

**As Reported by the House Primary and Secondary Education Committee**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**Sub. S. B. No. 89**

**Senator Huffman, M.**

**Cosponsors: Senators Brenner, Rulli, Huffman, S., Coley, Manning, Antonio, Blessing, Burke, Craig, Dolan, Eklund, Fedor, Gavarone, Hackett, Hoagland, Hottinger, Johnson, Kunze, Maharath, McColley, Obhof, O'Brien, Peterson, Roegner, Schuring, Sykes, Thomas, Williams, Wilson**

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**A BILL**

To amend sections 3310.01, 3310.03, 3310.031, 1  
3310.032, 3310.08, 3310.16, 3313.14, 3313.25, 2  
3313.482, 3313.82, 3313.903, 3314.011, 3314.03, 3  
3314.19, 3317.60, 3319.112, 3319.226, 3319.301, 4  
3326.032, 3326.17, 5709.62, 5709.63, 5709.632, 5  
5709.82, and 5709.83; to enact sections 6  
3301.0730, 3317.037, 3319.2211, and 6301.23; and 7  
to repeal sections 3310.035, 3310.05, and 8  
3311.242 of the Revised Code and to amend 9  
Sections 265.10, as subsequently amended, and 10  
265.260 of H.B. 166 of the 133rd General 11  
Assembly with regard to career-technical 12  
education and the compensation of joint 13  
vocational school districts located in 14  
enterprise zones, to make changes regarding STEM 15  
school report cards, to prohibit the use of 16  
value-added data for evaluations of career- 17  
technical educators, to revise the law on 18  
community school fiscal officer liability, to 19  
make changes regarding school financing studies 20  
by the Department of Education, to revise the 21

eligibility and operation of the Educational 22  
Choice Scholarship program, to rename the 23  
income-based expansion of the Educational Choice 24  
Scholarship program as the Buckeye Opportunity 25  
Scholarship program, and to declare an 26  
emergency. 27

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

**Section 1.** That sections 3310.01, 3310.03, 3310.031, 28  
3310.032, 3310.08, 3310.16, 3313.14, 3313.25, 3313.482, 3313.82, 29  
3313.903, 3314.011, 3314.03, 3314.19, 3317.60, 3319.112, 30  
3319.226, 3319.301, 3326.032, 3326.17, 5709.62, 5709.63, 31  
5709.632, 5709.82, and 5709.83 be amended and sections 32  
3301.0730, 3317.037, 3319.2211, and 6301.23 of the Revised Code 33  
be enacted to read as follows: 34

**Sec. 3301.0730.** (A) As used in this section: 35

(1) "Education management information system" means the 36  
integrated system of statewide data collecting, reporting, and 37  
compiling for school districts and schools prescribed under 38  
section 3301.0714 of the Revised Code. 39

(2) "EMIS guidelines" means any guidance issued by the 40  
department of education containing the student, staff, and 41  
financial information to be collected and reported, along with 42  
data-element definitions, procedures, and guidelines necessary 43  
to implement the education management information system. 44

(B) Not later than June 1, 2020, the department shall 45  
develop a procedure that permits users of the education 46

management information system to review and provide comment on 47  
new or updated EMIS guidelines. The procedure shall satisfy all 48  
of the following conditions: 49

(1) The department shall post a copy of the proposed new 50  
or updated EMIS guidelines on the department's web site. The 51  
department shall solicit comment from EMIS users on the proposed 52  
guidelines for thirty consecutive days. 53

(2) The department shall respond to comments provided by 54  
users and may revise the proposed new or updated EMIS guidelines 55  
based on comments provided by users within thirty consecutive 56  
days after the comment period closes. 57

(3) The department shall post the final new or updated 58  
EMIS guidelines on its web site at the end of the response 59  
period for thirty consecutive days for a final review by EMIS 60  
users. The new or updated guidelines shall take effect after 61  
that period ends. 62

(C) Except as provided in division (D) of this section, if 63  
the department develops new or updated EMIS guidelines to 64  
implement a program, initiative, or policy, the department shall 65  
use the procedures prescribed under division (B) of this 66  
section. For any such new or updated guidelines proposed to be 67  
effective for the 2021-2022 school year, the department shall 68  
initiate the procedures not later than May 15, 2021. For any 69  
such new or updated guidelines proposed to be effective for a 70  
subsequent school year, the department shall initiate the 71  
procedures not later than the fifteenth day of May immediately 72  
prior to the beginning of that school year. 73

(D) On and after June 1, 2020, the department shall use 74  
the procedure prescribed under division (B) of this section for 75

<u>any new or updated EMIS guidelines developed by the department</u>	76
<u>for the purposes of implementing any of the following:</u>	77
<u>(1) A newly enacted state or federal law;</u>	78
<u>(2) A new or updated federal rule;</u>	79
<u>(3) A rule or resolution adopted by the state board of</u> <u>education.</u>	80 81
<u>(E) The department shall not be required to use the</u> <u>procedure prescribed under division (B) of this section when</u> <u>issuing any of the following:</u>	82 83 84
<u>(1) Updated EMIS guidelines to address issues that are not</u> <u>substantive, such as correcting grammatical errors;</u>	85 86
<u>(2) Updated EMIS guidelines to address unforeseen</u> <u>technical errors;</u>	87 88
<u>(3) Supplemental documents regarding EMIS guidelines and</u> <u>the education management information system, including documents</u> <u>that do any of the following:</u>	89 90 91
<u>(a) Clarify the implementation of EMIS guidelines;</u>	92
<u>(b) Answer questions submitted by users of the education</u> <u>management system;</u>	93 94
<u>(c) Provide training regarding the education management</u> <u>information system.</u>	95 96
<u>(F) Additionally, the department shall establish both of</u> <u>the following:</u>	97 98
<u>(1) Uniform guidance for career-technical planning</u> <u>districts and information technology centers established under</u> <u>section 3301.075 of the Revised Code regarding the education</u> <u>management information system and EMIS guidelines for career-</u>	99 100 101 102

<u>technical planning districts;</u>	103
<u>(2) Uniform training programs for all personnel employed</u>	104
<u>by the department to administer the education management</u>	105
<u>information system.</u>	106
<b>Sec. 3310.01.</b> As used in sections 3310.01 to 3310.17 of	107
the Revised Code:	108
(A) "Chartered nonpublic school" means a nonpublic school	109
that holds a valid charter issued by the state board of	110
education under section 3301.16 of the Revised Code and meets	111
the standards established for such schools in rules adopted by	112
the state board.	113
(B) An "eligible student" is a student who satisfies the	114
conditions specified in section 3310.03 or 3310.032 of the	115
Revised Code.	116
(C) "Parent" has the same meaning as in section 3313.98 of	117
the Revised Code.	118
(D) "Resident district" means the school district in which	119
a student is entitled to attend school under section 3313.64 or	120
3313.65 of the Revised Code.	121
(E) "School year" has the same meaning as in section	122
3313.62 of the Revised Code.	123
<u>(F) "Sibling" means a brother, half-brother, sister, or</u>	124
<u>half-sister, by birth, adoption, or marriage, without regard to</u>	125
<u>residence or custodial status, or a child residing in the same</u>	126
<u>household as a foster child or under a guardianship or custodial</u>	127
<u>order. As used in division (F) of this section, "foster child"</u>	128
<u>means a child placed in a family foster home, as defined in</u>	129
<u>section 5103.02 of the Revised Code.</u>	130

Sec. 3310.03. ~~Notwithstanding anything to the contrary in~~ 131  
~~divisions (A) to (I) of this section, and except as provided in~~ 132  
~~Section 265.210 of H.B. 166 of the 133rd general assembly, as~~ 133  
~~subsequently amended, or in division (J) of this section, the~~ 134  
~~department of education shall not award any first-time~~ 135  
~~educational choice scholarship under this section for the 2020-~~ 136  
~~2021 school year and any school year thereafter. The department~~ 137  
~~shall award first-time educational choice scholarships under~~ 138  
~~division (J) of this section for the 2020-2021 school year and~~ 139  
~~any school year thereafter, and any student who receives a~~ 140  
~~scholarship under that division shall continue to receive that~~ 141  
~~scholarship until the student completes grade twelve, as long as~~ 142  
~~the student meets the criteria prescribed by division (F) of~~ 143  
~~this section, or until the student is subject to division (K) of~~ 144  
~~this section.~~ 145

