

As Introduced

**133rd General Assembly
Regular Session
2019-2020**

S. B. No. 89

**Senator Huffman, M.
Cosponsors: Senators Brenner, Rulli, Huffman, S.**

A BILL

To amend sections 3302.03, 3313.14, 3313.482, 1
3313.618, 3313.903, 3317.023, 3319.226, 2
3326.032, 3333.162, 3333.94, 3365.01, 3365.02, 3
5709.62, 5709.63, 5709.632, 5709.82, and 4
5709.83, to enact sections 3301.0730, 3317.037, 5
and 3319.2211, and to repeal section 3313.6113 6
of the Revised Code with regard to career- 7
technical education and the compensation of 8
joint vocational school districts located in 9
enterprise zones. 10

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

Section 1. That sections 3302.03, 3313.14, 3313.482, 11
3313.618, 3313.903, 3317.023, 3319.226, 3326.032, 3333.162, 12
3333.94, 3365.01, 3365.02, 5709.62, 5709.63, 5709.632, 5709.82, 13
and 5709.83 be amended and sections 3301.0730, 3317.037, and 14
3319.2211 of the Revised Code be enacted to read as follows: 15

Sec. 3301.0730. (A) As used in this section: 16

(1) "Career-technical planning district" or "CTPD" has the 17
same meaning as in section 3317.023 of the Revised Code. 18

(2) "Education management information system" means the integrated system of statewide data collecting, reporting, and compiling for school districts and schools prescribed under section 3301.0714 of the Revised Code. 19
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(3) "EMIS guidelines" means any guidance issued by the department of education containing the student, staff, and financial information to be collected and reported, along with data-element definitions, procedures, and guidelines necessary to implement the education management information system. 23
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(4) "Ohio career-technical associations" means all of the following: 28
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(a) The Ohio association of career-technical education; 30

(b) The Ohio association of career-technical superintendents; 31
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(c) The Ohio association of comprehensive and compact career-technical schools. 33
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(B) Except as provided for in division (C) of this section, the department shall not issue new or updated EMIS guidelines for career-technical planning districts unless the following conditions are satisfied: 35
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(1) Not later than the fifteenth of January immediately prior to the school year in which the new or updated EMIS guidelines take effect, the department shall notify all career-technical planning districts of the changes to be made to the EMIS guidelines and establish a pilot program in accordance with division (D) of this section. 39
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(2) Not later than the first day of June immediately prior to the school year in which the new or updated EMIS guidelines 45
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take effect, the department shall complete the pilot program and 47
solicit input about the results of the pilot program from the 48
Ohio career-technical associations. The associations may then 49
submit a formal request to the department to revise or eliminate 50
any new or updated EMIS guidelines tested in the pilot program. 51

(3) Upon the submission of a formal request from the Ohio 52
career-technical associations under division (B) (2) of this 53
section, the department shall either revise or eliminate any new 54
or updated EMIS guidelines. 55

(C) (1) The department may issue new or updated EMIS 56
guidelines for career-technical planning districts for the 57
purposes of implementing a new law passed by the general 58
assembly, implementing a rule adopted by the state board of 59
education, or fixing an error in existing EMIS guidelines, 60
provided that the department notifies all CTPDs of the new or 61
updated EMIS guidelines at least sixty days prior to the date 62
they take effect. 63

(2) After the department notifies career-technical 64
planning districts under division (C) (1) of this section, but 65
before the new or updated EMIS guidelines take effect, the Ohio 66
career-technical associations may formally request that the 67
department establish a pilot program for the new or updated EMIS 68
guidelines. 69

(3) Upon receiving a request from the Ohio career- 70
technical associations under division (C) (2) of this section, 71
the department shall do all of the following: 72

(a) Establish a pilot program in accordance with division 73
(D) of this section; 74

(b) Not later than thirty days after the establishment of 75

a pilot program under this division, the department shall 76
complete the pilot program and solicit input about its results 77
from the Ohio career-technical associations. The associations 78
may then submit a formal request to the department to revise or 79
eliminate any new or updated EMIS guidelines tested in the pilot 80
program. 81

(c) Upon the submission of a formal request from the Ohio 82
career-technical associations under division (C) (3) (b) of this 83
section, the department shall either revise or eliminate any new 84
or updated EMIS guidelines. 85

(D) For the purposes of division (B) or (C) of this 86
section, the department shall establish a pilot program in 87
career-technical planning districts to test the functionality of 88
any new or updated EMIS guidelines for CTPDs. The department 89
shall solicit suggestions for CTPDs to serve as the locations of 90
the pilot program from the Ohio career-technical associations. 91
The department shall select CTPDs from those suggestions. 92

(E) Additionally, the department shall establish both of 93
the following: 94

(1) Uniform guidance for career-technical planning 95
districts and information technology centers established under 96
section 3301.075 of the Revised Code regarding the education 97
management information system and EMIS guidelines for career- 98
technical planning districts; 99

(2) Uniform training programs for all personnel employed 100
by the department to administer the education management 101
information system. 102

(F) (1) The department shall notify each career-technical 103
planning district within twenty-four hours after new data 104

becomes available for review under the education management 105
information system. 106

(2) After receiving the notification under division (F)(1) 107
of this section, each CTPD shall have at least thirty days to 108
appeal any data reported under the education management 109
information system for the purposes of reconciling any 110
inaccuracies or discrepancies prior to the department issuing 111
any sanctions under division (L) of section 3301.0714 of the 112
Revised Code. 113

(3) The department shall adopt rules to establish the 114
appeals process required under division (F)(2) of this section. 115

Sec. 3302.03. Annually, not later than the fifteenth day 116
of September or the preceding Friday when that day falls on a 117
Saturday or Sunday, the department of education shall assign a 118
letter grade for overall academic performance and for each 119
separate performance measure for each school district, and each 120
school building in a district, in accordance with this section. 121
The state board shall adopt rules pursuant to Chapter 119. of 122
the Revised Code to establish performance criteria for each 123
letter grade and prescribe a method by which the department 124
assigns each letter grade. For a school building to which any of 125
the performance measures do not apply, due to grade levels 126
served by the building, the state board shall designate the 127
performance measures that are applicable to the building and 128
that must be calculated separately and used to calculate the 129
building's overall grade. The department shall issue annual 130
report cards reflecting the performance of each school district, 131
each building within each district, and for the state as a whole 132
using the performance measures and letter grade system described 133
in this section. The department shall include on the report card 134

for each district and each building within each district the 135
most recent two-year trend data in student achievement for each 136
subject and each grade. 137

(A) (1) For the 2012-2013 school year, the department shall 138
issue grades as described in division (E) of this section for 139
each of the following performance measures: 140

(a) Annual measurable objectives; 141

(b) Performance index score for a school district or 142
building. Grades shall be awarded as a percentage of the total 143
possible points on the performance index system as adopted by 144
the state board. In adopting benchmarks for assigning letter 145
grades under division (A) (1) (b) of this section, the state board 146
of education shall designate ninety per cent or higher for an 147
"A," at least seventy per cent but not more than eighty per cent 148
for a "C," and less than fifty per cent for an "F." 149

(c) The extent to which the school district or building 150
meets each of the applicable performance indicators established 151
by the state board under section 3302.02 of the Revised Code and 152
the percentage of applicable performance indicators that have 153
been achieved. In adopting benchmarks for assigning letter 154
grades under division (A) (1) (c) of this section, the state board 155
shall designate ninety per cent or higher for an "A." 156

(d) The four- and five-year adjusted cohort graduation 157
rates. 158

In adopting benchmarks for assigning letter grades under 159
division (A) (1) (d), (B) (1) (d), or (C) (1) (d) of this section, the 160
department shall designate a four-year adjusted cohort 161
graduation rate of ninety-three per cent or higher for an "A" 162
and a five-year cohort graduation rate of ninety-five per cent 163

or higher for an "A." 164

(e) The overall score under the value-added progress 165
dimension of a school district or building, for which the 166
department shall use up to three years of value-added data as 167
available. The letter grade assigned for this growth measure 168
shall be as follows: 169

(i) A score that is at least two standard errors of 170
measure above the mean score shall be designated as an "A." 171

(ii) A score that is at least one standard error of 172
measure but less than two standard errors of measure above the 173
mean score shall be designated as a "B." 174

(iii) A score that is less than one standard error of 175
measure above the mean score but greater than or equal to one 176
standard error of measure below the mean score shall be 177
designated as a "C." 178

(iv) A score that is not greater than one standard error 179
of measure below the mean score but is greater than or equal to 180
two standard errors of measure below the mean score shall be 181
designated as a "D." 182

(v) A score that is not greater than two standard errors 183
of measure below the mean score shall be designated as an "F." 184

Whenever the value-added progress dimension is used as a 185
graded performance measure, whether as an overall measure or as 186
a measure of separate subgroups, the grades for the measure 187
shall be calculated in the same manner as prescribed in division 188
(A) (1) (e) of this section. 189

(f) The value-added progress dimension score for a school 190
district or building disaggregated for each of the following 191

subgroups: students identified as gifted, students with 192
disabilities, and students whose performance places them in the 193
lowest quintile for achievement on a statewide basis. Each 194
subgroup shall be a separate graded measure. 195

(2) Not later than April 30, 2013, the state board of 196
education shall adopt a resolution describing the performance 197
measures, benchmarks, and grading system for the 2012-2013 198
school year and, not later than June 30, 2013, shall adopt rules 199
in accordance with Chapter 119. of the Revised Code that 200
prescribe the methods by which the performance measures under 201
division (A)(1) of this section shall be assessed and assigned a 202
letter grade, including performance benchmarks for each letter 203
grade. 204

At least forty-five days prior to the state board's 205
adoption of rules to prescribe the methods by which the 206
performance measures under division (A)(1) of this section shall 207
be assessed and assigned a letter grade, the department shall 208
conduct a public presentation before the standing committees of 209
the house of representatives and the senate that consider 210
education legislation describing such methods, including 211
performance benchmarks. 212

(3) There shall not be an overall letter grade for a 213
school district or building for the 2012-2013 school year. 214

(B)(1) For the 2013-2014 and 2014-2015 school years, the 215
department shall issue grades as described in division (E) of 216
this section for each of the following performance measures: 217

(a) Annual measurable objectives; 218

(b) Performance index score for a school district or 219
building. Grades shall be awarded as a percentage of the total 220

possible points on the performance index system as created by 221
the department. In adopting benchmarks for assigning letter 222
grades under division (B) (1) (b) of this section, the state board 223
shall designate ninety per cent or higher for an "A," at least 224
seventy per cent but not more than eighty per cent for a "C," 225
and less than fifty per cent for an "F." 226

(c) The extent to which the school district or building 227
meets each of the applicable performance indicators established 228
by the state board under section 3302.03 of the Revised Code and 229
the percentage of applicable performance indicators that have 230
been achieved. In adopting benchmarks for assigning letter 231
grades under division (B) (1) (c) of this section, the state board 232
shall designate ninety per cent or higher for an "A." 233

(d) The four- and five-year adjusted cohort graduation 234
rates; 235

(e) The overall score under the value-added progress 236
dimension of a school district or building, for which the 237
department shall use up to three years of value-added data as 238
available. 239

(f) The value-added progress dimension score for a school 240
district or building disaggregated for each of the following 241
subgroups: students identified as gifted in superior cognitive 242
ability and specific academic ability fields under Chapter 3324. 243
of the Revised Code, students with disabilities, and students 244
whose performance places them in the lowest quintile for 245
achievement on a statewide basis. Each subgroup shall be a 246
separate graded measure. 247

(g) Whether a school district or building is making 248
progress in improving literacy in grades kindergarten through 249

three, as determined using a method prescribed by the state 250
board. The state board shall adopt rules to prescribe benchmarks 251
and standards for assigning grades to districts and buildings 252
for purposes of division (B) (1) (g) of this section. In adopting 253
benchmarks for assigning letter grades under divisions (B) (1) (g) 254
and (C) (1) (g) of this section, the state board shall determine 255
progress made based on the reduction in the total percentage of 256
students scoring below grade level, or below proficient, 257
compared from year to year on the reading and writing diagnostic 258
assessments administered under section 3301.0715 of the Revised 259
Code and the third grade English language arts assessment under 260
section 3301.0710 of the Revised Code, as applicable. The state 261
board shall designate for a "C" grade a value that is not lower 262
than the statewide average value for this measure. No grade 263
shall be issued under divisions (B) (1) (g) and (C) (1) (g) of this 264
section for a district or building in which less than five per 265
cent of students have scored below grade level on the diagnostic 266
assessment administered to students in kindergarten under 267
division (B) (1) of section 3313.608 of the Revised Code. 268

(h) For a high mobility school district or building, an 269
additional value-added progress dimension score. For this 270
measure, the department shall use value-added data from the most 271
recent school year available and shall use assessment scores for 272
only those students to whom the district or building has 273
administered the assessments prescribed by section 3301.0710 of 274
the Revised Code for each of the two most recent consecutive 275
school years. 276

As used in this division, "high mobility school district 277
or building" means a school district or building where at least 278
twenty-five per cent of its total enrollment is made up of 279
students who have attended that school district or building for 280

less than one year.	281
(2) In addition to the graded measures in division (B) (1)	282
of this section, the department shall include on a school	283
district's or building's report card all of the following	284
without an assigned letter grade:	285
(a) The percentage of students enrolled in a district or	286
building participating in advanced placement classes and the	287
percentage of those students who received a score of three or	288
better on advanced placement examinations;	289
(b) The number of a district's or building's students who	290
have earned at least three college credits through dual	291
enrollment or advanced standing programs, such as the post-	292
secondary enrollment options program under Chapter 3365. of the	293
Revised Code and state-approved career-technical courses offered	294
through dual enrollment or statewide articulation, that appear	295
on a student's transcript or other official document, either of	296
which is issued by the institution of higher education from	297
which the student earned the college credit. The credits earned	298
that are reported under divisions (B) (2) (b) and (C) (2) (c) of	299
this section shall not include any that are remedial or	300
developmental and shall include those that count toward the	301
curriculum requirements established for completion of a degree.	302
(c) The percentage of students enrolled in a district or	303
building who have taken a national standardized test used for	304
college admission determinations and the percentage of those	305
students who are determined to be remediation-free in accordance	306
with standards adopted under division (F) of section 3345.061 of	307
the Revised Code;	308
(d) The percentage of the district's or the building's	309

students who receive industry-recognized credentials ~~as approved~~ 310
~~under section 3313.6113~~ included in the inventory under division 311
(B) of section 3333.94 of the Revised Code. 312

