by the district. Each 875
process shall align with the guidebook developed under section 876
3323.25 of the Revised Code. 877

Sec. 3323.11. Each school district shall employ, as 878
necessary, the personnel to meet the needs of the children with 879
disabilities enrolled in its schools. Personnel shall possess 880
appropriate qualifications and certificates or licenses as 881
prescribed in section 3319.077 of the Revised Code and in rules 882
of the state board of education. 883

Sec. 3323.25. (A) As used in this section and section 884
3323.251 of the Revised Code: 885

(1) "Dyslexia" means a specific learning disorder that is 886
neurological in origin and that is characterized by unexpected 887
difficulties with accurate or fluent word recognition and by 888
poor spelling and decoding abilities not consistent with the 889
person's intelligence, motivation, and sensory capabilities, 890
which difficulties typically result from a deficit in the 891
phonological component of language. 892

(2) "Appropriate certification" means either of the 893
following: 894

(a) Certification at a certified level, or higher, from a 895
research-based, multi-sensory structured literacy program; 896

(b) Any other certification as recognized by a majority 897
vote of the Ohio dyslexia committee. 898

(B) (1) The department of education shall establish the 899
Ohio dyslexia committee which shall consist of the following 900
members: 901

(a) A school district superintendent appointed by the 902
superintendent of public instruction; 903

(b) An elementary school principal appointed by the state 904
superintendent; 905

(c) A classroom teacher appointed by the state 906
superintendent. The teacher shall have an appropriate 907
certification and at least two years of experience teaching in a 908
multi-sensory structured literacy program. 909

(d) An educational service center employee appointed by 910
the state superintendent. The employee shall have an appropriate 911

<u>certification.</u>	912
<u>(e) An employee of the department of education appointed</u>	913
<u>by the state superintendent;</u>	914
<u>(f) A parent of a child with dyslexia or an adult with</u>	915
<u>dyslexia appointed by the international dyslexia association in</u>	916
<u>Ohio;</u>	917
<u>(g) An individual with experience in higher education and</u>	918
<u>teacher preparation programs appointed by the chancellor of</u>	919
<u>higher education. The individual appointed by the chancellor</u>	920
<u>shall have an appropriate certification.</u>	921
<u>(h) A board member of the international dyslexia</u>	922
<u>association in Ohio appointed by the international dyslexia</u>	923
<u>association in Ohio. The board member shall have an appropriate</u>	924
<u>certification.</u>	925
<u>(i) A school psychologist appointed by the state</u>	926
<u>superintendent;</u>	927
<u>(j) A reading intervention specialist appointed by the</u>	928
<u>state superintendent. The reading intervention specialist shall</u>	929
<u>have an appropriate certification.</u>	930
<u>(k) A speech-language pathologist appointed by the state</u>	931
<u>speech and hearing professionals board. The speech-language</u>	932
<u>pathologist shall have an appropriate certification.</u>	933
<u>(2) Each appointing authority shall determine a selection</u>	934
<u>process for the appointments under this section. Each appointing</u>	935
<u>authority that is not the state superintendent shall make and</u>	936
<u>submit to the department each appointment prescribed under this</u>	937
<u>section not later than thirty days after the effective date of</u>	938
<u>this section. The state superintendent also shall make each</u>	939

appointment prescribed to the state superintendent under this 940
section not later than that date. Members of the committee shall 941
serve at the pleasure of their appointing authority. 942

(3) An individual may be appointed to the committee 943
without required certification or experience if the appointing 944
authority determines that the individual has sufficient 945
experience in the individual's respective field. 946

(4) The state superintendent shall convene the first 947
meeting of the committee within thirty days after nine members 948
have been appointed to the committee. At the first meeting, 949
members of the committee shall elect one of the members as 950
chairperson. 951

(5) The department shall provide facilities for the 952
meetings of the committee. 953

(C) (1) Not later than December 31, 2021, the Ohio dyslexia 954
committee shall develop a guidebook regarding the best practices 955
and methods for universal screening, intervention, and 956
remediation for children with dyslexia or children displaying 957
dyslexic characteristics and tendencies using a multi-sensory 958
structured literacy program. 959

(2) The committee shall provide an opportunity for public 960
input when developing the guidebook, in the manner determined by 961
the committee. 962

(3) Prior to its distribution, the guidebook shall be 963
subject to final approval by the state board of education. 964

(4) The guidebook shall be developed and issued to 965
districts and schools in an electronic format. After the initial 966
development of the guidebook, the Ohio dyslexia committee shall 967
update the guidebook as necessary. 968

(D) Not later than December 31, 2021, the department, in 969
collaboration with the Ohio dyslexia committee, shall do all of 970
the following: 971

(1) Provide multi-sensory structured literacy program 972
professional development for teachers in evidence-based dyslexia 973
screening and intervention practices for the purposes of section 974
3319.077 of the Revised Code. 975

(2) Assist school districts and other public schools in 976
establishing multidisciplinary teams to support the 977
identification, intervention, and remediation of dyslexia; 978