Additionally, any student who received a scholarship under 146  
this section for the 2019-2020 school year shall continue to 147  
receive that scholarship until the student completes grade 148  
twelve, as long as the student meets the criteria prescribed by 149  
division (F) of this section, or until the student is subject to 150  
division (K) of this section. 151

A student is an "eligible student" for purposes of the 152  
educational choice scholarship pilot program if the student's 153  
resident district is not a school district in which the pilot 154  
project scholarship program is operating under sections 3313.974 155  
to 3313.979 of the Revised Code and the student satisfies one of 156  
the conditions in division (A), (B), (C), (D), or (E) of this 157  
section: 158

(A) (1) The student is enrolled in a school building 159  
operated by the student's resident district that, on the report 160

card issued under section 3302.03 of the Revised Code published 161  
prior to the first day of July of the school year for which a 162  
scholarship is sought, did not receive a rating as described in 163  
division (I) of this section, and to which any or a combination 164  
of any of the following apply for two of the three most recent 165  
report cards published prior to the first day of July of the 166  
school year for which a scholarship is sought: 167

(a) The building was declared to be in a state of academic 168  
emergency or academic watch under section 3302.03 of the Revised 169  
Code as that section existed prior to March 22, 2013. 170

(b) The building received a grade of "D" or "F" for the 171  
performance index score under division (A) (1) (b) or (B) (1) (b) of 172  
section 3302.03 of the Revised Code and for the value-added 173  
progress dimension under division (A) (1) (e) or (B) (1) (e) of 174  
section 3302.03 of the Revised Code for the 2012-2013, 2013- 175  
2014, 2014-2015, or 2015-2016 school year; or if the building 176  
serves only grades ten through twelve, the building received a 177  
grade of "D" or "F" for the performance index score under 178  
division (A) (1) (b) or (B) (1) (b) of section 3302.03 of the 179  
Revised Code and had a four-year adjusted cohort graduation rate 180  
of less than seventy-five per cent. 181

(c) The building received an overall grade of "D" or "F" 182  
under division (C) (3) of section 3302.03 of the Revised Code or 183  
a grade of "F" for the value-added progress dimension under 184  
division (C) (1) (e) of section 3302.03 of the Revised Code for 185  
the 2016-2017 school year or any school year thereafter. 186

(2) The student will be enrolling in any of grades 187  
kindergarten through twelve in this state for the first time in 188  
the school year for which a scholarship is sought, will be at 189  
least five years of age by the first day of January of the 190

school year for which a scholarship is sought, and otherwise 191  
would be assigned under section 3319.01 of the Revised Code in 192  
the school year for which a scholarship is sought, to a school 193  
building described in division (A) (1) of this section. 194

(3) The student is enrolled in a community school 195  
established under Chapter 3314. of the Revised Code but 196  
otherwise would be assigned under section 3319.01 of the Revised 197  
Code to a building described in division (A) (1) of this section. 198

(4) The student is enrolled in a school building operated 199  
by the student's resident district or in a community school 200  
established under Chapter 3314. of the Revised Code and 201  
otherwise would be assigned under section 3319.01 of the Revised 202  
Code to a school building described in division (A) (1) of this 203  
section in the school year for which the scholarship is sought. 204

(5) The student will be both enrolling in any of grades 205  
kindergarten through twelve in this state for the first time and 206  
at least five years of age by the first day of January of the 207  
school year for which a scholarship is sought, or is enrolled in 208  
a community school established under Chapter 3314. of the 209  
Revised Code, and all of the following apply to the student's 210  
resident district: 211

(a) The district has in force an intradistrict open 212  
enrollment policy under which no student in the student's grade 213  
level is automatically assigned to a particular school building; 214

(b) In the most recent rating published prior to the first 215  
day of July of the school year for which scholarship is sought, 216  
the district did not receive a rating described in division (I) 217  
of this section, and in at least two of the three most recent 218  
report cards published prior to the first day of July of that 219



school year, any or a combination of the following apply to the	220
district:	221
(i) The district was declared to be in a state of academic	222
emergency under section 3302.03 of the Revised Code as it	223
existed prior to March 22, 2013.	224
(ii) The district received a grade of "D" or "F" for the	225
performance index score under division (A) (1) (b) or (B) (1) (b) of	226
section 3302.03 of the Revised Code and for the value-added	227
progress dimension under division (A) (1) (e) or (B) (1) (e) of	228
section 3302.03 of the Revised Code for the 2012-2013, 2013-	229
2014, 2014-2015, or 2015-2016 school year.	230
<del>(e)</del> -(iii) The district received an overall grade of "D" or	231
"F" under division (C) (3) of section 3302.03 of the Revised Code	232
or a grade of "F" for the value-added progress dimension under	233
division (C) (1) (e) of section 3302.03 of the Revised Code for	234
the 2016-2017 school year or any school year thereafter.	235
(6) Beginning in the 2019-2020 school year, the student	236
meets both of the following conditions:	237
(a) The student was enrolled in a public or nonpublic	238
school or was homeschooled in the prior school year and	239
completed any of grades eight through eleven in that school	240
year.	241
(b) The student would be assigned to a building in the	242
school year for which the scholarship is sought that either:	243
(i) Serves any of grades nine through twelve and that	244
received a grade of "D" or "F" for the four-year adjusted cohort	245
graduation rate under division (A) (1) (d), (B) (1) (d), or (C) (1)	246
(d) of section 3302.03 of the Revised Code in two of the three	247
most recent report cards published prior to the first day of	248

July of the school year for which a scholarship is sought;	249
(ii) Is a building described in division (A) (1) of this section.	250 251
Any student who was awarded a scholarship under division (A) (6) of this section as it existed prior to the effective date of this amendment may continue to receive scholarships in subsequent school years until the student completes grade twelve, as long as the student meets the criteria prescribed by division (F) of this section.	252 253 254 255 256 257
(B) (1) The student is enrolled in a school building operated by the student's resident district and to which both of the following apply:	258 259 260
(a) The building was ranked, for at least two of the three most recent rankings prior to the first day of July of the school year for which a scholarship is sought, in the lowest ten per cent of all buildings operated by city, local, and exempted village school districts according to performance index score as determined by the department of education.	261 262 263 264 265 266
(b) The building was not declared to be excellent or effective, or the equivalent of such ratings as determined by the department, under section 3302.03 of the Revised Code in the most recent rating published prior to the first day of July of the school year for which a scholarship is sought.	267 268 269 270 271
(2) The student will be enrolling in any of grades kindergarten through twelve in this state for the first time in the school year for which a scholarship is sought, will be at least five years of age, as defined in section 3321.01 of the Revised Code, by the first day of January of the school year for which a scholarship is sought, and otherwise would be assigned	272 273 274 275 276 277

under section 3319.01 of the Revised Code in the school year for 278  
which a scholarship is sought, to a school building described in 279  
division (B) (1) of this section. 280

(3) The student is enrolled in a community school 281  
established under Chapter 3314. of the Revised Code but 282  
otherwise would be assigned under section 3319.01 of the Revised 283  
Code to a building described in division (B) (1) of this section. 284

(4) The student is enrolled in a school building operated 285  
by the student's resident district or in a community school 286  
established under Chapter 3314. of the Revised Code and 287  
otherwise would be assigned under section 3319.01 of the Revised 288  
Code to a school building described in division (B) (1) of this 289  
section in the school year for which the scholarship is sought. 290

(C) The student is enrolled in a nonpublic school at the 291  
time the school is granted a charter by the state board of 292  
education under section 3301.16 of the Revised Code and the 293  
student meets the standards of division (B) of section 3310.031 294  
of the Revised Code. 295