(e) The percentage of students enrolled in a district or 313
building who are participating in an international baccalaureate 314
program and the percentage of those students who receive a score 315
of four or better on the international baccalaureate 316
examinations. 317

(f) The percentage of the district's or building's 318
students who receive an honors diploma under division (B) of 319
section 3313.61 of the Revised Code. 320

(3) Not later than December 31, 2013, the state board 321
shall adopt rules in accordance with Chapter 119. of the Revised 322
Code that prescribe the methods by which the performance 323
measures under divisions (B) (1) (f) and (B) (1) (g) of this section 324
will be assessed and assigned a letter grade, including 325
performance benchmarks for each grade. 326

At least forty-five days prior to the state board's 327
adoption of rules to prescribe the methods by which the 328
performance measures under division (B) (1) of this section shall 329
be assessed and assigned a letter grade, the department shall 330
conduct a public presentation before the standing committees of 331
the house of representatives and the senate that consider 332
education legislation describing such methods, including 333
performance benchmarks. 334

(4) There shall not be an overall letter grade for a 335
school district or building for the 2013-2014, 2014-2015, 2015- 336
2016, and 2016-2017 school years. 337

(C) (1) For the 2014-2015 school year and each school year 338

thereafter, the department shall issue grades as described in 339
division (E) of this section for each of the performance 340
measures prescribed in division (C) (1) of this section. The 341
graded measures are as follows: 342

(a) Annual measurable objectives. For the 2017-2018 school 343
year, the department shall not include any subgroup data in the 344
annual measurable objectives that includes data from fewer than 345
twenty-five students. For the 2018-2019 school year, the 346
department shall not include any subgroup data in the annual 347
measurable objectives that includes data from fewer than twenty 348
students. Beginning with the 2019-2020 school year, the 349
department shall not include any subgroup data in the annual 350
measurable objectives that includes data from fewer than fifteen 351
students. 352

(b) Performance index score for a school district or 353
building. Grades shall be awarded as a percentage of the total 354
possible points on the performance index system as created by 355
the department. In adopting benchmarks for assigning letter 356
grades under division (C) (1) (b) of this section, the state board 357
shall designate ninety per cent or higher for an "A," at least 358
seventy per cent but not more than eighty per cent for a "C," 359
and less than fifty per cent for an "F." 360

(c) The extent to which the school district or building 361
meets each of the applicable performance indicators established 362
by the state board under section 3302.03 of the Revised Code and 363
the percentage of applicable performance indicators that have 364
been achieved. In adopting benchmarks for assigning letter 365
grades under division (C) (1) (c) of this section, the state board 366
shall designate ninety per cent or higher for an "A." 367

(d) The four- and five-year adjusted cohort graduation 368

rates; 369

(e) The overall score under the value-added progress 370
dimension, or another measure of student academic progress if 371
adopted by the state board, of a school district or building, 372
for which the department shall use up to three years of value- 373
added data as available. 374

In adopting benchmarks for assigning letter grades for 375
overall score on value-added progress dimension under division 376
(C) (1) (e) of this section, the state board shall prohibit the 377
assigning of a grade of "A" for that measure unless the 378
district's or building's grade assigned for value-added progress 379
dimension for all subgroups under division (C) (1) (f) of this 380
section is a "B" or higher. 381

For the metric prescribed by division (C) (1) (e) of this 382
section, the state board may adopt a student academic progress 383
measure to be used instead of the value-added progress 384
dimension. If the state board adopts such a measure, it also 385
shall prescribe a method for assigning letter grades for the new 386
measure that is comparable to the method prescribed in division 387
(A) (1) (e) of this section. 388

(f) The value-added progress dimension score of a school 389
district or building disaggregated for each of the following 390
subgroups: students identified as gifted in superior cognitive 391
ability and specific academic ability fields under Chapter 3324. 392
of the Revised Code, students with disabilities, and students 393
whose performance places them in the lowest quintile for 394
achievement on a statewide basis, as determined by a method 395
prescribed by the state board. Each subgroup shall be a separate 396
graded measure. 397

The state board may adopt student academic progress 398
measures to be used instead of the value-added progress 399
dimension. If the state board adopts such measures, it also 400
shall prescribe a method for assigning letter grades for the new 401
measures that is comparable to the method prescribed in division 402
(A) (1) (e) of this section. 403

(g) Whether a school district or building is making 404
progress in improving literacy in grades kindergarten through 405
three, as determined using a method prescribed by the state 406
board. The state board shall adopt rules to prescribe benchmarks 407
and standards for assigning grades to a district or building for 408
purposes of division (C) (1) (g) of this section. The state board 409
shall designate for a "C" grade a value that is not lower than 410
the statewide average value for this measure. No grade shall be 411
issued under division (C) (1) (g) of this section for a district 412
or building in which less than five per cent of students have 413
scored below grade level on the kindergarten diagnostic 414
assessment under division (B) (1) of section 3313.608 of the 415
Revised Code. 416

(h) For a high mobility school district or building, an 417
additional value-added progress dimension score. For this 418
measure, the department shall use value-added data from the most 419
recent school year available and shall use assessment scores for 420
only those students to whom the district or building has 421
administered the assessments prescribed by section 3301.0710 of 422
the Revised Code for each of the two most recent consecutive 423
school years. 424

As used in this division, "high mobility school district 425
or building" means a school district or building where at least 426
twenty-five per cent of its total enrollment is made up of 427

students who have attended that school district or building for 428
less than one year. 429

(2) In addition to the graded measures in division (C) (1) 430
of this section, the department shall include on a school 431
district's or building's report card all of the following 432
without an assigned letter grade: 433

(a) The percentage of students enrolled in a district or 434
building who have taken a national standardized test used for 435
college admission determinations and the percentage of those 436
students who are determined to be remediation-free in accordance 437
with the standards adopted under division (F) of section 438
3345.061 of the Revised Code; 439

(b) The percentage of students enrolled in a district or 440
building participating in advanced placement classes and the 441
percentage of those students who received a score of three or 442
better on advanced placement examinations; 443

(c) The percentage of a district's or building's students 444
who have earned at least three college credits through advanced 445
standing programs, such as the college credit plus program under 446
Chapter 3365. of the Revised Code and state-approved career- 447
technical courses offered through dual enrollment or statewide 448
articulation, that appear on a student's college transcript 449
issued by the institution of higher education from which the 450
student earned the college credit. The credits earned that are 451
reported under divisions (B) (2) (b) and (C) (2) (c) of this section 452
shall not include any that are remedial or developmental and 453
shall include those that count toward the curriculum 454
requirements established for completion of a degree. 455

(d) The percentage of the district's or building's 456

students who receive an honor's diploma under division (B) of 457
section 3313.61 of the Revised Code; 458

(e) The percentage of the district's or building's 459
students who receive industry-recognized credentials ~~as approved~~ 460
~~under section 3313.6113~~ included in the inventory under division 461
(B) of section 3333.94 of the Revised Code; 462

(f) The percentage of students enrolled in a district or 463
building who are participating in an international baccalaureate 464
program and the percentage of those students who receive a score 465
of four or better on the international baccalaureate 466
examinations; 467

(g) The results of the college and career-ready 468
assessments administered under division (B) (1) of section 469
3301.0712 of the Revised Code; 470

(h) Whether the school district or building has 471
implemented a positive behavior intervention and supports 472
framework in compliance with the requirements of section 3319.46 473
of the Revised Code, notated as a "yes" or "no" answer. 474

(3) The state board shall adopt rules pursuant to Chapter 475
119. of the Revised Code that establish a method to assign an 476
overall grade for a school district or school building for the 477
2017-2018 school year and each school year thereafter. The rules 478
shall group the performance measures in divisions (C) (1) and (2) 479
of this section into the following components: 480

(a) Gap closing, which shall include the performance 481
measure in division (C) (1) (a) of this section; 482

(b) Achievement, which shall include the performance 483
measures in divisions (C) (1) (b) and (c) of this section; 484

(c) Progress, which shall include the performance measures 485
in divisions (C)(1)(e) and (f) of this section; 486

(d) Graduation, which shall include the performance 487
measure in division (C)(1)(d) of this section; 488

(e) Kindergarten through third-grade literacy, which shall 489
include the performance measure in division (C)(1)(g) of this 490
section; 491

(f) Prepared for success, which shall include the 492
performance measures in divisions (C)(2)(a), (b), (c), (d), (e), 493
and (f) of this section. The state board shall develop a method 494
to determine a grade for the component in division (C)(3)(f) of 495
this section using the performance measures in divisions (C)(2) 496
(a), (b), (c), (d), (e), and (f) of this section. When 497
available, the state board may incorporate the performance 498
measure under division (C)(2)(g) of this section into the 499
component under division (C)(3)(f) of this section. When 500
determining the overall grade for the prepared for success 501
component prescribed by division (C)(3)(f) of this section, no 502
individual student shall be counted in more than one performance 503
measure. However, if a student qualifies for more than one 504
performance measure in the component, the state board may, in 505
its method to determine a grade for the component, specify an 506
additional weight for such a student that is not greater than or 507
equal to 1.0. In determining the overall score under division 508
(C)(3)(f) of this section, the state board shall ensure that the 509
pool of students included in the performance measures aggregated 510
under that division are all of the students included in the 511
four- and five-year adjusted graduation cohort. 512

In the rules adopted under division (C)(3) of this 513
section, the state board shall adopt a method for determining a 514

grade for each component in divisions (C)(3)(a) to (f) of this 515
section. The state board also shall establish a method to assign 516
an overall grade of "A," "B," "C," "D," or "F" using the grades 517
assigned for each component. The method the state board adopts 518
for assigning an overall grade shall give equal weight to the 519
components in divisions (C)(3)(b) and (c) of this section. 520

At least forty-five days prior to the state board's 521
adoption of rules to prescribe the methods for calculating the 522
overall grade for the report card, as required by this division, 523
the department shall conduct a public presentation before the 524
standing committees of the house of representatives and the 525
senate that consider education legislation describing the format 526
for the report card, weights that will be assigned to the 527
components of the overall grade, and the method for calculating 528
the overall grade. 529

(D) On or after July 1, 2015, the state board may develop 530
a measure of student academic progress for high school students 531
using only data from assessments in English language arts and 532
mathematics. If the state board develops this measure, each 533
school district and applicable school building shall be assigned 534
a separate letter grade for it not sooner than the 2017-2018 535
school year. The district's or building's grade for that measure 536
shall not be included in determining the district's or 537
building's overall letter grade. 538

(E) The letter grades assigned to a school district or 539
building under this section shall be as follows: 540

(1) "A" for a district or school making excellent 541
progress; 542

(2) "B" for a district or school making above average 543

progress;	544
(3) "C" for a district or school making average progress;	545
(4) "D" for a district or school making below average progress;	546 547
(5) "F" for a district or school failing to meet minimum progress.	548 549
(F) When reporting data on student achievement and progress, the department shall disaggregate that data according to the following categories:	550 551 552
(1) Performance of students by grade-level;	553
(2) Performance of students by race and ethnic group;	554
(3) Performance of students by gender;	555
(4) Performance of students grouped by those who have been enrolled in a district or school for three or more years;	556 557
(5) Performance of students grouped by those who have been enrolled in a district or school for more than one year and less than three years;	558 559 560
(6) Performance of students grouped by those who have been enrolled in a district or school for one year or less;	561 562
(7) Performance of students grouped by those who are economically disadvantaged;	563 564
(8) Performance of students grouped by those who are enrolled in a conversion community school established under Chapter 3314. of the Revised Code;	565 566 567
(9) Performance of students grouped by those who are classified as limited English proficient;	568 569

(10) Performance of students grouped by those who have disabilities;	570 571
(11) Performance of students grouped by those who are classified as migrants;	572 573
(12) Performance of students grouped by those who are identified as gifted in superior cognitive ability and the specific academic ability fields of reading and math pursuant to Chapter 3324. of the Revised Code. In disaggregating specific academic ability fields for gifted students, the department shall use data for those students with specific academic ability in math and reading. If any other academic field is assessed, the department shall also include data for students with specific academic ability in that field as well.	574 575 576 577 578 579 580 581 582
(13) Performance of students grouped by those who perform in the lowest quintile for achievement on a statewide basis, as determined by a method prescribed by the state board.	583 584 585
The department may disaggregate data on student performance according to other categories that the department determines are appropriate. To the extent possible, the department shall disaggregate data on student performance according to any combinations of two or more of the categories listed in divisions (F) (1) to (13) of this section that it deems relevant.	586 587 588 589 590 591 592
In reporting data pursuant to division (F) of this section, the department shall not include in the report cards any data statistical in nature that is statistically unreliable or that could result in the identification of individual students. For this purpose, the department shall not report student performance data for any group identified in division	593 594 595 596 597 598

(F) of this section that contains less than ten students. If the 599
department does not report student performance data for a group 600
because it contains less than ten students, the department shall 601
indicate on the report card that is why data was not reported. 602

(G) The department may include with the report cards any 603
additional education and fiscal performance data it deems 604
valuable. 605

(H) The department shall include on each report card a 606
list of additional information collected by the department that 607
is available regarding the district or building for which the 608
report card is issued. When available, such additional 609
information shall include student mobility data disaggregated by 610
race and socioeconomic status, college enrollment data, and the 611
reports prepared under section 3302.031 of the Revised Code. 612

The department shall maintain a site on the world wide 613
web. The report card shall include the address of the site and 614
shall specify that such additional information is available to 615
the public at that site. The department shall also provide a 616
copy of each item on the list to the superintendent of each 617
school district. The district superintendent shall provide a 618
copy of any item on the list to anyone who requests it. 619

(I) (1) (a) Except as provided in division (I) (1) (b) of this 620
section, for any district that sponsors a conversion community 621
school under Chapter 3314. of the Revised Code, the department 622
shall combine data regarding the academic performance of 623
students enrolled in the community school with comparable data 624
from the schools of the district for the purpose of determining 625
the performance of the district as a whole on the report card 626
issued for the district under this section or section 3302.033 627
of the Revised Code. 628

(b) The department shall not combine data from any 629
conversion community school that a district sponsors if a 630
majority of the students enrolled in the conversion community 631
school are enrolled in a dropout prevention and recovery program 632
that is operated by the school, as described in division (A) (4) 633
(a) of section 3314.35 of the Revised Code. The department shall 634
include as an addendum to the district's report card the ratings 635
and performance measures that are required under section 636
3314.017 of the Revised Code for any community school to which 637
division (I) (1) (b) of this section applies. This addendum shall 638
include, at a minimum, the data specified in divisions (C) (1) 639
(a), (C) (2), and (C) (3) of section 3314.017 of the Revised Code. 640