(3) Develop reporting mechanisms for districts and schools 979
to submit to the department the information and data required in 980
the guidebook developed under this section; 981

(4) Develop academic standards for kindergarten in reading 982
and writing that incorporate a multi-sensory structured literacy 983
program; 984

(5) Provide on the department's web site information about 985
training for teachers about dyslexia that is available at 986
minimal or no cost. 987

(E) The department, in collaboration with the Ohio 988
dyslexia committee, shall identify reliable, valid, universal, 989
and evidence-based screening and intervention measures that 990
evaluate the literacy skills of students enrolled in grades 991
kindergarten through five using a multi-sensory structured 992
literacy program. 993

(F) The Ohio dyslexia committee may do any of the 994
following: 995

(1) Recommend appropriate ratios in school buildings for 996

<u>students to teachers who have received certification in</u>	997
<u>identifying and addressing dyslexia;</u>	998
<u>(2) Recommend which other school personnel, including</u>	999
<u>school psychologists or speech-language pathologists, should</u>	1000
<u>receive certification in identifying and addressing dyslexia;</u>	1001
<u>(3) Consider and make recommendations regarding whether</u>	1002
<u>professional development required under section 3319.077 of the</u>	1003
<u>Revised Code should require the completion of a practicum.</u>	1004
<u>Sec. 3323.251. (A) Each school district and other public</u>	1005
<u>school shall do all of the following:</u>	1006
<u>(1) For the 2022-2023 school year, administer a tier one</u>	1007
<u>dyslexia screening measure to a student to whom either of the</u>	1008
<u>following applies:</u>	1009
<u>(a) The student is enrolled in any of grades kindergarten</u>	1010
<u>through three. A screening measure shall be administered to a</u>	1011
<u>student enrolled in kindergarten after January 1, 2023, but</u>	1012
<u>prior to January 1, 2024.</u>	1013
<u>(b) The student is enrolled in any of grades four through</u>	1014
<u>six and either of the following applies:</u>	1015
<u>(i) The student's parent, guardian, or custodian requests</u>	1016
<u>that the screening measure be administered to the student.</u>	1017
<u>(ii) A classroom teacher requests that the screening</u>	1018
<u>measure be administered to the student and the student's parent,</u>	1019
<u>guardian, or custodian grants permission for the screening</u>	1020
<u>measure to be administered.</u>	1021
<u>(2) For the 2023-2024 school year and each school year</u>	1022
<u>thereafter, administer a tier one dyslexia screening measure to</u>	1023
<u>a student to whom either of the following applies:</u>	1024

(a) A student enrolled in kindergarten. A screening measure shall be administered to a student after the first day of January of the school year in which the student is enrolled in kindergarten and prior to the first day of January of the following school year. 1025
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(b) A student enrolled in any of grades one through six if either of the following applies: 1030
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(i) The student's parent, guardian, or custodian requests that the screening measure be administered to the student. 1032
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(ii) A classroom teacher requests that the screening measure be administered to the student and the student's parent, guardian, or custodian grants permission for the screening measure to be administered. 1034
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A district or school may administer a tier two dyslexia screening measure to a student to whom the district or school administers a tier one screening measure under division (A) (1) or (2) of this section. In that case, a district or school shall not be required to complete division (A) (4) of this section. 1038
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(3) Identify each student that is at risk of dyslexia based on the student's results on the tier one screening measure and notify the student's parent, guardian, or custodian that the student has been identified as being at risk. 1043
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(4) Monitor the progress of each at-risk student toward attaining grade-level reading and writing skills for up to six weeks. The district or school shall check each at-risk student's progress on at least the second week, fourth week, and sixth week after the student is identified as being at risk. If no progress is observed during the monitoring period, the district or school shall notify the parent, guardian, or custodian of the 1047
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student and administer a tier two dyslexia screening measure to 1054
the student. 1055

(5) Report to a student's parent or guardian the student's 1056
results on a tier two screening measure approved by the Ohio 1057
dyslexia committee within thirty days after the measure's 1058
administration. If, as determined by the tier two screening 1059
measure, the student is identified as having dyslexia 1060
tendencies, the student's parent or guardian shall be provided 1061
with information about reading development, the risk factors for 1062
dyslexia, and descriptions for evidenced-based interventions. 1063

(6) If a student demonstrates markers for dyslexia, 1064
provide the student's parents or guardian with a written 1065
explanation of the district or school's multi-sensory structured 1066
literacy program. 1067

(B)(1) Beginning in the 2022-2023 school year, each 1068
district or school shall: 1069

(a) Administer a tier one dyslexia screening measure to 1070
each kindergarten student that transfers into the district or 1071
school midyear during the school's regularly scheduled screening 1072
of the kindergarten class or within thirty days after the 1073
student's enrollment if the screening already has been 1074
completed; 1075

(b) Administer a tier one dyslexia screening measure to 1076
each student in grades one through six that transfers into the 1077
district or school midyear within thirty days after the 1078
student's enrollment. 1079

(2) If a student is identified as being at risk of 1080
dyslexia under division (B)(1) of this section, the district or 1081
school shall administer a tier two screening measure in a timely 1082