(D) For the 2016-2017 school year and each school year 296  
thereafter, the student is in any of grades kindergarten through 297  
three, is enrolled in a school building that is operated by the 298  
student's resident district or will be enrolling in any of 299  
grades kindergarten through twelve in this state for the first 300  
time in the school year for which a scholarship is sought, and 301  
to which both of the following apply: 302

(1) The building, in at least two of the three most recent 303  
ratings of school buildings published prior to the first day of 304  
July of the school year for which a scholarship is sought, 305  
received a grade of "D" or "F" for making progress in improving 306

literacy in grades kindergarten through three under division (B)	307
(1) (g) or (C) (1) (g) of section 3302.03 of the Revised Code;	308
(2) The building did not receive a grade of "A" for making	309
progress in improving literacy in grades kindergarten through	310
three under division (B) (1) (g) or (C) (1) (g) of section 3302.03	311
of the Revised Code in the most recent rating published prior to	312
the first day of July of the school year for which a scholarship	313
is sought.	314
(E) The student's resident district is subject to section	315
3302.10 of the Revised Code and the student either:	316
(1) Is enrolled in a school building operated by the	317
resident district or in a community school established under	318
Chapter 3314. of the Revised Code;	319
(2) Will be both enrolling in any of grades kindergarten	320
through twelve in this state for the first time and at least	321
five years of age by the first day of January of the school year	322
for which a scholarship is sought.	323
(F) A student who receives a scholarship under the	324
educational choice scholarship pilot program remains an eligible	325
student and may continue to receive scholarships in subsequent	326
school years until the student completes grade twelve, so long	327
as all of the following apply:	328
(1) The student's resident district remains the same, or	329
the student transfers to a new resident district and otherwise	330
would be assigned in the new resident district to a school	331
building described in division (A) (1), (B) (1), (D), or (E) of	332
this section.	333
(2) Except as provided in divisions (K) (1) and (L) of	334
section 3301.0711 of the Revised Code, the student takes each	335

assessment prescribed for the student's grade level under 336  
section 3301.0710 or 3301.0712 of the Revised Code while 337  
enrolled in a chartered nonpublic school. 338

(3) In each school year that the student is enrolled in a 339  
chartered nonpublic school, the student is absent from school 340  
for not more than twenty days that the school is open for 341  
instruction, not including excused absences. 342

(G) (1) The department shall cease awarding first-time 343  
scholarships pursuant to divisions (A) (1) to (4) of this section 344  
with respect to a school building that, in the most recent 345  
ratings of school buildings published under section 3302.03 of 346  
the Revised Code prior to the first day of July of the school 347  
year, ceases to meet the criteria in division (A) (1) of this 348  
section. The department shall cease awarding first-time 349  
scholarships pursuant to division (A) (5) of this section with 350  
respect to a school district that, in the most recent ratings of 351  
school districts published under section 3302.03 of the Revised 352  
Code prior to the first day of July of the school year, ceases 353  
to meet the criteria in division (A) (5) of this section. 354

(2) The department shall cease awarding first-time 355  
scholarships pursuant to divisions (B) (1) to (4) of this section 356  
with respect to a school building that, in the most recent 357  
ratings of school buildings under section 3302.03 of the Revised 358  
Code prior to the first day of July of the school year, ceases 359  
to meet the criteria in division (B) (1) of this section. 360

(3) The department shall cease awarding first-time 361  
scholarships pursuant to division (D) of this section with 362  
respect to a school building that, in the most recent ratings of 363  
school buildings under section 3302.03 of the Revised Code prior 364  
to the first day of July of the school year, ceases to meet the 365

criteria in division (D) of this section. 366

(4) The department shall cease awarding first-time 367  
scholarships pursuant to division (E) of this section with 368  
respect to a school district subject to section 3302.10 of the 369  
Revised Code when the academic distress commission established 370  
for the district ceases to exist. 371

(5) However, students who have received scholarships in 372  
the prior school year remain eligible students pursuant to 373  
division (F) of this section. 374

(H) The state board of education shall adopt rules 375  
defining excused absences for purposes of division (F)(3) of 376  
this section. 377

(I)(1) A student who satisfies only the conditions 378  
prescribed in divisions (A)(1) to (4) of this section shall not 379  
be eligible for a scholarship if the student's resident building 380  
meets any of the following in the most recent rating under 381  
section 3302.03 of the Revised Code published prior to the first 382  
day of July of the school year for which a scholarship is 383  
sought: 384

(a) The building has an overall designation of excellent 385  
or effective under section 3302.03 of the Revised Code as it 386  
existed prior to March 22, 2013. 387

(b) For the 2012-2013, 2013-2014, 2014-2015, or 2015-2016 388  
school year, the building has a grade of "A" or "B" for the 389  
performance index score under division (A)(1)(b) or (B)(1)(b) of 390  
section 3302.03 of the Revised Code and for the value-added 391  
progress dimension under division (A)(1)(e) or (B)(1)(e) of 392  
section 3302.03 of the Revised Code; or if the building serves 393  
only grades ten through twelve, the building received a grade of 394

"A" or "B" for the performance index score under division (A) (1) 395  
(b) or (B) (1) (b) of section 3302.03 of the Revised Code and had 396  
a four-year adjusted cohort graduation rate of greater than or 397  
equal to seventy-five per cent. 398

(c) For the 2016-2017 school year or any school year 399  
thereafter, the building has a grade of "A" or "B" under 400  
division (C) (3) of section 3302.03 of the Revised Code and a 401  
grade of "A" for the value-added progress dimension under 402  
division (C) (1) (e) of section 3302.03 of the Revised Code; or if 403  
the building serves only grades ten through twelve, the building 404  
received a grade of "A" or "B" for the performance index score 405  
under division (C) (1) (b) of section 3302.03 of the Revised Code 406  
and had a four-year adjusted cohort graduation rate of greater 407  
than or equal to seventy-five per cent. 408

(2) A student who satisfies only the conditions prescribed 409  
in division (A) (5) of this section shall not be eligible for a 410  
scholarship if the student's resident district meets any of the 411  
following in the most recent rating under section 3302.03 of the 412  
Revised Code published prior to the first day of July of the 413  
school year for which a scholarship is sought: 414

(a) The district has an overall designation of excellent 415  
or effective under section 3302.03 of the Revised Code as it 416  
existed prior to March 22, 2013. 417

(b) The district has a grade of "A" or "B" for the 418  
performance index score under division (A) (1) (b) or (B) (1) (b) of 419  
section 3302.03 of the Revised Code and for the value-added 420  
progress dimension under division (A) (1) (e) or (B) (1) (e) of 421  
section 3302.03 of the Revised Code for the 2012-2013, 2013- 422  
2014, 2014-2015, and 2015-2016 school years. 423

(c) The district has an overall grade of "A" or "B" under 424  
division (C) (3) of section 3302.03 of the Revised Code and a 425  
grade of "A" for the value-added progress dimension under 426  
division (C) (1) (e) of section 3302.03 of the Revised Code for 427  
the 2016-2017 school year or any school year thereafter. 428

(J) For the 2020-2021 school year and for each school year 429  
thereafter, a student shall be eligible for a scholarship under 430  
this section if all of the following criteria are satisfied: 431

(1) The student's sibling received a scholarship under 432  
this section during the 2019-2020 school year. 433

(2) The student is enrolled in or would be enrolled in a 434  
building that, in the 2019-2020 school year, met one of the 435  
conditions described in division (A), (B), (C), or (E) of this 436  
section. A student shall not be eligible under division (J) (2) 437  
of this section solely because the student is enrolled in or 438  
would be enrolled in a building that, in the 2019-2020 school 439  
year, met the conditions described in division (D) of this 440  
section. 441

(3) The student was enrolled in a public or nonpublic 442  
school in any of grades kindergarten through twelve or was 443  
homeschooled for the equivalent of those grades in the 2019-2020 444  
school year. 445