(2) Any district that leases a building to a community 641
school located in the district or that enters into an agreement 642
with a community school located in the district whereby the 643
district and the school endorse each other's programs may elect 644
to have data regarding the academic performance of students 645
enrolled in the community school combined with comparable data 646
from the schools of the district for the purpose of determining 647
the performance of the district as a whole on the district 648
report card. Any district that so elects shall annually file a 649
copy of the lease or agreement with the department. 650

(3) Any municipal school district, as defined in section 651
3311.71 of the Revised Code, that sponsors a community school 652
located within the district's territory, or that enters into an 653
agreement with a community school located within the district's 654
territory whereby the district and the community school endorse 655
each other's programs, may exercise either or both of the 656
following elections: 657

(a) To have data regarding the academic performance of 658

students enrolled in that community school combined with 659
comparable data from the schools of the district for the purpose 660
of determining the performance of the district as a whole on the 661
district's report card; 662

(b) To have the number of students attending that 663
community school noted separately on the district's report card. 664

The election authorized under division (I) (3) (a) of this 665
section is subject to approval by the governing authority of the 666
community school. 667

Any municipal school district that exercises an election 668
to combine or include data under division (I) (3) of this 669
section, by the first day of October of each year, shall file 670
with the department documentation indicating eligibility for 671
that election, as required by the department. 672

(J) The department shall include on each report card the 673
percentage of teachers in the district or building who are 674
properly certified or licensed teachers, as defined in section 675
3319.074 of the Revised Code, and a comparison of that 676
percentage with the percentages of such teachers in similar 677
districts and buildings. 678

(K) (1) In calculating English language arts, mathematics, 679
or science assessment passage rates used to determine school 680
district or building performance under this section, the 681
department shall include all students taking an assessment with 682
accommodation or to whom an alternate assessment is administered 683
pursuant to division (C) (1) or (3) of section 3301.0711 of the 684
Revised Code. 685

(2) In calculating performance index scores, rates of 686
achievement on the performance indicators established by the 687

state board under section 3302.02 of the Revised Code, and 688
annual measurable objectives for determining adequate yearly 689
progress for school districts and buildings under this section, 690
the department shall do all of the following: 691

(a) Include for each district or building only those 692
students who are included in the ADM certified for the first 693
full school week of October and are continuously enrolled in the 694
district or building through the time of the spring 695
administration of any assessment prescribed by division (A) (1) 696
or (B) (1) of section 3301.0710 or division (B) of section 697
3301.0712 of the Revised Code that is administered to the 698
student's grade level; 699

(b) Include cumulative totals from both the fall and 700
spring administrations of the third grade English language arts 701
achievement assessment; 702

(c) Except as required by the No Child Left Behind Act of 703
2001, exclude for each district or building any limited English 704
proficient student who has been enrolled in United States 705
schools for less than one full school year. 706

(L) Beginning with the 2015-2016 school year and at least 707
once every three years thereafter, the state board of education 708
shall review and may adjust the benchmarks for assigning letter 709
grades to the performance measures and components prescribed 710
under divisions (C) (3) and (D) of this section. 711

Sec. 3313.14. The board of education of each city, 712
exempted village, and local school district shall meet on a day 713
occurring during the first fifteen days of January of each year, 714
and shall organize by electing one of its members president and 715
another vice-president, both of whom shall serve for one year. 716

The treasurer of the board shall canvass the members of the new board no later than December thirty-first to establish the day of the organizational meeting prescribed by this section.

The board of education of a joint vocational school district shall hold its first meeting in January of each year, and shall organize by electing one of its members president and another vice-president, both of whom shall serve for one year. The treasurer of the board shall canvass the members of the new board no later than December thirty-first to establish the day of the organizational meeting prescribed by this section.

The governing board of each educational service center shall hold its first meeting in January of each year, and shall organize by electing one of its members president and another vice-president, both of whom shall serve for one year.

Sec. 3313.482. (A) (1) Prior to the first day of August of each school year, the board of education of any school district or the governing authority of any chartered nonpublic school may adopt a plan to require students to access and complete classroom lessons posted on the district's or nonpublic school's web portal or web site in order to make up hours in that school year on which it is necessary to close schools for disease epidemic, hazardous weather conditions, law enforcement emergencies, inoperability of school buses or other equipment necessary to the school's operation, damage to a school building, or other temporary circumstances due to utility failure rendering the school building unfit for school use.

Prior to the first day of August of each school year, the governing authority of any community school established under Chapter 3314. that is not an internet- or computer-based community school, as defined in section 3314.02 of the Revised

Code, may adopt a plan to require students to access and 747
complete classroom lessons posted on the school's web portal or 748
web site in order to make up hours in that school year on which 749
it is necessary to close the school for any of the reasons 750
specified in division (H) (4) of section 3314.08 of the Revised 751
Code so that the school is in compliance with the minimum number 752
of hours required under Chapter 3314. of the Revised Code. 753

A plan adopted by a school district board, chartered 754
nonpublic school governing authority, or community school 755
governing authority shall provide for making up any number of 756
hours, up to a maximum of the number of hours that are the 757
equivalent of three school days. 758

(2) Each plan adopted under this section by a school 759
district board of education shall include the written consent of 760
the teachers' employee representative designated under division 761
(B) of section 4117.04 of the Revised Code. 762

(3) Each plan adopted under this section shall provide for 763
the following: 764

(a) Not later than the first day of November of the school 765
year, each classroom teacher shall develop a sufficient number 766
of lessons for each course taught by the teacher that school 767
year to cover the number of make-up hours specified in the plan. 768
The teacher shall designate the order in which the lessons are 769
to be posted on the district's, community school's, or nonpublic 770
school's web portal or web site in the event of a school 771
closure. Teachers may be granted up to one professional 772
development day to create lesson plans for those lessons. 773

(b) To the extent possible and necessary, a classroom 774
teacher shall update or replace, based on current instructional 775

progress, one or more of the lesson plans developed under 776
division (A) (3) (a) of this section before they are posted on the 777
web portal or web site under division (A) (3) (c) of this section 778
or distributed under division (B) of this section. 779

(c) As soon as practicable after a school closure, a 780
district or school employee responsible for web portal or web 781
site operations shall make the designated lessons available to 782
students on the district's, community school's, or nonpublic 783
school's portal or site. A lesson shall be posted for each 784
course that was scheduled to meet on the day or hours of the 785
closure. 786

(d) Each student enrolled in a course for which a lesson 787
is posted on the portal or site shall be granted a two-week 788
period from the date of posting to complete the lesson. The 789
student's classroom teacher shall grade the lesson in the same 790
manner as other lessons. The student may receive an incomplete 791
or failing grade if the lesson is not completed on time. 792

(e) If a student does not have access to a computer at the 793
student's residence and the plan does not include blizzard bags 794
under division (B) of this section, the student shall be 795
permitted to work on the posted lessons at school after the 796
student's school reopens. If the lessons were posted prior to 797
the reopening, the student shall be granted a two-week period 798
from the date of the reopening, rather than from the date of 799
posting as otherwise required under division (A) (3) (d) of this 800
section, to complete the lessons. The district board or 801
community school or nonpublic school governing authority may 802
provide the student access to a computer before, during, or 803
after the regularly scheduled school day or may provide a 804
substantially similar paper lesson in order to complete the 805

lessons. 806

(B) (1) In addition to posting classroom lessons online 807
under division (A) of this section, the board of education of 808
any school district or governing authority of any community or 809
chartered nonpublic school may include in the plan distribution 810
of "blizzard bags," which are paper copies of the lessons posted 811
online. 812

(2) If a school opts to use blizzard bags, teachers shall 813
prepare paper copies in conjunction with the lessons to be 814
posted online and update the paper copies whenever the teacher 815
updates the online lesson plans. 816

(3) The board of education of any school district or 817
governing authority of any community or chartered nonpublic 818
school that opts to use blizzard bags shall specify in the plan 819
the method of distribution of blizzard bag lessons, which may 820
include, but not be limited to, requiring distribution by a 821
specific deadline or requiring distribution prior to anticipated 822
school closure as directed by the superintendent of a school 823
district or the principal, director, chief administrative 824
officer, or the equivalent, of a school. 825

(4) Students shall turn in completed lessons in accordance 826
with division (A) (3) (d) of this section. 827

(C) In addition to the hours that may be made up in 828
accordance with divisions (A) and (B) of this section, the board 829
of education of any joint vocational school district may include 830
in its plan adopted under this section other options to make up 831
any number of additional hours missed as a result of one or more 832
of the schools of its member city, exempted village, or local 833
school districts were closed for the reasons specified in 834

division (A) (1) of this section. Those options may include 835
additional online lessons, planned student internships, student 836
projects, or other options specified by the board in its plan. 837

(D)(1) No school district that implements a plan in 838
accordance with this section shall be considered to have failed 839
to comply with division (B) of section 3317.01 of the Revised 840
Code with respect to the number of make-up hours specified in 841
the plan. 842

(2) No community school that implements a plan in 843
accordance with this section shall be considered to have failed 844
to comply with the minimum number of hours required under 845
Chapter 3314. of the Revised Code with respect to the number of 846
make-up hours specified in the plan. 847

Sec. 3313.618. (A) In addition to the applicable 848
curriculum requirements, each student entering ninth grade for 849
the first time on or after July 1, 2014, shall satisfy at least 850
one of the following conditions in order to qualify for a high 851
school diploma: 852

(1) Be remediation-free, in accordance with standards 853
adopted under division (F) of section 3345.061 of the Revised 854
Code, on each of the nationally standardized assessments in 855
English, mathematics, and reading; 856

(2) Attain a score specified under division (B) (5) (c) of 857
section 3301.0712 of the Revised Code on the end-of-course 858
examinations prescribed under division (B) of section 3301.0712 859
of the Revised Code. 860

(3) ~~Attain~~Either attain a score that demonstrates 861
workforce readiness and employability on a nationally recognized 862
job skills assessment selected by the state board of education 863

under division (G) of section 3301.0712 of the Revised Code ~~and~~ 864
or obtain either an industry-recognized credential, as described 865
~~under division (B) (2) (d) of section 3302.03 included in the~~ 866
inventory under division (B) of section 3333.94 of the Revised 867
Code, or a license issued by a state agency or board for 868
practice in a vocation that requires an examination for issuance 869
of that license. 870

~~The industry-recognized credentials and licenses shall be~~ 871
~~as approved under section 3313.6113 of the Revised Code.~~ 872

A student may choose to qualify for a high school diploma 873
by satisfying any of the separate requirements prescribed by 874
divisions (A) (1) to (3) of this section. If the student's school 875
district or school does not administer the examination 876
prescribed by one of those divisions that the student chooses to 877
take to satisfy the requirements of this section, the school 878
district or school may require that student to arrange for the 879
applicable scores to be sent directly to the district or school 880
by the company or organization that administers the examination. 881

(B) The state board of education shall not create or 882
require any additional assessment for the granting of any type 883
of high school diploma other than as prescribed by this section. 884
Except as provided in sections 3313.6111 and 3313.6112 of the 885
Revised Code, the state board or the superintendent of public 886
instruction shall not create any endorsement or designation that 887
may be affiliated with a high school diploma. 888

Sec. 3313.903. Except as otherwise required under federal 889
law, the department of education shall consider an industry- 890
~~recognized credential, as described under division (B) (2) (d) of~~ 891
~~section 3302.03~~ included in the inventory under division (B) 892
section 3333.94 of the Revised Code, or a license issued by a 893

state agency or board for practice in a vocation that requires 894
an examination for issuance of that license as an acceptable 895
measure of technical skill attainment and shall not require a 896
student with such credential or license to take additional 897
technical assessments. However, a career-technical planning 898
district, as defined in section 3317.023 of the Revised Code, 899
may choose to require the passage of additional technical 900
assessments. 901

Additionally, the department shall not require a student 902
who has participated in or will be participating in a 903
credentialing assessment aligned to the student's career- 904
technical education program or has participated in or will be 905
participating in taking an examination for issuance of such a 906
license aligned to the student's career-technical education 907
program to take additional technical assessments. 908

However, if the student does not participate in the 909
credentialing assessment or license examination, the student 910
shall take the applicable technical assessments prescribed by 911
the department. 912

~~The department shall develop, in consultation with the 913~~
~~Ohio association for career and technical education, the Ohio 914~~
~~association of career technical superintendents, the Ohio 915~~
~~association of city career technical schools, and other 916~~
~~stakeholders, procedures for identifying industry recognized 917~~
~~credentials and licenses aligned to a student's career technical 918~~
~~education program that can be used as an acceptable measure of 919~~
~~technical skill, and for identifying students in the process of 920~~
~~earning such credentials and licenses. 921~~

~~As used in this section, "technical assessments" shall not 922~~
~~include the nationally recognized job skills assessment 923~~

~~prescribed under division (G) of section 3301.0712 of the Revised Code.~~ 924
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~~Nothing in this section shall exempt a student who wishes to qualify for a high school diploma under division (A) (3) of section 3313.618 of the Revised Code from the requirement to attain a specified score on that assessment in order to qualify for a high school diploma under that section.~~ 926
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Sec. 3317.023. (A) The amounts required to be paid to a district under this chapter shall be adjusted by the amount of the computations made under divisions (B) to (K) of this section. 931
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As used in this section: 935

(1) "Career-technical planning district" or "CTPD" means a school district or group of school districts designated by the department of education as being responsible for the planning for and provision of career-technical education services to students within the district or group. A community school established under Chapter 3314. of the Revised Code or a STEM school established under Chapter 3326. of the Revised Code that is serving students in any of grades seven through twelve shall be assigned to a career-technical planning district by the department. 936
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(2) "Lead district" means a school district, including a joint vocational school district, designated by the department as a CTPD, or designated to provide primary career-technical education leadership within a CTPD composed of a group of districts, community schools assigned to the CTPD, and STEM schools assigned to the CTPD. 946
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(B) If a local, city, or exempted village school district 952

to which a governing board of an educational service center 953
provides services pursuant to an agreement entered into under 954
section 3313.843 of the Revised Code, deduct the amount of the 955
payment required for the reimbursement of the governing board 956
under that section. 957

(C) (1) If the district is required to pay to or entitled 958
to receive tuition from another school district under division 959
(C) (2) or (3) of section 3313.64 or section 3313.65 of the 960
Revised Code, or if the superintendent of public instruction is 961
required to determine the correct amount of tuition and make a 962
deduction or credit under section 3317.08 of the Revised Code, 963
deduct and credit such amounts as provided in division (J) of 964
section 3313.64 or section 3317.08 of the Revised Code. 965