<u>manner.</u>	1083
<u>(C) Each district or school shall do all of the following:</u>	1084
<u>(1) Comply with the guidebook developed under division (C)</u>	1085
<u>of section 3323.25 of the Revised Code;</u>	1086
<u>(2) Select screening and intervention measures to</u>	1087
<u>administer to students from the measures identified under</u>	1088
<u>division (E) of section 3323.25 of the Revised Code;</u>	1089
<u>(3) Establish a multidisciplinary team to administer</u>	1090
<u>screening and intervention measures and analyze the results of</u>	1091
<u>the measures. The team shall include trained and certified</u>	1092
<u>personnel and a stakeholder with expertise in the</u>	1093
<u>identification, intervention, and remediation of dyslexia.</u>	1094
<u>(4) Report to the department of education the results of</u>	1095
<u>screening measures administered under this section.</u>	1096
Sec. 3326.11. Each science, technology, engineering, and	1097
mathematics school established under this chapter and its	1098
governing body shall comply with sections 9.90, 9.91, 109.65,	1099
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43,	1100
3301.0714, 3301.0715, 3301.0729, 3301.948, 3313.14, 3313.15,	1101
3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48,	1102
3313.481, 3313.482, 3313.50, 3313.536, 3313.539, 3313.5310,	1103
3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020,	1104
3313.6021, 3313.6024, 3313.61, 3313.611, 3313.614, 3313.615,	1105
3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411,	1106
3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668,	1107
3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71,	1108
3313.716, 3313.718, 3313.719, 3313.7112, 3313.721, 3313.80,	1109
3313.801, 3313.814, 3313.816, 3313.817, 3313.818, 3313.86,	1110
3313.89, 3313.96, 3319.073, <u>3319.077, 3319.078,</u> 3319.21,	1111

3319.32, 3319.321, 3319.35, 3319.39, 3319.391, 3319.41, 3319.45, 1112
3319.46, 3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.05, 1113
3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 1114
3323.251, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 1115
102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 1116
4123., 4141., and 4167. of the Revised Code as if it were a 1117
school district. 1118

Sec. 3328.24. A college-preparatory boarding school 1119
established under this chapter and its board of trustees shall 1120
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 1121
3301.0714, 3301.0729, 3301.948, 3313.536, 3313.6013, 3313.6021, 1122
3313.6024, 3313.617, 3313.618, 3313.6114, 3313.6411, 3313.668, 1123
3313.7112, 3313.721, 3313.89, 3319.077, 3319.078, 3319.39, 1124
3319.391, 3319.46, 3320.01, 3320.02, ~~and 3320.03,~~ and 3323.251 1125
and Chapter 3365. of the Revised Code as if the school were a 1126
school district and the school's board of trustees were a 1127
district board of education. 1128

Section 2. That existing sections 3310.03, 3310.522, 1129
3313.976, 3314.03, 3323.11, 3326.11, and 3328.24 of the Revised 1130
Code are hereby repealed. 1131

Section 3. That section 3323.25 of the Revised Code is 1132
hereby repealed. 1133

Section 4. (A) (1) The Department of Education shall select 1134
not more than four school districts that have implemented 1135
dyslexia screening, identification, and remediation services 1136
similar to those prescribed by sections 3319.077, 3319.078, and 1137
3323.251 of the Revised Code and analyze the financial costs 1138
incurred by the districts to implement those services. 1139

(2) The Department may select a community school 1140

established under Chapter 3314. of the Revised Code or a 1141
chartered nonpublic school instead of one school district for 1142
the purposes of the study prescribed under this section. 1143

(3) The Department may request the assistance of any 1144
educational institution or association for information or data 1145
the Department determines necessary to complete the study 1146
prescribed by this section. To the extent possible, an 1147
institution or association shall comply with the Department's 1148
request. 1149

(B) Not later than December 31, 2021, the Department shall 1150
submit to the General Assembly, in accordance with section 1151
101.68 of the Revised Code, a report based on the analysis 1152
conducted under division (A) of this section and make 1153
recommendations regarding how to effectively address the costs 1154
of implementing dyslexia screening, identification, and 1155
remediation services. The Department may include in the report 1156
any other information or data that the Department determines 1157
appropriate. 1158

Section 5. The General Assembly, applying the principle 1159
stated in division (B) of section 1.52 of the Revised Code that 1160
amendments are to be harmonized if reasonably capable of 1161
simultaneous operation, finds that the following sections, 1162
presented in this act as composites of the sections as amended 1163
by the acts indicated, are the resulting versions of the 1164
sections in effect prior to the effective date of the sections 1165
as presented in this act: 1166

Section 3314.03 of the Revised Code as amended by both 1167
H.B. 164 and H.B. 166 of the 133rd General Assembly. 1168

Section 3326.11 of the Revised Code as amended by both 1169

H.B. 164 and H.B. 166 of the 133rd General Assembly.	1170
Section 3328.24 of the Revised Code as amended by both	1171
H.B. 164 and H.B. 166 of the 133rd General Assembly.	1172