(K) (1) For the 2021-2022 school year and for each school 446  
year thereafter, if a student received a scholarship for the 447  
previous school year under this section but the student's family 448  
income satisfies the requirements for a scholarship under 449  
section 3310.032 of the Revised Code, the student shall not be 450  
eligible for a scholarship under this section for that school 451  
year and any school year thereafter and, instead, shall be 452



eligible for a scholarship under section 3310.032 of the Revised Code. 453  
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(2) Notwithstanding anything to the contrary in section 3310.032 of the Revised Code, if a student receives a scholarship under division (K) (1) of this section, that student shall continue to receive a scholarship under section 3310.032 of the Revised Code, so long as the student satisfies the conditions specified in divisions (F) (2) and (3) of this section, in the amount of one hundred per cent of the full scholarship amount until the student completes grade twelve, regardless of any changes in the student's family income. 455  
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**Sec. 3310.031. This section shall not apply for the 2020-2021 school year and any school year thereafter.** 464  
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(A) The state board of education shall adopt rules under section 3310.17 of the Revised Code establishing procedures for granting educational choice scholarships to eligible students attending a nonpublic school at the time the state board grants the school a charter under section 3301.16 of the Revised Code. The procedures shall include at least the following: 466  
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(1) Provisions for extending the application period for scholarships for the following school year, if necessary due to the timing of the award of the nonpublic school's charter, in order for students enrolled in the school at the time the charter is granted to apply for scholarships for the following school year; 472  
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(2) Provisions for notifying the resident districts of the nonpublic school's students that the nonpublic school has been granted a charter and that educational choice scholarships may be awarded to the school's students for the following school 478  
479  
480  
481

year. 482

(B) A student who is enrolled in a nonpublic school at the 483  
time the school's charter is granted is an eligible student if 484  
any of the following applies: 485

(1) At the end of the last school year before the student 486  
enrolled in the nonpublic school, the student was enrolled in a 487  
school building operated by the student's resident district or 488  
in a community school established under Chapter 3314. of the 489  
Revised Code and, for the current or following school year, the 490  
student otherwise would be assigned under section 3319.01 of the 491  
Revised Code to a school building described in division (A) (1) 492  
or (B) (1) of section 3310.03 of the Revised Code. 493

(2) At the end of the last school year before the student 494  
enrolled in the nonpublic school, the student was enrolled in a 495  
school building operated by the student's resident district and, 496  
for the current or following school year, the student otherwise 497  
would be assigned under section 3319.01 of the Revised Code to a 498  
school building described in division (A) (6) of section 3310.03 499  
of the Revised Code. 500

(3) The student was not enrolled in any public or other 501  
nonpublic school before the student enrolled in the nonpublic 502  
school and, for the current or following school year, otherwise 503  
would be assigned under section 3319.01 of the Revised Code to a 504  
school building described in division (A) (1) or (6) or (B) (1) of 505  
section 3310.03 of the Revised Code. 506

(4) At the end of the last school year before the student 507  
enrolled in the nonpublic school, the student was enrolled in a 508  
school building operated by the student's resident district and, 509  
during that school year, the building met the conditions 510

described in division (A) (1) or (6) or (B) (1) of section 3310.03 511  
of the Revised Code. 512

(5) At the end of the last school year before the student 513  
enrolled in the nonpublic school, the student was enrolled in a 514  
community school established under Chapter 3314. of the Revised 515  
Code but otherwise would have been assigned under section 516  
3319.01 of the Revised Code to a school building that, during 517  
that school year, met the conditions described in division (A) 518  
(1) or (B) (1) of section 3310.03 of the Revised Code. 519

**Sec. 3310.032.** ~~(A)~~ The scholarship program established in 520  
this section shall be known as the buckeye opportunity 521  
scholarship program. 522

(A) A student is an "eligible student" for purposes of ~~the~~ 523  
~~expansion of the educational choice scholarship pilot program~~ 524  
~~under this section if the~~ student satisfies any of the 525  
following: 526

(1) The student's resident district is not a school 527  
district in which the pilot project scholarship program is 528  
operating under sections 3313.974 to 3313.979 of the Revised 529  
Code, the student is not ~~eligible for receiving~~ an educational 530  
choice scholarship under section 3310.03 of the Revised Code, 531  
and the student's family income is at or below two hundred fifty 532  
per cent of the federal poverty guidelines, as defined in 533  
section 5101.46 of the Revised Code. 534

(2) The student's sibling received a scholarship under 535  
this section in the prior school year. 536

(3) The student is eligible under division (K) of section 537  
3310.03 of the Revised Code. 538

(B) In each fiscal year for which the general assembly 539

appropriates funds for purposes of this section, the department 540  
of education shall pay scholarships to attend chartered 541  
nonpublic schools in accordance with section 3310.08 of the 542  
Revised Code. The number of scholarships awarded under this 543  
section shall not exceed the number that can be funded with 544  
appropriations made by the general assembly for this purpose. 545

(C) Scholarships under this section shall be awarded as 546  
follows: 547

(1) For the 2013-2014 school year, to eligible students 548  
who are entering kindergarten in that school year for the first 549  
time; 550

(2) For each subsequent school year through the 2019-2020 551  
school year, scholarships shall be awarded to eligible students 552  
in the next grade level above the highest grade level awarded in 553  
the preceding school year, in addition to the grade levels for 554  
which students received scholarships in the preceding school 555  
year; 556

(3) Beginning with the 2020-2021 school year, to eligible 557  
students who are entering any of grades kindergarten through 558  
twelve in that school year for the first time. 559

(D) If the number of eligible students who apply for a 560  
scholarship under this section exceeds the scholarships 561  
available based on the appropriation for this section, the 562  
department shall award scholarships in the following order of 563  
priority: 564

(1) First, to eligible students who received scholarships 565  
under this section in the prior school year and their siblings; 566

(2) Second, to other eligible students ~~with in rank order~~ 567  
~~of family incomes at or below one hundred per cent of the income~~ 568

~~according to federal poverty guidelines, with lower income~~ 569  
~~students having priority over higher income students. If the~~ 570  
~~number of students described in division (D) (2) of this section~~ 571  
~~who apply for a scholarship exceeds the number of available~~ 572  
~~scholarships after awards are made under division (D) (1) of this~~ 573  
~~section, the department shall select students described in~~ 574  
~~division (D) (2) of this section by lot to receive any remaining~~ 575  
~~scholarships.~~ 576

~~(3) Third, to other eligible students who qualify under~~ 577  
~~this section. If the number of students described in division~~ 578  
~~(D) (3) of this section exceeds the number of available~~ 579  
~~scholarships after awards are made under divisions (D) (1) and~~ 580  
~~(2) of this section, the department shall select students~~ 581  
~~described in division (D) (3) of this section by lot to receive~~ 582  
~~any remaining scholarships.~~ 583

(E) Subject to divisions (E) (1) to (3) of this section, a 584  
student who receives a scholarship under this section remains an 585  
eligible student and may continue to receive scholarships under 586  
this section in subsequent school years until the student 587  
completes grade twelve, so long as the student satisfies the 588  
conditions specified in divisions (F) (2) and (3) of section 589  
3310.03 of the Revised Code. 590

~~Once~~ Except as provided in division (K) of section 3310.03 591  
of the Revised Code, once a scholarship is awarded under this 592  
section, the student shall remain eligible for that scholarship 593  
for the current school year and subsequent school years even if 594  
the student's family income rises above the amount specified in 595  
division (A) of this section, provided the student remains 596  
enrolled in a chartered nonpublic school, however: 597

(1) If the student's family income is above two hundred 598

fifty per cent but at or below ~~three-two~~ hundred seventy-five 599  
per cent of the federal poverty guidelines, the student shall 600  
receive a scholarship in the amount of seventy-five per cent of 601  
the full scholarship amount. 602