(2) For each child for whom the district is responsible 966
for tuition or payment under division (A) (1) of section 3317.082 967
or section 3323.091 of the Revised Code, deduct the amount of 968
tuition or payment for which the district is responsible. 969

(D) If the district has been certified by the 970
superintendent of public instruction under section 3313.90 of 971
the Revised Code as not in compliance with the requirements of 972
that section, deduct an amount equal to ten per cent of the 973
amount computed for the district under this chapter. 974

(E) If the district has received a loan from a commercial 975
lending institution for which payments are made by the 976
superintendent of public instruction pursuant to division (E) (3) 977
of section 3313.483 of the Revised Code, deduct an amount equal 978
to such payments. 979

(F) (1) If the district is a party to an agreement entered 980
into under division (D), (E), or (F) of section 3311.06 or 981

division (B) of section 3311.24 of the Revised Code and is 982
obligated to make payments to another district under such an 983
agreement, deduct an amount equal to such payments if the 984
district school board notifies the department in writing that it 985
wishes to have such payments deducted. 986

(2) If the district is entitled to receive payments from 987
another district that has notified the department to deduct such 988
payments under division (F)(1) of this section, add the amount 989
of such payments. 990

(G) If the district is required to pay an amount of funds 991
to a cooperative education district pursuant to a provision 992
described by division (B)(4) of section 3311.52 or division (B) 993
(8) of section 3311.521 of the Revised Code, deduct such amounts 994
as provided under that provision and credit those amounts to the 995
cooperative education district for payment to the district under 996
division (B)(1) of section 3317.19 of the Revised Code. 997

(H)(1) If a district is educating a student entitled to 998
attend school in another district pursuant to a shared education 999
contract, compact, or cooperative education agreement other than 1000
an agreement entered into pursuant to section 3313.842 of the 1001
Revised Code, credit to that educating district on an FTE basis 1002
both of the following: 1003

(a) An amount equal to the formula amount. 1004

(b) Any amount applicable to the student pursuant to 1005
section 3317.013 or 3317.014 of the Revised Code. 1006

(2) Deduct any amount credited pursuant to division (H)(1) 1007
of this section from amounts paid to the school district in 1008
which the student is entitled to attend school pursuant to 1009
section 3313.64 or 3313.65 of the Revised Code. 1010

(3) If the district is required by a shared education contract, compact, or cooperative education agreement to make payments to an educational service center, deduct the amounts from payments to the district and add them to the amounts paid to the service center ~~pursuant to section 3317.11 of the Revised Code.~~

(I) (1) If a district, including a joint vocational school district, is a lead district of a CTPD, credit to that district the amount calculated for each school district within that CTPD under division (A) (9) of section 3317.022 of the Revised Code or division (A) (6) of section 3317.16 of the Revised Code, as applicable.

(2) Deduct from each appropriate district that is not a lead district, the amount attributable to that district that is credited to a lead district under division (I) (1) of this section.

(J) If the department pays a joint vocational school district under division (C) (3) of section 3317.16 of the Revised Code for excess costs of providing special education and related services to a student with a disability, as calculated under division (C) (1) of that section, the department shall deduct the amount of that payment from the city, local, or exempted village school district that is responsible as specified in that section for the excess costs.

(K) (1) If the district reports an amount of excess cost for special education services for a child under division (C) of section 3323.14 of the Revised Code, the department shall pay that amount to the district.

(2) If the district reports an amount of excess cost for

special education services for a child under division (C) of 1040
section 3323.14 of the Revised Code, the department shall deduct 1041
that amount from the district of residence of that child. 1042

Sec. 3317.037. (A) As used in this section: 1043

(1) "Contracting district" means a school district that 1044
has entered into a contract to provide career-technical 1045
education services that meet standards set by the state board of 1046
education to one or more other school districts. 1047

(2) "Career-technical planning district" has the same 1048
meaning as in section 3317.023 of the Revised Code. 1049

(3) "Home district" means any city, local, or exempted 1050
village school district that is also not a lead district or a 1051
contracting district. 1052

(4) "Lead district" means a lead district, as defined in 1053
section 3317.023 of the Revised Code, which is designated by the 1054
department of education to provide primary career-technical 1055
education leadership within a career-technical planning 1056
district. 1057

(B) For the purposes of maintaining student enrollment 1058
records under section 3317.03 of the Revised Code, the 1059
superintendent of each home district shall provide to the lead 1060
district or contracting district the attendance records for each 1061
student who receives career-technical education services 1062
provided by the lead district or contracting district in 1063
facilities operated by the student's home district. 1064

(C) Any lead district of a career-technical planning 1065
district may enter into an agreement with another school 1066
district within that career-technical planning district under 1067
which the lead district and the other school district may 1068

establish a method to determine the full-time equivalency for 1069
each student attending school in both districts for the purposes 1070
of calculating each district's enrollment under section 3317.03 1071
of the Revised Code. Any agreement entered into under this 1072
division shall not be subject to review or approval by the 1073
department of education. 1074

Sec. 3319.226. (A) Beginning July 1, 2019, the state board 1075
of education shall issue educator licenses for substitute 1076
teaching only under this section. 1077

(B) The state board shall adopt rules establishing 1078
standards and requirements for obtaining a license under this 1079
section and for renewal of the license. Except as provided in 1080
division (F) of section 3319.229 of the Revised Code, the rules 1081
shall require an applicant to hold a post-secondary degree, but 1082
not in any specified subject area. The rules also shall allow 1083
the holder of a license issued under this section to work: 1084

(1) For an unlimited number of school days if the license 1085
holder has a post-secondary degree in either education or a 1086
subject area directly related to the subject of the class the 1087
license holder will teach; 1088

(2) For one full semester, subject to the approval of the 1089
employing school district board of education, if the license 1090
holder has a post-secondary degree in a subject area that is not 1091
directly related to the subject of the class that the license 1092
holder will teach. 1093

The district superintendent may request that the board 1094
approve one or more additional subsequent semester-long periods 1095
of teaching for the license holder. 1096

(C) The rules adopted under division (B) of this section 1097

shall permit a substitute career-technical teaching license 1098
holder to teach outside the license holder's certified career 1099
field for up to sixty days, subject to approval of the employing 1100
school district superintendent. 1101

(D) Any license issued or renewed under former section 1102
3319.226 of the Revised Code that was still in force on ~~the~~ 1103
~~effective date of this section~~ November 2, 2018, shall remain in 1104
force for the remainder of the term for which it was issued or 1105
renewed. Upon the expiration of that term, the holder of that 1106
license shall be subject to licensure under the rules adopted 1107
under this section. 1108

Sec. 3319.2211. (A) An individual who holds an adult 1109
education permit may be employed by any school district and 1110
shall not be limited to employment solely by the district that 1111
recommended and employed that individual at the time of the 1112
initial issuance of the individual's permit. 1113

(B) Notwithstanding anything to the contrary in section 1114
3319.226 of the Revised Code, an individual who holds an adult 1115
education permit may be assigned as a substitute teacher for any 1116
of grades nine through twelve, in the same manner as the holder 1117
of a substitute career-technical teaching license issued under 1118
section 3319.226 of the Revised Code, for up to eighty days each 1119
school year to teach courses offered by the individual's 1120
employing district. 1121

Sec. 3326.032. (A) The STEM committee may grant a 1122
designation of STEM school equivalent to a community school 1123
established under Chapter 3314. of the Revised Code, a career- 1124
technical planning district, or to a chartered nonpublic school. 1125
In order to be eligible for this designation, a community 1126
school, a CTPD, or chartered nonpublic school shall submit a 1127

proposal that satisfies the requirements of this section. 1128

The committee shall determine the criteria for proposals, 1129
establish procedures for the submission of proposals, accept and 1130
evaluate proposals, and choose which proposals warrant a 1131
community school, a CTPD, or chartered nonpublic school to be 1132
designated as a STEM school equivalent. 1133

(B) A proposal for designation as a STEM school equivalent 1134
shall include at least the following: 1135

(1) Assurances that the community school, a career- 1136
technical planning district, or chartered nonpublic school 1137
submitting the proposal has a working partnership with both 1138
public and private entities, including higher education entities 1139
and business organizations. If the proposal is for a STEAM 1140
school equivalent, it also shall include evidence that this 1141
partnership includes arts organizations. 1142

(2) Assurances that the school or CTPD submitting the 1143
proposal will operate in compliance with this section and the 1144
provisions of the proposal as accepted by the committee; 1145

(3) Evidence that the school or CTPD submitting the 1146
proposal will offer a rigorous, diverse, integrated, and 1147
project-based curriculum to students in any of grades 1148
kindergarten through twelve, with the goal to prepare those 1149
students for college, the workforce, and citizenship, and that 1150
does all of the following: 1151

(a) Emphasizes the role of science, technology, 1152
engineering, and mathematics in promoting innovation and 1153
economic progress; 1154

(b) Incorporates scientific inquiry and technological 1155
design; 1156

(c) Includes the arts and humanities. If the proposal is 1157
for a STEAM school equivalent, it also shall include evidence 1158
that the curriculum will integrate arts and design into the 1159
study of science, technology, engineering, and mathematics to 1160
foster creative thinking, problem-solving, and new approaches to 1161
scientific invention. 1162

(d) Emphasizes personalized learning and teamwork skills. 1163

(4) Evidence that the school or CTPD submitting the 1164
proposal will attract school leaders who support the curriculum 1165
principles of division (B) (3) of this section; 1166

(5) A description of how each school's or CTPD's 1167
curriculum will be developed and approved in accordance with 1168
section 3326.09 of the Revised Code; 1169

(6) Evidence that the school or CTPD submitting the 1170
proposal will utilize an established capacity to capture and 1171
share knowledge for best practices and innovative professional 1172
development; 1173

(7) Assurances that the school or CTPD submitting the 1174
proposal has received commitments of sustained and verifiable 1175
fiscal and in-kind support from regional education and business 1176
entities. If the proposal is for a STEAM school equivalent, it 1177
also shall include assurances that the school or CTPD has 1178
received commitments of sustained and verifiable fiscal and in- 1179
kind support from arts organizations. 1180

(C) (1) A community school, a career-technical planning 1181
district, or chartered nonpublic school that is designated as a 1182
STEM school equivalent under this section shall not be subject 1183
to the requirements of Chapter 3326. of the Revised Code, except 1184
that the school or CTPD shall be subject to the requirements of 1185

this section and to the curriculum requirements of section 1186
3326.09 of the Revised Code. 1187

Nothing in this section, however, shall relieve a 1188
community school of the applicable requirements of Chapter 3314. 1189
of the Revised Code. Nor shall anything in this section relieve 1190
a chartered nonpublic school of any provisions of law outside of 1191
this chapter that are applicable to chartered nonpublic schools. 1192

(2) A community school, a CTPD, or chartered nonpublic 1193
school that is designated as a STEM school equivalent under this 1194
section shall not be eligible for operating funding under 1195
sections 3326.31 to 3326.37, 3326.39 to 3326.40, and 3326.51 of 1196
the Revised Code. 1197

(3) A community school, a CTPD, or chartered nonpublic 1198
school that is designated as a STEM school equivalent under this 1199
section may apply for any of the grants and additional funds 1200
described in section 3326.38 of the Revised Code for which the 1201
school or CTPD is eligible. 1202

(D) If a community school, a career-technical planning 1203
district, or chartered nonpublic school that is designated as a 1204
STEM school equivalent under this section intends to close or 1205
intends to no longer be designated as a STEM school equivalent, 1206
it shall notify the STEM committee of that fact. 1207

(E) If a community school, a career-technical planning 1208
district, or chartered nonpublic school that is designated as a 1209
STEM school equivalent wishes to be designated as a STEAM school 1210
equivalent, it may change its existing proposal to include the 1211
items required under divisions (B) (1), (B) (3) (c), and (B) (7) of 1212
this section and submit the revised proposal to the STEM 1213
committee for approval. 1214

(F) As used in this section, "career-technical planning district" and "CTPD" have the same meanings as in section 3317.023 of the Revised Code. 1215
1216
1217

Sec. 3333.162. (A) As used in this section, ~~"state~~: 1218

(1) "Career-technical assurance guides" or "CTAG" means guides developed by the chancellor of higher education that list approved courses offered by a career-technical planning district for which a student may earn postsecondary credit. 1219
1220
1221
1222

(2) "Career-technical planning district" has the same meaning as in section 3317.023 of the Revised Code. 1223
1224

(3) "Local articulation agreement" means an articulation agreement that one or more career-technical planning districts has entered into with one or more state institutions of higher education for the purposes of granting students postsecondary credit for coursework completed by students in a career-technical planning district. 1225
1226
1227
1228
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(4) "State institution of higher education" means an institution of higher education as defined in section 3345.12 of the Revised Code. 1231
1232
1233

(5) "Transcribed credit" has the same meaning as in section 3365.01 of the Revised Code. 1234
1235

(B) By April 15, 2007, the chancellor of higher education, 1236
in consultation with the department of education, public adult 1237
and secondary career-technical education institutions, and state 1238
institutions of higher education, shall establish criteria, 1239
policies, and procedures that enable students to transfer agreed 1240
upon technical courses completed through an adult career- 1241
technical education institution, a public secondary career- 1242
technical institution, or a state institution of higher 1243

education to a state institution of higher education without 1244
unnecessary duplication or institutional barriers. The courses 1245
to which the criteria, policies, and procedures apply shall be 1246
those that adhere to recognized industry standards and 1247
equivalent coursework common to the secondary career pathway and 1248
adult career-technical education system and regionally 1249
accredited state institutions of higher education. Where 1250
applicable, the policies and procedures shall build upon the 1251
articulation agreement and transfer initiative course 1252
equivalency system required by section 3333.16 of the Revised 1253
Code. 1254

(C) (1) A state institution of higher education with which 1255
a career-technical planning district has a local articulation 1256
agreement shall provide a student with transcribed credit for a 1257
course completed through any career-technical planning district 1258
if all of the following apply: 1259

(a) The course is either approved under the career- 1260
technical assurance guides or through a local articulation 1261
agreement; 1262

(b) The student passes or receives the required score on 1263
any assessment related to the course. 1264

(2) A career-technical planning district shall enter into 1265
an agreement with not less than one state institution of higher 1266
education to grant transcribed credit on the student's 1267
transcript for CTAG approved courses completed under this 1268
section. 1269

(3) No state institution of higher education shall charge 1270
a fee of more than ten dollars per course for administrative 1271
costs related to providing the transcribed credit under 1272

<u>division (C) of this section.</u>	1273
Sec. 3333.94. (A) As used in this section:	1274
(1) "In-demand job" means a job that is determined to be in demand in this state and its regions under section 6301.11 of the Revised Code.	1275 1276 1277
(2) "Ohio technical center" means a center that provides adult technical education services and is recognized by the chancellor of higher education.	1278 1279 1280
(3) "State institution of higher education" has the same meaning as in section 3345.011 of the Revised Code.	1281 1282
(B) Not later than January 1, 2018, the <u>The</u> chancellor of higher education shall create an inventory of both credit and non-credit certificate programs and industry-recognized credentials offered at state institutions of higher education and Ohio technical centers that align with in-demand jobs in the state.	1283 1284 1285 1286 1287 1288
(C) <u>The chancellor shall solicit comments from career- technical superintendents, faculty, teachers, and other representatives of career-technical education programs about which industry-recognized credentials to include in the inventory under division (B) of this section. For this purpose, the chancellor shall hold at least four meetings each year, with at least one meeting in each quarter of the year. The chancellor shall ensure that the Ohio association of career-technical education, the Ohio association of career-technical superintendents, and the Ohio association of comprehensive and compact career-technical schools each has at least one representative in attendance at each meeting held under this division.</u>	1289 1290 1291 1292 1293 1294 1295 1296 1297 1298 1299 1300 1301

(D) When awarding funds from the OhioMeansJobs workforce development revolving loan fund established under section 6301.14 of the Revised Code, the chancellor shall give preference to certificate programs that support adult learners and are included in the inventory.

Sec. 3365.01. As used in this chapter:

~~(A) "Articulated credit" means post-secondary credit that is reflected on the official record of a student at an institution of higher education only upon enrollment at that institution after graduation from a secondary school.~~

~~(B)~~ "Default ceiling amount" means one of the following amounts, whichever is applicable:

(1) For a participant enrolled in a college operating on a semester schedule, the amount calculated according to the following formula:

$$((0.83 \times \text{formula amount}) / 30)$$

X number of enrolled credit hours

(2) For a participant enrolled in a college operating on a quarter schedule, the amount calculated according to the following formula:

$$((0.83 \times \text{formula amount}) / 45)$$

X number of enrolled credit hours

~~(C)~~ (B) "Default floor amount" means twenty-five per cent of the default ceiling amount.

~~(D)~~ (C) "Eligible out-of-state college" means any institution of higher education that is located outside of Ohio and is approved by the chancellor of higher education to

participate in the college credit plus program. 1329

~~(E)~~(D) "Fee" means any course-related fee and any other 1330
fee imposed by the college, but not included in tuition, for 1331
participation in the program established by this chapter. 1332

~~(F)~~(E) "Formula amount" has the same meaning as in 1333
section 3317.02 of the Revised Code. 1334

~~(G)~~(F) "Governing entity" means a board of education of a 1335
school district, a governing authority of a community school 1336
established under Chapter 3314., a governing body of a STEM 1337
school established under Chapter 3326., or a board of trustees 1338
of a college-preparatory boarding school established under 1339
Chapter 3328. of the Revised Code. 1340

~~(H)~~(G) "Home-instructed participant" means a student who 1341
has been excused from the compulsory attendance law for the 1342
purpose of home instruction under section 3321.04 of the Revised 1343
Code, and is participating in the program established by this 1344
chapter. 1345

~~(I)~~(H) "Maximum per participant charge amount" means one 1346
of the following amounts, whichever is applicable: 1347

(1) For a participant enrolled in a college operating on a 1348
semester schedule, the amount calculated according to the 1349
following formula: 1350

((formula amount / 30) 1351

X number of enrolled credit hours) 1352

(2) For a participant enrolled in a college operating on a 1353
quarter schedule, the amount calculated according to the 1354
following formula: 1355

((formula amount / 45) 1356

X number of enrolled credit hours) 1357

~~(J)~~ (I) "Nonpublic secondary school" means a chartered 1358
school for which minimum standards are prescribed by the state 1359
board of education pursuant to division (D) of section 3301.07 1360
of the Revised Code. 1361

~~(K)~~ (J) "Number of enrolled credit hours" means the number 1362
of credit hours for a course in which a participant is enrolled 1363
during the previous term after the date on which a withdrawal 1364
from a course would have negatively affected the participant's 1365
transcripted grade, as prescribed by the college's established 1366
withdrawal policy. 1367

~~(L)~~ (K) "Parent" has the same meaning as in section 1368
3313.64 of the Revised Code. 1369

~~(M)~~ (L) "Participant" means any student enrolled in a 1370
college under the program established by this chapter. 1371

~~(N)~~ (M) "Partnering college" means a college with which a 1372
public or nonpublic secondary school has entered into an 1373
agreement in order to offer the program established by this 1374
chapter. 1375

~~(O)~~ (N) "Partnering secondary school" means a public or 1376
nonpublic secondary school with which a college has entered into 1377
an agreement in order to offer the program established by this 1378
chapter. 1379

~~(P)~~ (O) "Private college" means any of the following: 1380

(1) A nonprofit institution holding a certificate of 1381
authorization pursuant to Chapter 1713. of the Revised Code; 1382

(2) An institution holding a certificate of registration 1383
from the state board of career colleges and schools and program 1384
authorization for an associate or bachelor's degree program 1385
issued under section 3332.05 of the Revised Code; 1386

(3) A private institution exempt from regulation under 1387
Chapter 3332. of the Revised Code as prescribed in section 1388
3333.046 of the Revised Code. 1389

~~(Q)~~ (P) "Public college" means a "state institution of 1390
higher education" in section 3345.011 of the Revised Code, 1391
excluding the northeast Ohio medical university. 1392

~~(R)~~ (Q) "Public secondary school" means a school serving 1393
grades nine through twelve in a city, local, or exempted village 1394
school district, a joint vocational school district, a community 1395
school established under Chapter 3314., a STEM school 1396
established under Chapter 3326., or a college-preparatory 1397
boarding school established under Chapter 3328. of the Revised 1398
Code. 1399

~~(S)~~ (R) "School year" has the same meaning as in section 1400
3313.62 of the Revised Code. 1401

~~(T)~~ (S) "Secondary grade" means any of grades nine through 1402
twelve. 1403

~~(U)~~ (T) "Standard rate" means the amount per credit hour 1404
assessed by the college for an in-state student who is enrolled 1405
in an undergraduate course at that college, but who is not 1406
participating in the college credit plus program, as prescribed 1407
by the college's established tuition policy. 1408

~~(V)~~ (U) "Transcripted credit" means post-secondary credit 1409
that is conferred by an institution of higher education and is 1410
reflected on a student's official record at that institution 1411

upon completion of a course. 1412

Sec. 3365.02. (A) There is hereby established the college 1413
credit plus program under which, beginning with the 2015-2016 1414
school year, a secondary grade student who is a resident of this 1415
state may enroll at a college, on a full- or part-time basis, 1416
and complete nonsectarian, nonremedial courses for high school 1417
and college credit. The program shall govern arrangements in 1418
which a secondary grade student enrolls in a college and, upon 1419
successful completion of coursework taken under the program, 1420
receives transcribed credit from the college. The following are 1421
not governed by the college credit plus program: 1422

(1) An agreement governing an early college high school 1423
program, provided the program meets the definition set forth in 1424
division (F)(2) of section 3313.6013 of the Revised Code and is 1425
approved by the superintendent of public instruction and the 1426
chancellor of higher education; 1427

(2) An advanced placement course or international 1428
baccalaureate diploma course, as described in divisions (A)(2) 1429
and (3) of section 3313.6013 of the Revised Code; 1430

(3) A career-technical education program that is approved 1431
by the department of education under section 3317.161 of the 1432
Revised Code and grants articulated credit to students 1433
participating in that program under section 3333.162 of the 1434
Revised Code. ~~However, any portion of an approved program that~~ 1435
~~results in the conferral of transcribed credit upon the~~ 1436
~~completion of the course shall be governed by the college credit~~ 1437
~~plus program.~~ 1438

(B) Any student enrolled in a public or nonpublic 1439
secondary school in the student's ninth, tenth, eleventh, or 1440

twelfth grade; any student enrolled in a nonchartered nonpublic secondary school in the student's ninth, tenth, eleventh, or twelfth grade; and any student who has been excused from the compulsory attendance law for the purpose of home instruction under section 3321.04 of the Revised Code and is the equivalent of a ninth, tenth, eleventh, or twelfth grade student, may participate in the program, if the student meets the applicable eligibility criteria in section 3365.03 of the Revised Code. If a nonchartered nonpublic secondary school student chooses to participate in the program, that student shall be subject to the same requirements as a home-instructed student who chooses to participate in the program under this chapter.

(C) All public secondary schools and all public colleges shall participate in the program and are subject to the requirements of this chapter. Any nonpublic secondary school or private college that chooses to participate in the program shall also be subject to the requirements of this chapter.

(D) The chancellor, in accordance with Chapter 119. of the Revised Code and in consultation with the state superintendent, shall adopt rules governing the program.

Sec. 5709.62. (A) In any municipal corporation that is defined by the United States office of management and budget as a principal city of a metropolitan statistical area, the legislative authority of the municipal corporation may designate one or more areas within its municipal corporation as proposed enterprise zones. Upon designating an area, the legislative authority shall petition the director of development services for certification of the area as having the characteristics set forth in division (A)(1) of section 5709.61 of the Revised Code as amended by Substitute Senate Bill No. 19 of the 120th general

assembly. Except as otherwise provided in division (E) of this 1471
section, on and after July 1, 1994, legislative authorities 1472
shall not enter into agreements under this section unless the 1473
legislative authority has petitioned the director and the 1474
director has certified the zone under this section as amended by 1475
that act; however, all agreements entered into under this 1476
section as it existed prior to July 1, 1994, and the incentives 1477
granted under those agreements shall remain in effect for the 1478
period agreed to under those agreements. Within sixty days after 1479
receiving such a petition, the director shall determine whether 1480
the area has the characteristics set forth in division (A) (1) of 1481
section 5709.61 of the Revised Code, and shall forward the 1482
findings to the legislative authority of the municipal 1483
corporation. If the director certifies the area as having those 1484
characteristics, and thereby certifies it as a zone, the 1485
legislative authority may enter into an agreement with an 1486
enterprise under division (C) of this section. 1487

(B) Any enterprise that wishes to enter into an agreement 1488
with a municipal corporation under division (C) of this section 1489
shall submit a proposal to the legislative authority of the 1490
municipal corporation on a form prescribed by the director of 1491
development services, together with the application fee 1492
established under section 5709.68 of the Revised Code. The form 1493
shall require the following information: 1494

(1) An estimate of the number of new employees whom the 1495
enterprise intends to hire, or of the number of employees whom 1496
the enterprise intends to retain, within the zone at a facility 1497
that is a project site, and an estimate of the amount of payroll 1498
of the enterprise attributable to these employees; 1499

(2) An estimate of the amount to be invested by the 1500

enterprise to establish, expand, renovate, or occupy a facility, 1501
including investment in new buildings, additions or improvements 1502
to existing buildings, machinery, equipment, furniture, 1503
fixtures, and inventory; 1504

(3) A listing of the enterprise's current investment, if 1505
any, in a facility as of the date of the proposal's submission. 1506

The enterprise shall review and update the listings 1507
required under this division to reflect material changes, and 1508
any agreement entered into under division (C) of this section 1509
shall set forth final estimates and listings as of the time the 1510
agreement is entered into. The legislative authority may, on a 1511
separate form and at any time, require any additional 1512
information necessary to determine whether an enterprise is in 1513
compliance with an agreement and to collect the information 1514
required to be reported under section 5709.68 of the Revised 1515
Code. 1516

(C) Upon receipt and investigation of a proposal under 1517
division (B) of this section, if the legislative authority finds 1518
that the enterprise submitting the proposal is qualified by 1519
financial responsibility and business experience to create and 1520
preserve employment opportunities in the zone and improve the 1521
economic climate of the municipal corporation, the legislative 1522
authority may do one of the following: 1523

(1) Enter into an agreement with the enterprise under 1524
which the enterprise agrees to establish, expand, renovate, or 1525
occupy a facility and hire new employees, or preserve employment 1526
opportunities for existing employees, in return for one or more 1527
of the following incentives: 1528

(a) Exemption for a specified number of years, not to 1529

exceed fifteen, of a specified portion, up to seventy-five per 1530
cent, of the assessed value of tangible personal property first 1531
used in business at the project site as a result of the 1532
agreement. If an exemption for inventory is specifically granted 1533
in the agreement pursuant to this division, the exemption 1534
applies to inventory required to be listed pursuant to sections 1535
5711.15 and 5711.16 of the Revised Code, except that, in the 1536
instance of an expansion or other situations in which an 1537
enterprise was in business at the facility prior to the 1538
establishment of the zone, the inventory that is exempt is that 1539
amount or value of inventory in excess of the amount or value of 1540
inventory required to be listed in the personal property tax 1541
return of the enterprise in the return for the tax year in which 1542
the agreement is entered into. 1543

(b) Exemption for a specified number of years, not to 1544
exceed fifteen, of a specified portion, up to seventy-five per 1545
cent, of the increase in the assessed valuation of real property 1546
constituting the project site subsequent to formal approval of 1547
the agreement by the legislative authority; 1548

(c) Provision for a specified number of years, not to 1549
exceed fifteen, of any optional services or assistance that the 1550
municipal corporation is authorized to provide with regard to 1551
the project site. 1552

(2) Enter into an agreement under which the enterprise 1553
agrees to remediate an environmentally contaminated facility, to 1554
spend an amount equal to at least two hundred fifty per cent of 1555
the true value in money of the real property of the facility 1556
prior to remediation as determined for the purposes of property 1557
taxation to establish, expand, renovate, or occupy the 1558
remediated facility, and to hire new employees or preserve 1559

employment opportunities for existing employees at the 1560
remediated facility, in return for one or more of the following 1561
incentives: 1562

(a) Exemption for a specified number of years, not to 1563
exceed fifteen, of a specified portion, not to exceed fifty per 1564
cent, of the assessed valuation of the real property of the 1565
facility prior to remediation; 1566

(b) Exemption for a specified number of years, not to 1567
exceed fifteen, of a specified portion, not to exceed one 1568
hundred per cent, of the increase in the assessed valuation of 1569
the real property of the facility during or after remediation; 1570

(c) The incentive under division (C) (1) (a) of this 1571
section, except that the percentage of the assessed value of 1572
such property exempted from taxation shall not exceed one 1573
hundred per cent; 1574