(2) If the student's family income is above ~~three-two~~ 603  
hundred seventy-five per cent but at or below ~~four-three~~ hundred 604  
per cent of the federal poverty guidelines, the student shall 605  
receive a scholarship in the amount of fifty per cent of the 606  
full scholarship amount. 607

(3) If the student's family income is above ~~four-three~~ 608  
hundred per cent of the federal poverty guidelines, the student 609  
is no longer eligible to receive an educational choice 610  
scholarship. 611

**Sec. 3310.08.** (A) As used in this section, "tuition 612  
discount" means any deduction from the base tuition amount per 613  
student charged by the school, to which the student's family is 614  
entitled due to one or more of the following conditions: 615

(1) The student's family has multiple children enrolled in 616  
the same school. 617

(2) The student's family is a member of or affiliated with 618  
a religious or secular organization that provides oversight of 619  
the school or from which the school has agreed to enroll 620  
students. 621

(3) The student's parent is an employee of the school. 622

(4) Some other qualification not based on the income of 623  
the student's family or the student's athletic or academic 624  
ability and for which all students in the school may qualify. 625

(B) The amount paid for an eligible student under the 626

educational choice scholarship pilot program, awarded under 627  
section 3310.03 of the Revised Code, and the ~~expansion of the~~ 628  
buckeye opportunity scholarship program, awarded under section 629  
3310.032 of the Revised Code, shall be the lesser of the 630  
following: 631

(1) The base tuition of the chartered nonpublic school in 632  
which the student is enrolled minus the total amount of any 633  
applicable tuition discounts for which the student qualifies; 634

(2) The maximum amount prescribed in section 3310.09 of 635  
the Revised Code. 636

(C) (1) The department of education shall pay to the parent 637  
of each eligible student for whom a scholarship is awarded under 638  
the program, or to the student if at least eighteen years of 639  
age, periodic partial payments of the scholarship. 640

(2) The department shall proportionately reduce or 641  
terminate the payments for any student who withdraws from a 642  
chartered nonpublic school prior to the end of the school year. 643

(D) (1) The department shall deduct from the payments made 644  
to each school district under Chapter 3317., and if necessary, 645  
sections 321.24 and 323.156 of the Revised Code, the amount paid 646  
under division (C) of this section for each eligible student who 647  
qualifies for a scholarship under section 3310.03 of the Revised 648  
Code and who is entitled under section 3313.64 or 3313.65 of the 649  
Revised Code to attend school in the district. In the case of a 650  
student entitled to attend school in a school district under 651  
division (B) (2) (a) of section 3313.64 or division (C) of section 652  
3313.65 of the Revised Code, the department shall deduct the 653  
payments from the school district in whose formula ADM the 654  
student is included, as that term is defined in section 3317.02 655

of the Revised Code. 656

(2) If the department reduces or terminates payments to a 657  
parent or a student, as prescribed in division (C) (2) of this 658  
section, and the student enrolls in the schools of the student's 659  
resident district or in a community school, established under 660  
Chapter 3314. of the Revised Code, before the end of the school 661  
year, the department shall proportionally restore to the 662  
resident district the amount deducted for that student under 663  
division (D) (1) of this section. 664

**Sec. 3310.16.** For the ~~2020-2021-2021-2022~~ school year and 665  
each school year thereafter, the department of education shall 666  
accept, process, and award scholarships each year for the 667  
educational choice scholarship pilot program under ~~sections~~ 668  
section 3310.03 and 3310.032 of the Revised Code and the buckeye 669  
opportunity scholarship program under section 3310.032 of the 670  
Revised Code, as follows: 671

(A) A ~~priority~~ single application period shall open on the 672  
first day of February and close on the first day of April prior 673  
to the first day of July of the school year for which a 674  
scholarship is sought ~~and run not less than seventy five days.~~ 675  
The department shall award scholarships under this division not 676  
later than the thirtieth day of June prior to the first day of 677  
July of the school year for which a scholarship is sought. 678

(B) ~~The department shall continue to award scholarships~~ 679  
~~after the priority application period closes. If the department~~ 680  
~~awards a scholarship after the beginning of the school year, the~~ 681  
~~department shall prorate the amount of the scholarship based on~~ 682  
~~how much of the school year remains.~~ The department shall 683  
~~continue to award income-based~~ scholarships under section 684  
3310.032 of the Revised Code only so long as funds appropriated 685



by the general assembly for such scholarships for that school 686  
year remain available. 687

**Sec. 3313.14.** The board of education of each city, 688  
exempted village, and local school district shall meet on a day 689  
occurring during the first fifteen days of January of each year, 690  
and shall organize by electing one of its members president and 691  
another vice-president, both of whom shall serve for one year. 692  
The treasurer of the board shall canvass the members of the new 693  
board no later than December thirty-first to establish the day 694  
of the organizational meeting prescribed by this section. 695

The board of education of a joint vocational school 696  
district shall hold its first meeting in January of each year, 697  
and shall organize by electing one of its members president and 698  
another vice-president, both of whom shall serve for one year. 699  
The treasurer of the board shall canvass the members of the new 700  
board no later than December thirty-first to establish the day 701  
of the organizational meeting prescribed by this section. 702

The governing board of each educational service center 703  
shall hold its first meeting in January of each year, and shall 704  
organize by electing one of its members president and another 705  
vice-president, both of whom shall serve for one year. 706

**Sec. 3313.25.** (A) Except as otherwise provided in section 707  
3.061 of the Revised Code, before entering upon the duties of 708  
office, the treasurer of each school district board of education 709  
or educational service center governing board shall execute a 710  
bond, in an amount and with surety to be approved by the board, 711  
payable to the state, conditioned for the faithful performance 712  
of all the official duties required of the treasurer. Such bond 713  
must be deposited with the president of the board, and a copy 714  
thereof, certified by the president, shall be filed with the 715

county auditor. 716

(B) (1) A treasurer shall not be held liable for a loss of 717  
public funds when the treasurer has performed all official 718  
duties required of the treasurer with reasonable care, but shall 719  
be liable only when a loss of public funds results from the 720  
treasurer's negligence or other wrongful act. 721

(2) The department of education shall not consider the 722  
loss of public funds not resulting from the treasurer's 723  
negligence or other wrongful act a violation of the treasurer's 724  
professional duties, provided the treasurer has performed all 725  
official duties required of the treasurer with reasonable care. 726

**Sec. 3313.482.** (A) (1) Prior to the first day of August of 727  
each school year, the board of education of any school district 728  
or the governing authority of any chartered nonpublic school may 729  
adopt a plan to require students to access and complete 730  
classroom lessons posted on the district's or nonpublic school's 731  
web portal or web site in order to make up hours in that school 732  
year on which it is necessary to close schools for disease 733  
epidemic, hazardous weather conditions, law enforcement 734  
emergencies, inoperability of school buses or other equipment 735  
necessary to the school's operation, damage to a school 736  
building, or other temporary circumstances due to utility 737  
failure rendering the school building unfit for school use. 738

Prior to the first day of August of each school year, the 739  
governing authority of any community school established under 740  
Chapter 3314. that is not an internet- or computer-based 741  
community school, as defined in section 3314.02 of the Revised 742  
Code, may adopt a plan to require students to access and 743  
complete classroom lessons posted on the school's web portal or 744  
web site in order to make up hours in that school year on which 745

it is necessary to close the school for any of the reasons 746  
specified in division (H) (4) of section 3314.08 of the Revised 747  
Code so that the school is in compliance with the minimum number 748  
of hours required under Chapter 3314. of the Revised Code. 749

A plan adopted by a school district board, chartered 750  
nonpublic school governing authority, or community school 751  
governing authority shall provide for making up any number of 752  
hours, up to a maximum of the number of hours that are the 753  
equivalent of three school days. 754

(2) Each plan adopted under this section by a school 755  
district board of education shall include the written consent of 756  
the teachers' employee representative designated under division 757  
(B) of section 4117.04 of the Revised Code. 758

(3) Each plan adopted under this section shall provide for 759  
the following: 760