(d) The incentive under division (C) (1) (c) of this 1575
section. 1576

(3) Enter into an agreement with an enterprise that plans 1577
to purchase and operate a large manufacturing facility that has 1578
ceased operation or announced its intention to cease operation, 1579
in return for exemption for a specified number of years, not to 1580
exceed fifteen, of a specified portion, up to one hundred per 1581
cent, of the assessed value of tangible personal property used 1582
in business at the project site as a result of the agreement, or 1583
of the assessed valuation of real property constituting the 1584
project site, or both. 1585

(D) (1) Notwithstanding divisions (C) (1) (a) and (b) of this 1586
section, the portion of the assessed value of tangible personal 1587
property or of the increase in the assessed valuation of real 1588

property exempted from taxation under those divisions may exceed 1589
seventy-five per cent in any year for which that portion is 1590
exempted if the average percentage exempted for all years in 1591
which the agreement is in effect does not exceed sixty per cent, 1592
or if the board of education of the city, local, or exempted 1593
village school district within the territory of which the 1594
property is or will be located approves a percentage in excess 1595
of seventy-five per cent. 1596

(2) Notwithstanding any provision of the Revised Code to 1597
the contrary, the exemptions described in divisions (C) (1) (a), 1598
(b), and (c), (C) (2) (a), (b), and (c), and (C) (3) of this 1599
section may be for up to fifteen years if the board of education 1600
of the city, local, or exempted village school district within 1601
the territory of which the property is or will be located 1602
approves a number of years in excess of ten. 1603

(3) For the purpose of obtaining the approval of a city, 1604
local, or exempted village school district under division (D) (1) 1605
or (2) of this section, the legislative authority shall deliver 1606
to the board of education a notice not later than forty-five 1607
days prior to approving the agreement, excluding Saturdays, 1608
Sundays, and legal holidays as defined in section 1.14 of the 1609
Revised Code. The notice shall state the percentage to be 1610
exempted, an estimate of the true value of the property to be 1611
exempted, and the number of years the property is to be 1612
exempted. The board of education, by resolution adopted by a 1613
majority of the board, shall approve or disapprove the agreement 1614
and certify a copy of the resolution to the legislative 1615
authority not later than fourteen days prior to the date 1616
stipulated by the legislative authority as the date upon which 1617
approval of the agreement is to be formally considered by the 1618
legislative authority. The board of education may include in the 1619

resolution conditions under which the board would approve the 1620
agreement, including the execution of an agreement to compensate 1621
the school district under division (B) of section 5709.82 of the 1622
Revised Code. The legislative authority may approve the 1623
agreement at any time after the board of education certifies its 1624
resolution approving the agreement to the legislative authority, 1625
or, if the board approves the agreement conditionally, at any 1626
time after the conditions are agreed to by the board and the 1627
legislative authority. If an agreement is negotiated between the 1628
legislative authority and the board to compensate the school 1629
district for all or part of the taxes exempted, the legislative 1630
authority shall compensate the joint vocational school district 1631
within which the property is located at the same rate and under 1632
the same terms received by the city, local, or exempted village 1633
school district. 1634

If a board of education has adopted a resolution waiving 1635
its right to approve agreements and the resolution remains in 1636
effect, approval of an agreement by the board is not required 1637
under this division. If a board of education has adopted a 1638
resolution allowing a legislative authority to deliver the 1639
notice required under this division fewer than forty-five 1640
business days prior to the legislative authority's approval of 1641
the agreement, the legislative authority shall deliver the 1642
notice to the board not later than the number of days prior to 1643
such approval as prescribed by the board in its resolution. If a 1644
board of education adopts a resolution waiving its right to 1645
approve agreements or shortening the notification period, the 1646
board shall certify a copy of the resolution to the legislative 1647
authority. If the board of education rescinds such a resolution, 1648
it shall certify notice of the rescission to the legislative 1649
authority. 1650

(4) The legislative authority shall comply with section 1651
5709.83 of the Revised Code unless the board of education has 1652
adopted a resolution under that section waiving its right to 1653
receive such notice. 1654

(E) This division applies to zones certified by the 1655
director of development services under this section prior to 1656
July 22, 1994. 1657

The legislative authority that designated a zone to which 1658
this division applies may enter into an agreement with an 1659
enterprise if the legislative authority finds that the 1660
enterprise satisfies one of the criteria described in divisions 1661
(E) (1) to (5) of this section: 1662

(1) The enterprise currently has no operations in this 1663
state and, subject to approval of the agreement, intends to 1664
establish operations in the zone; 1665

(2) The enterprise currently has operations in this state 1666
and, subject to approval of the agreement, intends to establish 1667
operations at a new location in the zone that would not result 1668
in a reduction in the number of employee positions at any of the 1669
enterprise's other locations in this state; 1670

(3) The enterprise, subject to approval of the agreement, 1671
intends to relocate operations, currently located in another 1672
state, to the zone; 1673

(4) The enterprise, subject to approval of the agreement, 1674
intends to expand operations at an existing site in the zone 1675
that the enterprise currently operates; 1676

(5) The enterprise, subject to approval of the agreement, 1677
intends to relocate operations, currently located in this state, 1678
to the zone, and the director of development services has issued 1679

a waiver for the enterprise under division (B) of section 1680
5709.633 of the Revised Code. 1681

The agreement shall require the enterprise to agree to 1682
establish, expand, renovate, or occupy a facility in the zone 1683
and hire new employees, or preserve employment opportunities for 1684
existing employees, in return for one or more of the incentives 1685
described in division (C) of this section. 1686

(F) All agreements entered into under this section shall 1687
be in the form prescribed under section 5709.631 of the Revised 1688
Code. After an agreement is entered into under this section, if 1689
the legislative authority revokes its designation of a zone, or 1690
if the director of development services revokes a zone's 1691
certification, any entitlements granted under the agreement 1692
shall continue for the number of years specified in the 1693
agreement. 1694

(G) Except as otherwise provided in this division, an 1695
agreement entered into under this section shall require that the 1696
enterprise pay an annual fee equal to the greater of one per 1697
cent of the dollar value of incentives offered under the 1698
agreement or five hundred dollars; provided, however, that if 1699
the value of the incentives exceeds two hundred fifty thousand 1700
dollars, the fee shall not exceed two thousand five hundred 1701
dollars. The fee shall be payable to the legislative authority 1702
once per year for each year the agreement is effective on the 1703
days and in the form specified in the agreement. Fees paid shall 1704
be deposited in a special fund created for such purpose by the 1705
legislative authority and shall be used by the legislative 1706
authority exclusively for the purpose of complying with section 1707
5709.68 of the Revised Code and by the tax incentive review 1708
council created under section 5709.85 of the Revised Code 1709

exclusively for the purposes of performing the duties prescribed 1710
under that section. The legislative authority may waive or 1711
reduce the amount of the fee charged against an enterprise, but 1712
such a waiver or reduction does not affect the obligations of 1713
the legislative authority or the tax incentive review council to 1714
comply with section 5709.68 or 5709.85 of the Revised Code. 1715

(H) When an agreement is entered into pursuant to this 1716
section, the legislative authority authorizing the agreement 1717
shall forward a copy of the agreement to the director of 1718
development services and to the tax commissioner within fifteen 1719
days after the agreement is entered into. If any agreement 1720
includes terms not provided for in section 5709.631 of the 1721
Revised Code affecting the revenue of a city, local, ~~or~~ exempted 1722
village, or joint vocational school district or causing revenue 1723
to be forgone by the district, including any compensation to be 1724
paid to the school district pursuant to section 5709.82 of the 1725
Revised Code, those terms also shall be forwarded in writing to 1726
the director of development services along with the copy of the 1727
agreement forwarded under this division. 1728

(I) After an agreement is entered into, the enterprise 1729
shall file with each personal property tax return required to be 1730
filed, or annual report required to be filed under section 1731
5727.08 of the Revised Code, while the agreement is in effect, 1732
an informational return, on a form prescribed by the tax 1733
commissioner for that purpose, setting forth separately the 1734
property, and related costs and values, exempted from taxation 1735
under the agreement. 1736

(J) Enterprises may agree to give preference to residents 1737
of the zone within which the agreement applies relative to 1738
residents of this state who do not reside in the zone when 1739

hiring new employees under the agreement. 1740

(K) An agreement entered into under this section may 1741
include a provision requiring the enterprise to create one or 1742
more temporary internship positions for students enrolled in a 1743
course of study at a school or other educational institution in 1744
the vicinity, and to create a scholarship or provide another 1745
form of educational financial assistance for students holding 1746
such a position in exchange for the student's commitment to work 1747
for the enterprise at the completion of the internship. 1748

(L) The tax commissioner's authority in determining the 1749
accuracy of any exemption granted by an agreement entered into 1750
under this section is limited to divisions (C) (1) (a) and (b), 1751
(C) (2) (a), (b), and (c), (C) (3), (D), and (I) of this section 1752
and divisions (B) (1) to (10) of section 5709.631 of the Revised 1753
Code and, as authorized by law, to enforcing any modification 1754
to, or revocation of, that agreement by the legislative 1755
authority of a municipal corporation or the director of 1756
development services. 1757

Sec. 5709.63. (A) With the consent of the legislative 1758
authority of each affected municipal corporation or of a board 1759
of township trustees, a board of county commissioners may, in 1760
the manner set forth in section 5709.62 of the Revised Code, 1761
designate one or more areas in one or more municipal 1762
corporations or in unincorporated areas of the county as 1763
proposed enterprise zones. A board of county commissioners may 1764
designate no more than one area within a township, or within 1765
adjacent townships, as a proposed enterprise zone. The board 1766
shall petition the director of development services for 1767
certification of the area as having the characteristics set 1768
forth in division (A) (1) or (2) of section 5709.61 of the 1769

Revised Code as amended by Substitute Senate Bill No. 19 of the 1770
120th general assembly. Except as otherwise provided in division 1771
(D) of this section, on and after July 1, 1994, boards of county 1772
commissioners shall not enter into agreements under this section 1773
unless the board has petitioned the director and the director 1774
has certified the zone under this section as amended by that 1775
act; however, all agreements entered into under this section as 1776
it existed prior to July 1, 1994, and the incentives granted 1777
under those agreements shall remain in effect for the period 1778
agreed to under those agreements. The director shall make the 1779
determination in the manner provided under section 5709.62 of 1780
the Revised Code. 1781

Any enterprise wishing to enter into an agreement with the 1782
board under division (B) or (D) of this section shall submit a 1783
proposal to the board on the form and accompanied by the 1784
application fee prescribed under division (B) of section 5709.62 1785
of the Revised Code. The enterprise shall review and update the 1786
estimates and listings required by the form in the manner 1787
required under that division. The board may, on a separate form 1788
and at any time, require any additional information necessary to 1789
determine whether an enterprise is in compliance with an 1790
agreement and to collect the information required to be reported 1791
under section 5709.68 of the Revised Code. 1792

(B) If the board of county commissioners finds that an 1793
enterprise submitting a proposal is qualified by financial 1794
responsibility and business experience to create and preserve 1795
employment opportunities in the zone and to improve the economic 1796
climate of the municipal corporation or municipal corporations 1797
or the unincorporated areas in which the zone is located and to 1798
which the proposal applies, the board, with the consent of the 1799
legislative authority of each affected municipal corporation or 1800

of the board of township trustees, may do either of the 1801
following: 1802

(1) Enter into an agreement with the enterprise under 1803
which the enterprise agrees to establish, expand, renovate, or 1804
occupy a facility in the zone and hire new employees, or 1805
preserve employment opportunities for existing employees, in 1806
return for the following incentives: 1807

(a) When the facility is located in a municipal 1808
corporation, the board may enter into an agreement for one or 1809
more of the incentives provided in division (C) of section 1810
5709.62 of the Revised Code, subject to division (D) of that 1811
section; 1812

(b) When the facility is located in an unincorporated 1813
area, the board may enter into an agreement for one or more of 1814
the following incentives: 1815

(i) Exemption for a specified number of years, not to 1816
exceed fifteen, of a specified portion, up to sixty per cent, of 1817
the assessed value of tangible personal property first used in 1818
business at a project site as a result of the agreement. If an 1819
exemption for inventory is specifically granted in the agreement 1820
pursuant to this division, the exemption applies to inventory 1821
required to be listed pursuant to sections 5711.15 and 5711.16 1822
of the Revised Code, except, in the instance of an expansion or 1823
other situations in which an enterprise was in business at the 1824
facility prior to the establishment of the zone, the inventory 1825
that is exempt is that amount or value of inventory in excess of 1826
the amount or value of inventory required to be listed in the 1827
personal property tax return of the enterprise in the return for 1828
the tax year in which the agreement is entered into. 1829

(ii) Exemption for a specified number of years, not to exceed fifteen, of a specified portion, up to sixty per cent, of the increase in the assessed valuation of real property constituting the project site subsequent to formal approval of the agreement by the board;

(iii) Provision for a specified number of years, not to exceed fifteen, of any optional services or assistance the board is authorized to provide with regard to the project site;

(iv) The incentive described in division (C) (2) of section 5709.62 of the Revised Code.

(2) Enter into an agreement with an enterprise that plans to purchase and operate a large manufacturing facility that has ceased operation or has announced its intention to cease operation, in return for exemption for a specified number of years, not to exceed fifteen, of a specified portion, up to one hundred per cent, of tangible personal property used in business at the project site as a result of the agreement, or of real property constituting the project site, or both.

(C) (1) (a) Notwithstanding divisions (B) (1) (b) (i) and (ii) of this section, the portion of the assessed value of tangible personal property or of the increase in the assessed valuation of real property exempted from taxation under those divisions may exceed sixty per cent in any year for which that portion is exempted if the average percentage exempted for all years in which the agreement is in effect does not exceed fifty per cent, or if the board of education of the city, local, or exempted village school district within the territory of which the property is or will be located approves a percentage in excess of sixty per cent.

(b) Notwithstanding any provision of the Revised Code to 1859
the contrary, the exemptions described in divisions (B) (1) (b) 1860
(i), (ii), (iii), and (iv) and (B) (2) of this section may be for 1861
up to fifteen years if the board of education of the city, 1862
local, or exempted village school district within the territory 1863
of which the property is or will be located approves a number of 1864
years in excess of ten. 1865

(c) For the purpose of obtaining the approval of a city, 1866
local, or exempted village school district under division (C) (1) 1867
(a) or (b) of this section, the board of county commissioners 1868
shall deliver to the board of education a notice not later than 1869
forty-five days prior to approving the agreement, excluding 1870
Saturdays, Sundays, and legal holidays as defined in section 1871
1.14 of the Revised Code. The notice shall state the percentage 1872
to be exempted, an estimate of the true value of the property to 1873
be exempted, and the number of years the property is to be 1874
exempted. The board of education, by resolution adopted by a 1875
majority of the board, shall approve or disapprove the agreement 1876
and certify a copy of the resolution to the board of county 1877
commissioners not later than fourteen days prior to the date 1878
stipulated by the board of county commissioners as the date upon 1879
which approval of the agreement is to be formally considered by 1880
the board of county commissioners. The board of education may 1881
include in the resolution conditions under which the board would 1882
approve the agreement, including the execution of an agreement 1883
to compensate the school district under division (B) of section 1884
5709.82 of the Revised Code. The board of county commissioners 1885
may approve the agreement at any time after the board of 1886
education certifies its resolution approving the agreement to 1887
the board of county commissioners, or, if the board of education 1888
approves the agreement conditionally, at any time after the 1889

conditions are agreed to by the board of education and the board 1890
of county commissioners. If an agreement is negotiated between 1891
the legislative authority and the board to compensate the school 1892
district for all or part of the taxes exempted, the legislative 1893
authority shall compensate the joint vocational school district 1894
within which the property is located at the same rate and under 1895
the same terms received by the city, local, or exempted village 1896
school district. 1897

If a board of education has adopted a resolution waiving 1898
its right to approve agreements and the resolution remains in 1899
effect, approval of an agreement by the board of education is 1900
not required under division (C) of this section. If a board of 1901
education has adopted a resolution allowing a board of county 1902
commissioners to deliver the notice required under this division 1903
fewer than forty-five business days prior to approval of the 1904
agreement by the board of county commissioners, the board of 1905
county commissioners shall deliver the notice to the board of 1906
education not later than the number of days prior to such 1907
approval as prescribed by the board of education in its 1908
resolution. If a board of education adopts a resolution waiving 1909
its right to approve agreements or shortening the notification 1910
period, the board of education shall certify a copy of the 1911
resolution to the board of county commissioners. If the board of 1912
education rescinds such a resolution, it shall certify notice of 1913
the rescission to the board of county commissioners. 1914

(2) The board of county commissioners shall comply with 1915
section 5709.83 of the Revised Code unless the board of 1916
education has adopted a resolution under that section waiving 1917
its right to receive such notice. 1918

(D) This division applies to zones certified by the 1919

director of development services under this section prior to 1920
July 22, 1994. 1921

With the consent of the legislative authority of each 1922
affected municipal corporation or board of township trustees of 1923
each affected township, the board of county commissioners that 1924
designated a zone to which this division applies may enter into 1925
an agreement with an enterprise if the board finds that the 1926
enterprise satisfies one of the criteria described in divisions 1927
(D) (1) to (5) of this section: 1928

(1) The enterprise currently has no operations in this 1929
state and, subject to approval of the agreement, intends to 1930
establish operations in the zone; 1931

(2) The enterprise currently has operations in this state 1932
and, subject to approval of the agreement, intends to establish 1933
operations at a new location in the zone that would not result 1934
in a reduction in the number of employee positions at any of the 1935
enterprise's other locations in this state; 1936

(3) The enterprise, subject to approval of the agreement, 1937
intends to relocate operations, currently located in another 1938
state, to the zone; 1939

(4) The enterprise, subject to approval of the agreement, 1940
intends to expand operations at an existing site in the zone 1941
that the enterprise currently operates; 1942

(5) The enterprise, subject to approval of the agreement, 1943
intends to relocate operations, currently located in this state, 1944
to the zone, and the director of development services has issued 1945
a waiver for the enterprise under division (B) of section 1946
5709.633 of the Revised Code. 1947

The agreement shall require the enterprise to agree to 1948

establish, expand, renovate, or occupy a facility in the zone 1949
and hire new employees, or preserve employment opportunities for 1950
existing employees, in return for one or more of the incentives 1951
described in division (B) of this section. 1952

(E) All agreements entered into under this section shall 1953
be in the form prescribed under section 5709.631 of the Revised 1954
Code. After an agreement under this section is entered into, if 1955
the board of county commissioners revokes its designation of a 1956
zone, or if the director of development services revokes a 1957
zone's certification, any entitlements granted under the 1958
agreement shall continue for the number of years specified in 1959
the agreement. 1960

(F) Except as otherwise provided in this division, an 1961
agreement entered into under this section shall require that the 1962
enterprise pay an annual fee equal to the greater of one per 1963
cent of the dollar value of incentives offered under the 1964
agreement or five hundred dollars; provided, however, that if 1965
the value of the incentives exceeds two hundred fifty thousand 1966
dollars, the fee shall not exceed two thousand five hundred 1967
dollars. The fee shall be payable to the board of county 1968
commissioners once per year for each year the agreement is 1969
effective on the days and in the form specified in the 1970
agreement. Fees paid shall be deposited in a special fund 1971
created for such purpose by the board and shall be used by the 1972
board exclusively for the purpose of complying with section 1973
5709.68 of the Revised Code and by the tax incentive review 1974
council created under section 5709.85 of the Revised Code 1975
exclusively for the purposes of performing the duties prescribed 1976
under that section. The board may waive or reduce the amount of 1977
the fee charged against an enterprise, but such waiver or 1978
reduction does not affect the obligations of the board or the 1979

tax incentive review council to comply with section 5709.68 or 1980
5709.85 of the Revised Code, respectively. 1981

(G) With the approval of the legislative authority of a 1982
municipal corporation or the board of township trustees of a 1983
township in which a zone is designated under division (A) of 1984
this section, the board of county commissioners may delegate to 1985
that legislative authority or board any powers and duties of the 1986
board of county commissioners to negotiate and administer 1987
agreements with regard to that zone under this section. 1988

(H) When an agreement is entered into pursuant to this 1989
section, the board of county commissioners authorizing the 1990
agreement or the legislative authority or board of township 1991
trustees that negotiates and administers the agreement shall 1992
forward a copy of the agreement to the director of development 1993
services and to the tax commissioner within fifteen days after 1994
the agreement is entered into. If any agreement includes terms 1995
not provided for in section 5709.631 of the Revised Code 1996
affecting the revenue of a city, local, ~~or~~ exempted village, or 1997
joint vocational school district or causing revenue to be 1998
foregone by the district, including any compensation to be paid 1999
to the school district pursuant to section 5709.82 of the 2000
Revised Code, those terms also shall be forwarded in writing to 2001
the director of development services along with the copy of the 2002
agreement forwarded under this division. 2003

(I) After an agreement is entered into, the enterprise 2004
shall file with each personal property tax return required to be 2005
filed, or annual report that is required to be filed under 2006
section 5727.08 of the Revised Code, while the agreement is in 2007
effect, an informational return, on a form prescribed by the tax 2008
commissioner for that purpose, setting forth separately the 2009

property, and related costs and values, exempted from taxation 2010
under the agreement. 2011

(J) Enterprises may agree to give preference to residents 2012
of the zone within which the agreement applies relative to 2013
residents of this state who do not reside in the zone when 2014
hiring new employees under the agreement. 2015

(K) An agreement entered into under this section may 2016
include a provision requiring the enterprise to create one or 2017
more temporary internship positions for students enrolled in a 2018
course of study at a school or other educational institution in 2019
the vicinity, and to create a scholarship or provide another 2020
form of educational financial assistance for students holding 2021
such a position in exchange for the student's commitment to work 2022
for the enterprise at the completion of the internship. 2023

(L) The tax commissioner's authority in determining the 2024
accuracy of any exemption granted by an agreement entered into 2025
under this section is limited to divisions (B) (1) (b) (i) and 2026
(ii), (B) (2), (C), and (I) of this section, division (B) (1) (b) 2027
(iv) of this section as it pertains to divisions (C) (2) (a), (b), 2028
and (c) of section 5709.62 of the Revised Code, and divisions 2029
(B) (1) to (10) of section 5709.631 of the Revised Code and, as 2030
authorized by law, to enforcing any modification to, or 2031
revocation of, that agreement by the board of county 2032
commissioners or the director of development services or, if the 2033
board's powers and duties are delegated under division (G) of 2034
this section, by the legislative authority of a municipal 2035
corporation or board of township trustees. 2036

Sec. 5709.632. (A) (1) The legislative authority of a 2037
municipal corporation defined by the United States office of 2038
management and budget as a principal city of a metropolitan 2039

statistical area may, in the manner set forth in section 5709.62 2040
of the Revised Code, designate one or more areas in the 2041
municipal corporation as a proposed enterprise zone. 2042

(2) With the consent of the legislative authority of each 2043
affected municipal corporation or of a board of township 2044
trustees, a board of county commissioners may, in the manner set 2045
forth in section 5709.62 of the Revised Code, designate one or 2046
more areas in one or more municipal corporations or in 2047
unincorporated areas of the county as proposed urban jobs and 2048
enterprise zones, except that a board of county commissioners 2049
may designate no more than one area within a township, or within 2050
adjacent townships, as a proposed urban jobs and enterprise 2051
zone. 2052

(3) The legislative authority or board of county 2053
commissioners may petition the director of development services 2054
for certification of the area as having the characteristics set 2055
forth in division (A)(3) of section 5709.61 of the Revised Code. 2056
Within sixty days after receiving such a petition, the director 2057
shall determine whether the area has the characteristics set 2058
forth in that division and forward the findings to the 2059
legislative authority or board of county commissioners. If the 2060
director certifies the area as having those characteristics and 2061
thereby certifies it as a zone, the legislative authority or 2062
board may enter into agreements with enterprises under division 2063
(B) of this section. Any enterprise wishing to enter into an 2064
agreement with a legislative authority or board of county 2065
commissioners under this section and satisfying one of the 2066
criteria described in divisions (B)(1) to (5) of this section 2067
shall submit a proposal to the legislative authority or board on 2068
the form prescribed under division (B) of section 5709.62 of the 2069
Revised Code and shall review and update the estimates and 2070

listings required by the form in the manner required under that 2071
division. The legislative authority or board may, on a separate 2072
form and at any time, require any additional information 2073
necessary to determine whether an enterprise is in compliance 2074
with an agreement and to collect the information required to be 2075
reported under section 5709.68 of the Revised Code. 2076

(B) Prior to entering into an agreement with an 2077
enterprise, the legislative authority or board of county 2078
commissioners shall determine whether the enterprise submitting 2079
the proposal is qualified by financial responsibility and 2080
business experience to create and preserve employment 2081
opportunities in the zone and to improve the economic climate of 2082
the municipal corporation or municipal corporations or the 2083
unincorporated areas in which the zone is located and to which 2084
the proposal applies, and whether the enterprise satisfies one 2085
of the following criteria: 2086

(1) The enterprise currently has no operations in this 2087
state and, subject to approval of the agreement, intends to 2088
establish operations in the zone; 2089

(2) The enterprise currently has operations in this state 2090
and, subject to approval of the agreement, intends to establish 2091
operations at a new location in the zone that would not result 2092
in a reduction in the number of employee positions at any of the 2093
enterprise's other locations in this state; 2094

(3) The enterprise, subject to approval of the agreement, 2095
intends to relocate operations, currently located in another 2096
state, to the zone; 2097

(4) The enterprise, subject to approval of the agreement, 2098
intends to expand operations at an existing site in the zone 2099

that the enterprise currently operates; 2100

(5) The enterprise, subject to approval of the agreement, 2101
intends to relocate operations, currently located in this state, 2102
to the zone, and the director of development services has issued 2103
a waiver for the enterprise under division (B) of section 2104
5709.633 of the Revised Code. 2105

(C) If the legislative authority or board determines that 2106
the enterprise is so qualified and satisfies one of the criteria 2107
described in divisions (B)(1) to (5) of this section, the 2108
legislative authority or board may, after complying with section 2109
5709.83 of the Revised Code and, in the case of a board of 2110
commissioners, with the consent of the legislative authority of 2111
each affected municipal corporation or of the board of township 2112
trustees, enter into an agreement with the enterprise under 2113
which the enterprise agrees to establish, expand, renovate, or 2114
occupy a facility in the zone and hire new employees, or 2115
preserve employment opportunities for existing employees, in 2116
return for the following incentives: 2117

(1) When the facility is located in a municipal 2118
corporation, a legislative authority or board of commissioners 2119
may enter into an agreement for one or more of the incentives 2120
provided in division (C) of section 5709.62 of the Revised Code, 2121
subject to division (D) of that section; 2122

(2) When the facility is located in an unincorporated 2123
area, a board of commissioners may enter into an agreement for 2124
one or more of the incentives provided in divisions (B)(1)(b), 2125
(B)(2), and (B)(3) of section 5709.63 of the Revised Code, 2126
subject to division (C) of that section. 2127

(D) All agreements entered into under this section shall 2128

be in the form prescribed under section 5709.631 of the Revised 2129
Code. After an agreement under this section is entered into, if 2130
the legislative authority or board of county commissioners 2131
revokes its designation of the zone, or if the director of 2132
development services revokes the zone's certification, any 2133
entitlements granted under the agreement shall continue for the 2134
number of years specified in the agreement. 2135

(E) Except as otherwise provided in this division, an 2136
agreement entered into under this section shall require that the 2137
enterprise pay an annual fee equal to the greater of one per 2138
cent of the dollar value of incentives offered under the 2139
agreement or five hundred dollars; provided, however, that if 2140
the value of the incentives exceeds two hundred fifty thousand 2141
dollars, the fee shall not exceed two thousand five hundred 2142
dollars. The fee shall be payable to the legislative authority 2143
or board of commissioners once per year for each year the 2144
agreement is effective on the days and in the form specified in 2145
the agreement. Fees paid shall be deposited in a special fund 2146
created for such purpose by the legislative authority or board 2147
and shall be used by the legislative authority or board 2148
exclusively for the purpose of complying with section 5709.68 of 2149
the Revised Code and by the tax incentive review council created 2150
under section 5709.85 of the Revised Code exclusively for the 2151
purposes of performing the duties prescribed under that section. 2152
The legislative authority or board may waive or reduce the 2153
amount of the fee charged against an enterprise, but such waiver 2154
or reduction does not affect the obligations of the legislative 2155
authority or board or the tax incentive review council to comply 2156
with section 5709.68 or 5709.85 of the Revised Code, 2157
respectively. 2158