(a) Not later than the first day of November of the school 761  
year, each classroom teacher shall develop a sufficient number 762  
of lessons for each course taught by the teacher that school 763  
year to cover the number of make-up hours specified in the plan. 764  
The teacher shall designate the order in which the lessons are 765  
to be posted on the district's, community school's, or nonpublic 766  
school's web portal or web site in the event of a school 767  
closure. Teachers may be granted up to one professional 768  
development day to create lesson plans for those lessons. 769

(b) To the extent possible and necessary, a classroom 770  
teacher shall update or replace, based on current instructional 771  
progress, one or more of the lesson plans developed under 772  
division (A) (3) (a) of this section before they are posted on the 773  
web portal or web site under division (A) (3) (c) of this section 774

or distributed under division (B) of this section. 775

(c) As soon as practicable after a school closure, a 776  
district or school employee responsible for web portal or web 777  
site operations shall make the designated lessons available to 778  
students on the district's, community school's, or nonpublic 779  
school's portal or site. A lesson shall be posted for each 780  
course that was scheduled to meet on the day or hours of the 781  
closure. 782

(d) Each student enrolled in a course for which a lesson 783  
is posted on the portal or site shall be granted a two-week 784  
period from the date of posting to complete the lesson. The 785  
student's classroom teacher shall grade the lesson in the same 786  
manner as other lessons. The student may receive an incomplete 787  
or failing grade if the lesson is not completed on time. 788

(e) If a student does not have access to a computer at the 789  
student's residence and the plan does not include blizzard bags 790  
under division (B) of this section, the student shall be 791  
permitted to work on the posted lessons at school after the 792  
student's school reopens. If the lessons were posted prior to 793  
the reopening, the student shall be granted a two-week period 794  
from the date of the reopening, rather than from the date of 795  
posting as otherwise required under division (A)(3)(d) of this 796  
section, to complete the lessons. The district board or 797  
community school or nonpublic school governing authority may 798  
provide the student access to a computer before, during, or 799  
after the regularly scheduled school day or may provide a 800  
substantially similar paper lesson in order to complete the 801  
lessons. 802

(B)(1) In addition to posting classroom lessons online 803  
under division (A) of this section, the board of education of 804

any school district or governing authority of any community or 805  
chartered nonpublic school may include in the plan distribution 806  
of "blizzard bags," which are paper copies of the lessons posted 807  
online. 808

(2) If a school opts to use blizzard bags, teachers shall 809  
prepare paper copies in conjunction with the lessons to be 810  
posted online and update the paper copies whenever the teacher 811  
updates the online lesson plans. 812

(3) The board of education of any school district or 813  
governing authority of any community or chartered nonpublic 814  
school that opts to use blizzard bags shall specify in the plan 815  
the method of distribution of blizzard bag lessons, which may 816  
include, but not be limited to, requiring distribution by a 817  
specific deadline or requiring distribution prior to anticipated 818  
school closure as directed by the superintendent of a school 819  
district or the principal, director, chief administrative 820  
officer, or the equivalent, of a school. 821

(4) Students shall turn in completed lessons in accordance 822  
with division (A) (3) (d) of this section. 823

(C) In addition to the hours that may be made up in 824  
accordance with divisions (A) and (B) of this section, the board 825  
of education of any joint vocational school district may include 826  
in its plan adopted under this section other options to make up 827  
any number of additional hours missed as a result of one or more 828  
of the schools of its member city, exempted village, or local 829  
school districts were closed for the reasons specified in 830  
division (A) (1) of this section. Those options may include 831  
additional online lessons, planned student internships, student 832  
projects, or other options specified by the board in its plan. 833

(D) (1) No school district that implements a plan in 834  
accordance with this section shall be considered to have failed 835  
to comply with division (B) of section 3317.01 of the Revised 836  
Code with respect to the number of make-up hours specified in 837  
the plan. 838

(2) No community school that implements a plan in 839  
accordance with this section shall be considered to have failed 840  
to comply with the minimum number of hours required under 841  
Chapter 3314. of the Revised Code with respect to the number of 842  
make-up hours specified in the plan. 843

**Sec. 3313.82.** ~~The~~ (A) Subject to division (D) of this 844  
section, the board of education of each school district and the 845  
governing board of each educational service center shall appoint 846  
a business advisory council, except that a school district that 847  
has entered into an agreement under section 3313.843 or 3313.845 848  
of the Revised Code to receive any services from an educational 849  
service center is not required to appoint a council if the 850  
school district and educational service center agree that the 851  
educational service center's council will represent the business 852  
of the district. ~~The~~ 853

(B) The council shall advise and provide recommendations 854  
to the board on matters specified by the board including, but 855  
not necessarily limited to, ~~the~~ all of the following: 856

(1) The delineation of employment skills and the 857  
development of curriculum to instill these skills; ~~changes~~ 858

(2) Changes in the economy and in the job market, and the 859  
types of employment in which future jobs are most likely to be 860  
available; ~~and suggestions~~ 861

(3) Suggestions for developing a working relationship 862

among businesses, labor organizations, and educational 863  
personnel. ~~Each~~ 864

(C) Each board shall determine the membership and 865  
organization of its council. ~~Notwithstanding~~ 866

(D) A school district shall not be required to appoint a 867  
council under division (A) of this section if the school 868  
district has entered into an agreement with the business 869  
advisory committee of a joint vocational school district that 870  
allows the business advisory committee to represent the business 871  
of the school district in accordance with this section. 872

(E) Notwithstanding division (D) of section 3311.19 and 873  
division (D) of section 3311.52 of the Revised Code, this 874  
section shall not apply to the board of education of any joint 875  
vocational school district or any cooperative education school 876  
district created pursuant to divisions (A) to (C) of section 877  
3311.52 of the Revised Code. 878

**Sec. 3313.903.** Except as otherwise required under federal 879  
law, the department of education shall consider an industry- 880  
recognized credential, ~~as described under division (B) (2) (d) of~~ 881  
~~section 3302.03~~ approved under section 3313.6113 of the Revised 882  
Code, or a license issued by a state agency or board for 883  
practice in a vocation that requires an examination for issuance 884  
of that license as an acceptable measure of technical skill 885  
attainment and shall not require a student with such credential 886  
or license to take additional technical assessments. 887

Additionally, the department shall not require a student 888  
who has participated in or will be participating in a 889  
credentialing assessment aligned to the student's career- 890  
technical education program or has participated in or will be 891

participating in taking an examination for issuance of such a 892  
license aligned to the student's career-technical education 893  
program to take additional technical assessments. 894

However, if the student does not participate in the 895  
credentialing assessment or license examination, the student 896  
shall take the applicable technical assessments prescribed by 897  
the department. 898

The department shall develop, in consultation with the 899  
Ohio association for career and technical education, the Ohio 900  
association of career-technical superintendents, the Ohio 901  
association of city career-technical schools, and other 902  
stakeholders, procedures for identifying industry-recognized 903  
credentials and licenses aligned to a student's career-technical 904  
education program that can be used as an acceptable measure of 905  
technical skill, and for identifying students in the process of 906  
earning such credentials and licenses. The department shall 907  
consider the possibility of attaining college credit as a factor 908  
when identifying an acceptable measure of technical skill. 909

Not later than the thirty-first day of May of each year, 910  
the department shall, in consultation with the Ohio association 911  
for career and technical education, the Ohio association of 912  
career-technical superintendents, and the Ohio association of 913  
comprehensive and compact career-technical schools, update a 914  
list developed by the department regarding technical assessments 915  
subject to this section. 916

As used in this section, "technical assessments" shall not 917  
include the nationally recognized job skills assessment 918  
prescribed under division (G) of section 3301.0712 of the 919  
Revised Code. 920



Nothing in this section shall exempt a student who wishes 921  
to qualify for a high school diploma under division (A) (3) of 922  
section 3313.618 of the Revised Code from the requirement to 923  
attain a specified score on that assessment in order to qualify 924  
for a high school diploma under that section. 925

**Sec. 3314.011.** (A) Every community school established 926  
under this chapter shall have a designated fiscal officer. 927  
Except as provided for in division ~~(C)~~(D) of this section, the 928  
fiscal officer shall be employed by or engaged under a contract 929  
with the governing authority of the community school. 930

(B) Except as otherwise provided in section 3.061 of the 931  
Revised Code, the auditor of state shall require that the fiscal 932  
officer of any community school, before entering upon duties as 933  
fiscal officer of the school, execute a bond in an amount and 934  
with surety to be approved by the governing authority of the 935  
school, payable to the state, conditioned for the faithful 936  
performance of all the official duties required of the fiscal 937  
officer. The bond shall be deposited with the governing 938  
authority of the school, and a copy thereof, certified by the 939  
governing authority, shall be filed with the county auditor. 940

(C) (1) A fiscal officer shall not be held liable for a 941  
loss of public funds when the fiscal officer has performed all 942  
official duties required of the fiscal officer with reasonable 943  
care, but shall be liable only when a loss of public funds 944  
results from the fiscal officer's negligence or other wrongful 945  
act. 946

(2) The department of education shall not consider the 947  
loss of public funds not resulting from the fiscal officer's 948  
negligence or other wrongful act a violation of the fiscal 949  
officer's professional duties, provided the fiscal officer has 950

performed all official duties required of the fiscal officer 951  
with reasonable care. 952

(3) Except as provided for in division (C) of section 953  
3314.17 of the Revised Code, no fiscal officer shall be liable 954  
for a loss of public funds that results from a fiscal officer's 955  
reliance on the accuracy of nonfinancial information or data of 956  
the community school, including reports in the education 957  
management information system under section 3301.0714 of the 958  
Revised Code, student transportation reports, and licensure or 959  
other credentialing information, unless the loss results from 960  
the fiscal officer's negligence or other wrongful act. 961

(4) To the extent that a fiscal officer is required to 962  
receive written statements from the community school's chief 963  
administrative officer that a teacher has filed required reports 964  
and a legal educator license, or true copy of it, prior to 965  
payment to the teacher for services, no fiscal officer shall be 966  
liable for a loss of public funds for any payments to the 967  
teacher that are made by the fiscal officer, unless the loss 968  
results from the fiscal officer's own negligence or other 969  
wrongful act. 970

(D) Prior to assuming the duties of fiscal officer, the 971  
fiscal officer designated under this section shall be licensed 972  
under section 3301.074 of the Revised Code. Any person serving 973  
as a fiscal officer of a community school on March 22, 2013, who 974  
is not licensed as a treasurer shall be permitted to serve as a 975  
fiscal officer for not more than one year following March 22, 976  
2013. Beginning on that date and thereafter, no community school 977  
shall permit any individual to serve as a fiscal officer without 978  
a license as required by this section. 979

~~(D) (1)~~ (E) (1) The governing authority of a community 980

school may adopt a resolution waiving the requirement that the governing authority is the party responsible to employ or contract with the designated fiscal officer, as prescribed by division (A) of this section, so long as the school's sponsor also approves the resolution. The resolution shall be valid for one year. A new resolution shall be adopted for each year that the governing authority wishes to waive this requirement, so long as the school's sponsor also approves the resolution.

No resolution adopted pursuant to this division may waive the requirement for a community school to have a designated fiscal officer.

(2) If the governing authority adopts a resolution pursuant to division ~~(D) (1)~~ (E) (1) of this section, the school's designated fiscal officer annually shall meet with the governing authority to review the school's financial status.

(3) The governing authority shall submit to the department ~~of education~~ a copy of each resolution adopted pursuant to division ~~(D) (1)~~ (E) (1) of this section.

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

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

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

(a) A nonprofit corporation established under Chapter

1702. of the Revised Code, if established prior to April 8,	1010
2003;	1011
(b) A public benefit corporation established under Chapter	1012
1702. of the Revised Code, if established after April 8, 2003.	1013
(2) The education program of the school, including the	1014
school's mission, the characteristics of the students the school	1015
is expected to attract, the ages and grades of students, and the	1016
focus of the curriculum;	1017
(3) The academic goals to be achieved and the method of	1018
measurement that will be used to determine progress toward those	1019
goals, which shall include the statewide achievement	1020
assessments;	1021
(4) Performance standards, including but not limited to	1022
all applicable report card measures set forth in section 3302.03	1023
or 3314.017 of the Revised Code, by which the success of the	1024
school will be evaluated by the sponsor;	1025
(5) The admission standards of section 3314.06 of the	1026
Revised Code and, if applicable, section 3314.061 of the Revised	1027
Code;	1028
(6) (a) Dismissal procedures;	1029
(b) A requirement that the governing authority adopt an	1030
attendance policy that includes a procedure for automatically	1031
withdrawing a student from the school if the student without a	1032
legitimate excuse fails to participate in seventy-two	1033
consecutive hours of the learning opportunities offered to the	1034
student.	1035
(7) The ways by which the school will achieve racial and	1036
ethnic balance reflective of the community it serves;	1037

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

(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:

(a) A detailed description of each facility used for instructional purposes;

(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;

(c) The annual mortgage principal and interest payments that are paid by the school;

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

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

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

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

(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the school. 1066  
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(c) The school will be nonsectarian in its programs, admission policies, employment practices, and all other operations, and will not be operated by a sectarian school or religious institution. 1069  
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(d) The school will comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3313.472, 3313.50, 3313.536, 3313.539, 3313.5310, 3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.6024, 3313.643, 3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 3313.86, 3313.89, 3313.96, 3319.073, 3319.321, 3319.39, 3319.391, 3319.41, 3319.46, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. of the Revised Code as if it were a school district and will comply with section 3301.0714 of the Revised Code in the manner specified in section 3314.17 of the Revised Code. 1073  
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(e) The school shall comply with Chapter 102. and section 2921.42 of the Revised Code. 1090  
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(f) The school will comply with sections 3313.61, 3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the Revised Code, except that for students who enter ninth grade for the first time before July 1, 2010, the requirement in sections 1092  
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3313.61 and 3313.611 of the Revised Code that a person must 1096  
successfully complete the curriculum in any high school prior to 1097  
receiving a high school diploma may be met by completing the 1098  
curriculum adopted by the governing authority of the community 1099  
school rather than the curriculum specified in Title XXXVIII of 1100  
the Revised Code or any rules of the state board of education. 1101  
Beginning with students who enter ninth grade for the first time 1102  
on or after July 1, 2010, the requirement in sections 3313.61 1103  
and 3313.611 of the Revised Code that a person must successfully 1104  
complete the curriculum of a high school prior to receiving a 1105  
high school diploma shall be met by completing the requirements 1106  
prescribed in division (C) of section 3313.603 of the Revised 1107  
Code, unless the person qualifies under division (D) or (F) of 1108  
that section. Each school shall comply with the plan for 1109  
awarding high school credit based on demonstration of subject 1110  
area competency, and beginning with the 2017-2018 school year, 1111  
with the updated plan that permits students enrolled in seventh 1112  
and eighth grade to meet curriculum requirements based on 1113  
subject area competency adopted by the state board of education 1114  
under divisions (J) (1) and (2) of section 3313.603 of the 1115  
Revised Code. Beginning with the 2018-2019 school year, the 1116  
school shall comply with the framework for granting units of 1117  
high school credit to students who demonstrate subject area 1118  
competency through work-based learning experiences, internships, 1119  
or cooperative education developed by the department under 1120  
division (J) (3) of section 3313.603 of the Revised Code. 1121

(g) The school governing authority will submit within four 1122  
months after the end of each school year a report of its 1123  
activities and progress in meeting the goals and standards of 1124  
divisions (A) (3) and (4) of this section and its financial 1125  
status to the sponsor and the parents of all students enrolled 1126

in the school. 1127

(h) The school, unless it is an internet- or computer- 1128  
based community school, will comply with section 3313.801 of the 1129  
Revised Code as if it were a school district. 1130