(F) With the approval of the legislative authority of a 2159

municipal corporation or the board of township trustees of a 2160
township in which a zone is designated under division (A) (2) of 2161
this section, the board of county commissioners may delegate to 2162
that legislative authority or board any powers and duties of the 2163
board to negotiate and administer agreements with regard to that 2164
zone under this section. 2165

(G) When an agreement is entered into pursuant to this 2166
section, the legislative authority or board of commissioners 2167
authorizing the agreement shall forward a copy of the agreement 2168
to the director of development services and to the tax 2169
commissioner within fifteen days after the agreement is entered 2170
into. If any agreement includes terms not provided for in 2171
section 5709.631 of the Revised Code affecting the revenue of a 2172
city, local, ~~or~~-exempted village, or joint vocational school 2173
district or causing revenue to be forgone by the district, 2174
including any compensation to be paid to the school district 2175
pursuant to section 5709.82 of the Revised Code, those terms 2176
also shall be forwarded in writing to the director of 2177
development services along with the copy of the agreement 2178
forwarded under this division. 2179

(H) After an agreement is entered into, the enterprise 2180
shall file with each personal property tax return required to be 2181
filed while the agreement is in effect, an informational return, 2182
on a form prescribed by the tax commissioner for that purpose, 2183
setting forth separately the property, and related costs and 2184
values, exempted from taxation under the agreement. 2185

(I) An agreement entered into under this section may 2186
include a provision requiring the enterprise to create one or 2187
more temporary internship positions for students enrolled in a 2188
course of study at a school or other educational institution in 2189

the vicinity, and to create a scholarship or provide another 2190
form of educational financial assistance for students holding 2191
such a position in exchange for the student's commitment to work 2192
for the enterprise at the completion of the internship. 2193

Sec. 5709.82. (A) As used in this section: 2194

(1) "New employee" means both of the following: 2195

(a) Persons employed in the construction of real property 2196
exempted from taxation under the chapters or sections of the 2197
Revised Code enumerated in division (B) of this section; 2198

(b) Persons not described by division (A)(1)(a) of this 2199
section who are first employed at the site of such property and 2200
who within the two previous years have not been subject, prior 2201
to being employed at that site, to income taxation by the 2202
municipal corporation within whose territory the site is located 2203
on income derived from employment for the person's current 2204
employer. "New employee" does not include any person who 2205
replaces a person who is not a new employee under division (A) 2206
(1) of this section. 2207

(2) "Infrastructure costs" means costs incurred by a 2208
municipal corporation in a calendar year to acquire, construct, 2209
reconstruct, improve, plan, or equip real or tangible personal 2210
property that directly benefits or will directly benefit the 2211
exempted property. If the municipal corporation finances the 2212
acquisition, construction, reconstruction, improvement, 2213
planning, or equipping of real or tangible personal property 2214
that directly benefits the exempted property by issuing debt, 2215
"infrastructure costs" means the annual debt charges incurred by 2216
the municipal corporation from the issuance of such debt. Real 2217
or tangible personal property directly benefits exempted 2218

property only if the exempted property places or will place 2219
direct, additional demand on the real or tangible personal 2220
property for which such costs were or will be incurred. 2221

(3) "Taxing unit" has the same meaning as in division (H) 2222
of section 5705.01 of the Revised Code. 2223

(B) (1) Except as otherwise provided under division (C) of 2224
this section, the legislative authority of any political 2225
subdivision that has acted under the authority of Chapter 725. 2226
or 1728., sections 3735.65 to 3735.70, or section 5709.40, 2227
5709.41, 5709.45, 5709.62, 5709.63, 5709.632, 5709.73, 5709.78, 2228
5709.84, or 5709.88 of the Revised Code to grant an exemption 2229
from taxation for real or tangible personal property may 2230
negotiate with the board of education of each city, local, 2231
exempted village, or joint vocational school district or other 2232
taxing unit within the territory of which the exempted property 2233
is located, and enter into an agreement whereby the school 2234
district or taxing unit is compensated for tax revenue foregone 2235
by the school district or taxing unit as a result of the 2236
exemption. Except as otherwise provided in division (B) (1) of 2237
this section, if a political subdivision enters into more than 2238
one agreement under this section with respect to a tax 2239
exemption, the political subdivision shall provide to each 2240
school district or taxing unit with which it contracts the same 2241
percentage of tax revenue foregone by the school district or 2242
taxing unit, which may be based on a good faith projection made 2243
at the time the exemption is granted. Such percentage shall be 2244
calculated on the basis of amounts paid by the political 2245
subdivision and any amounts paid by an owner under division (B) 2246
(2) of this section. A political subdivision may provide a 2247
school district or other taxing unit with a smaller percentage 2248
of foregone tax revenue than that provided to other school 2249

districts or taxing units only if the school district or taxing 2250
unit expressly consents in the agreement to receiving a smaller 2251
percentage. If a subdivision has acted under the authority of 2252
section 5709.40, 5709.41, 5709.45, 5709.62, 5709.63, 5709.632, 2253
5709.73, or 5709.78 of the Revised Code and enters into a 2254
compensation agreement with a city, local, or exempted village 2255
school district, the subdivision shall provide compensation to 2256
the joint vocational school district within the territory of 2257
which the exempted property is located at the same rate and 2258
under the same terms as received by the city, local, or exempted 2259
village school district. 2260

(2) An owner of property exempted from taxation under the 2261
authority described in division (B)(1) of this section may, by 2262
becoming a party to an agreement described in division (B)(1) of 2263
this section or by entering into a separate agreement with a 2264
school district or other taxing unit, agree to compensate the 2265
school district or taxing unit by paying cash or by providing 2266
property or services by gift, loan, or otherwise. If the owner's 2267
property is exempted under the authority of section 5709.40, 2268
5709.41, 5709.45, 5709.62, 5709.63, 5709.632, 5709.73, or 2269
5709.78 of the Revised Code and the owner enters into a 2270
compensation agreement with a city, local, or exempted village 2271
school district, the owner shall provide compensation to the 2272
joint vocational school district within the territory of which 2273
the owner's property is located at the same rate and under the 2274
same terms as received by the city, local, or exempted village 2275
school district. 2276

(C) This division does not apply to the following: 2277

(1) The legislative authority of a municipal corporation 2278
that has acted under the authority of division (H) of section 2279

715.70 or division (U) of section 715.72 of the Revised Code to 2280
consent to the granting of an exemption from taxation for real 2281
or tangible personal property in a joint economic development 2282
district. 2283

(2) The legislative authority of a municipal corporation 2284
that has specified in an ordinance adopted under section 2285
5709.40, 5709.41, or 5709.45 of the Revised Code that payments 2286
in lieu of taxes provided for under section 5709.42 or 5709.46 2287
of the Revised Code shall be paid to the city, local, or 2288
exempted village school district in which the improvements are 2289
located in the amount of taxes that would have been payable to 2290
the school district if the improvements had not been exempted 2291
from taxation, as directed in the ordinance. 2292

If the legislative authority of any municipal corporation 2293
has acted under the authority of Chapter 725. or 1728. or 2294
section 3735.671, 5709.40, 5709.41, 5709.45, 5709.62, 5709.63, 2295
5709.632, or 5709.88, or a housing officer under section 3735.67 2296
of the Revised Code, to grant or consent to the granting of an 2297
exemption from taxation for real or tangible personal property 2298
on or after July 1, 1994, the municipal corporation imposes a 2299
tax on incomes, and the payroll of new employees resulting from 2300
the exercise of that authority equals or exceeds one million 2301
dollars in any tax year for which such property is exempted, the 2302
legislative authority and the board of education of each city, 2303
local, or exempted village school district within the territory 2304
of which the exempted property is located shall attempt to 2305
negotiate an agreement providing for compensation to the school 2306
district for all or a portion of the tax revenue the school 2307
district would have received had the property not been exempted 2308
from taxation. The agreement may include as a party the owner of 2309
the property exempted or to be exempted from taxation and may 2310

include provisions obligating the owner to compensate the school 2311
district by paying cash or providing property or services by 2312
gift, loan, or otherwise. Such an obligation is enforceable by 2313
the board of education of the school district pursuant to the 2314
terms of the agreement. 2315

If the legislative authority and board of education fail 2316
to negotiate an agreement that is mutually acceptable within six 2317
months of formal approval by the legislative authority of the 2318
instrument granting the exemption, the legislative authority 2319
shall compensate the school district in the amount and manner 2320
prescribed by division (D) of this section. 2321

(D) Annually, the legislative authority of a municipal 2322
corporation subject to this division shall pay to the city, 2323
local, or exempted village school district within the territory 2324
of which the exempted property is located an amount equal to 2325
fifty per cent of the difference between the amount of taxes 2326
levied and collected by the municipal corporation on the incomes 2327
of new employees in the calendar year ending on the day the 2328
payment is required to be made, and the amount of any 2329
infrastructure costs incurred in that calendar year. For 2330
purposes of such computation, the amount of infrastructure costs 2331
shall not exceed thirty-five per cent of the amount of those 2332
taxes unless the board of education of the school district, by 2333
resolution adopted by a majority of the board, approves an 2334
amount in excess of that percentage. If the amount of those 2335
taxes or infrastructure costs must be estimated at the time the 2336
payment is made, payments in subsequent years shall be adjusted 2337
to compensate for any departure of those estimates from the 2338
actual amount of those taxes. 2339

A municipal corporation required to make a payment under 2340

this section shall make the payment from its general fund or a 2341
special fund established for the purpose. The payment is payable 2342
on the thirty-first day of December of the tax year for or in 2343
which the exemption from taxation commences and on that day for 2344
each subsequent tax year property is exempted and the 2345
legislative authority and board fail to negotiate an acceptable 2346
agreement under division (C) of this section. 2347

Sec. 5709.83. (A) Except as otherwise provided in division 2348
(B) or (C) of this section, prior to taking formal action to 2349
adopt or enter into any instrument granting a tax exemption 2350
under section 725.02, 1728.06, 5709.40, 5709.41, 5709.45, 2351
5709.62, 5709.63, 5709.632, 5709.73, 5709.78, 5709.84, or 2352
5709.88 of the Revised Code or formally approving an agreement 2353
under section 3735.671 of the Revised Code, or prior to 2354
forwarding an application for a tax exemption for residential 2355
property under section 3735.67 of the Revised Code to the county 2356
auditor, the legislative authority of the political subdivision 2357
or housing officer shall notify the board of education of each 2358
city, local, exempted village, or joint vocational school 2359
district in which the proposed tax-exempted property is located. 2360
The notice shall include a copy of the instrument or 2361
application. The notice shall be delivered not later than 2362
fourteen days prior to the day the legislative authority takes 2363
formal action to adopt or enter into the instrument, or not 2364
later than fourteen days prior to the day the housing officer 2365
forwards the application to the county auditor. If the board of 2366
education comments on the instrument or application to the 2367
legislative authority or housing officer, the legislative 2368
authority or housing officer shall consider the comments. If the 2369
board of education of the city, local, exempted village, or 2370
joint vocational school district so requests, the legislative 2371

authority or the housing officer shall meet in person with a 2372
representative designated by the board of education to discuss 2373
the terms of the instrument or application. 2374

(B) The notice otherwise required to be provided to boards 2375
of education under division (A) of this section is not required 2376
if the board has adopted a resolution waiving its right to 2377
receive such notices, and that resolution remains in effect. If 2378
a board of education adopts such a resolution, the board shall 2379
cause a copy of the resolution to be certified to the 2380
legislative authority. If the board of education rescinds such a 2381
resolution, it shall certify notice of the rescission to the 2382
legislative authority. A board of education may adopt such a 2383
resolution with respect to any one or more counties, townships, 2384
or municipal corporations situated in whole or in part within 2385
the school district. 2386

(C) If a legislative authority is required to provide 2387
notice to a city, local, or exempted village school district of 2388
its intent to grant such an exemption as required by section 2389
5709.40, 5709.41, 5709.45, 5709.62, 5709.63, 5709.632, 5709.73, 2390
or 5709.78 of the Revised Code, the legislative authority, 2391
before adopting a resolution or ordinance under that section, 2392
shall notify the board of education of each joint vocational 2393
school district in which the property to be exempted is located 2394
using the same time requirements for the notice that applies to 2395
notices to city, local, and exempted village school districts. 2396
The content of the notice and procedures for responding to the 2397
notice are the same as required in division (A) of this section. 2398

Section 2. That existing sections 3302.03, 3313.14, 2399
3313.482, 3313.618, 3313.903, 3317.023, 3319.226, 3326.032, 2400
3333.162, 3333.94, 3365.01, 3365.02, 5709.62, 5709.63, 5709.632, 2401

5709.82, and 5709.83 of the Revised Code are hereby repealed. 2402

Section 3. That section 3313.6113 of the Revised Code is 2403
hereby repealed. 2404

Section 4. (A) As used in this section: 2405

(1) "Career-technical planning district" has the same 2406
meaning as in section 3317.023 of the Revised Code. 2407

(2) "State institution of higher education" has the same 2408
meaning as in section 3345.011 of the Revised Code. 2409

(B) On the effective date of this section, any career- 2410
technical planning district and state institution of higher 2411
education that is part of an articulation agreement shall 2412
convert such an agreement to grant students with transcribed 2413
credit under section 3333.162 of the Revised Code, as amended by 2414
this act, or any courses completed on and after the effective 2415
date of this section. 2416

(C) The amendments to section 3333.162 of the Revised Code 2417
by this act and this section shall take effect at the beginning 2418
of the first day of the first full academic year that begins 2419
after the effective date of this section. 2420

(D) This section shall have no effect on any courses 2421
completed under such an articulation agreement prior to the 2422
effective date of this section. 2423

Section 5. The amendment by this act of sections 5709.62, 2424
5709.63, 5709.632, 5709.82, and 5709.83 of the Revised Code 2425
applies to agreements entered into under sections 5709.62, 2426
5709.63, and 5709.632 of the Revised Code on or after the 2427
effective date of this act. 2428

Section 6. The General Assembly, applying the principle 2429

stated in division (B) of section 1.52 of the Revised Code that 2430
amendments are to be harmonized if reasonably capable of 2431
simultaneous operation, finds that the following sections, 2432
presented in this act as composites of the sections as amended 2433
by the acts indicated, are the resulting versions of the 2434
sections in effect prior to the effective date of the sections 2435
as presented in this act: 2436

Section 3302.03 of the Revised Code as amended by both 2437
Sub. H.B. 318 and Am. Sub. S.B. 216 of the 132nd General 2438
Assembly. 2439

Section 5709.82 of the Revised Code as amended by both 2440
Sub. H.B. 182 and Am. Sub. H.B. 233 of the 131st General 2441
Assembly. 2442