(i) If the school is the recipient of moneys from a grant 1131  
awarded under the federal race to the top program, Division (A), 1132  
Title XIV, Sections 14005 and 14006 of the "American Recovery 1133  
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 1134  
the school will pay teachers based upon performance in 1135  
accordance with section 3317.141 and will comply with section 1136  
3319.111 of the Revised Code as if it were a school district. 1137

(j) If the school operates a preschool program that is 1138  
licensed by the department of education under sections 3301.52 1139  
to 3301.59 of the Revised Code, the school shall comply with 1140  
sections 3301.50 to 3301.59 of the Revised Code and the minimum 1141  
standards for preschool programs prescribed in rules adopted by 1142  
the state board under section 3301.53 of the Revised Code. 1143

(k) The school will comply with sections 3313.6021 and 1144  
3313.6023 of the Revised Code as if it were a school district 1145  
unless it is either of the following: 1146

(i) An internet- or computer-based community school; 1147

(ii) A community school in which a majority of the 1148  
enrolled students are children with disabilities as described in 1149  
division (A) (4) (b) of section 3314.35 of the Revised Code. 1150

(12) Arrangements for providing health and other benefits 1151  
to employees; 1152

(13) The length of the contract, which shall begin at the 1153  
beginning of an academic year. No contract shall exceed five 1154



years unless such contract has been renewed pursuant to division 1155  
(E) of this section. 1156

(14) The governing authority of the school, which shall be 1157  
responsible for carrying out the provisions of the contract; 1158

(15) A financial plan detailing an estimated school budget 1159  
for each year of the period of the contract and specifying the 1160  
total estimated per pupil expenditure amount for each such year. 1161

(16) Requirements and procedures regarding the disposition 1162  
of employees of the school in the event the contract is 1163  
terminated or not renewed pursuant to section 3314.07 of the 1164  
Revised Code; 1165

(17) Whether the school is to be created by converting all 1166  
or part of an existing public school or educational service 1167  
center building or is to be a new start-up school, and if it is 1168  
a converted public school or service center building, 1169  
specification of any duties or responsibilities of an employer 1170  
that the board of education or service center governing board 1171  
that operated the school or building before conversion is 1172  
delegating to the governing authority of the community school 1173  
with respect to all or any specified group of employees provided 1174  
the delegation is not prohibited by a collective bargaining 1175  
agreement applicable to such employees; 1176

(18) Provisions establishing procedures for resolving 1177  
disputes or differences of opinion between the sponsor and the 1178  
governing authority of the community school; 1179

(19) A provision requiring the governing authority to 1180  
adopt a policy regarding the admission of students who reside 1181  
outside the district in which the school is located. That policy 1182  
shall comply with the admissions procedures specified in 1183

sections 3314.06 and 3314.061 of the Revised Code and, at the  
sole discretion of the authority, shall do one of the following:

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

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

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

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

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

(22) A provision recognizing both of the following:

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

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

(23) A description of the learning opportunities that will 1212  
be offered to students including both classroom-based and non- 1213  
classroom-based learning opportunities that is in compliance 1214  
with criteria for student participation established by the 1215  
department under division (H) (2) of section 3314.08 of the 1216  
Revised Code; 1217

(24) The school will comply with sections 3302.04 and 1218  
3302.041 of the Revised Code, except that any action required to 1219  
be taken by a school district pursuant to those sections shall 1220  
be taken by the sponsor of the school. However, the sponsor 1221  
shall not be required to take any action described in division 1222  
(F) of section 3302.04 of the Revised Code. 1223

(25) Beginning in the 2006-2007 school year, the school 1224  
will open for operation not later than the thirtieth day of 1225  
September each school year, unless the mission of the school as 1226  
specified under division (A) (2) of this section is solely to 1227  
serve dropouts. In its initial year of operation, if the school 1228  
fails to open by the thirtieth day of September, or within one 1229  
year after the adoption of the contract pursuant to division (D) 1230  
of section 3314.02 of the Revised Code if the mission of the 1231  
school is solely to serve dropouts, the contract shall be void. 1232

(26) Whether the school's governing authority is planning 1233  
to seek designation for the school as a STEM school equivalent 1234  
under section 3326.032 of the Revised Code; 1235

(27) That the school's attendance and participation 1236  
policies will be available for public inspection; 1237

(28) That the school's attendance and participation 1238  
records shall be made available to the department of education, 1239  
auditor of state, and school's sponsor to the extent permitted 1240

under and in accordance with the "Family Educational Rights and	1241
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended,	1242
and any regulations promulgated under that act, and section	1243
3319.321 of the Revised Code;	1244
(29) If a school operates using the blended learning	1245
model, as defined in section 3301.079 of the Revised Code, all	1246
of the following information:	1247
(a) An indication of what blended learning model or models	1248
will be used;	1249
(b) A description of how student instructional needs will	1250
be determined and documented;	1251
(c) The method to be used for determining competency,	1252
granting credit, and promoting students to a higher grade level;	1253
(d) The school's attendance requirements, including how	1254
the school will document participation in learning	1255
opportunities;	1256
(e) A statement describing how student progress will be	1257
monitored;	1258
(f) A statement describing how private student data will	1259
be protected;	1260
(g) A description of the professional development	1261
activities that will be offered to teachers.	1262
(30) A provision requiring that all moneys the school's	1263
operator loans to the school, including facilities loans or cash	1264
flow assistance, must be accounted for, documented, and bear	1265
interest at a fair market rate;	1266
(31) A provision requiring that, if the governing	1267

authority contracts with an attorney, accountant, or entity 1268  
specializing in audits, the attorney, accountant, or entity 1269  
shall be independent from the operator with which the school has 1270  
contracted. 1271

(32) A provision requiring the governing authority to 1272  
adopt an enrollment and attendance policy that requires a 1273  
student's parent to notify the community school in which the 1274  
student is enrolled when there is a change in the location of 1275  
the parent's or student's primary residence. 1276

(33) A provision requiring the governing authority to 1277  
adopt a student residence and address verification policy for 1278  
students enrolling in or attending the school. 1279

(B) The community school shall also submit to the sponsor 1280  
a comprehensive plan for the school. The plan shall specify the 1281  
following: 1282

(1) The process by which the governing authority of the 1283  
school will be selected in the future; 1284

(2) The management and administration of the school; 1285

(3) If the community school is a currently existing public 1286  
school or educational service center building, alternative 1287  
arrangements for current public school students who choose not 1288  
to attend the converted school and for teachers who choose not 1289  
to teach in the school or building after conversion; 1290

(4) The instructional program and educational philosophy 1291  
of the school; 1292

(5) Internal financial controls. 1293

When submitting the plan under this division, the school 1294  
shall also submit copies of all policies and procedures 1295

regarding internal financial controls adopted by the governing 1296  
authority of the school. 1297

(C) A contract entered into under section 3314.02 of the 1298  
Revised Code between a sponsor and the governing authority of a 1299  
community school may provide for the community school governing 1300  
authority to make payments to the sponsor, which is hereby 1301  
authorized to receive such payments as set forth in the contract 1302  
between the governing authority and the sponsor. The total 1303  
amount of such payments for monitoring, oversight, and technical 1304  
assistance of the school shall not exceed three per cent of the 1305  
total amount of payments for operating expenses that the school 1306  
receives from the state. 1307

(D) The contract shall specify the duties of the sponsor 1308  
which shall be in accordance with the written agreement entered 1309  
into with the department of education under division (B) of 1310  
section 3314.015 of the Revised Code and shall include the 1311  
following: 1312

(1) Monitor the community school's compliance with all 1313  
laws applicable to the school and with the terms of the 1314  
contract; 1315

(2) Monitor and evaluate the academic and fiscal 1316  
performance and the organization and operation of the community 1317  
school on at least an annual basis; 1318

(3) Report on an annual basis the results of the 1319  
evaluation conducted under division (D) (2) of this section to 1320  
the department of education and to the parents of students 1321  
enrolled in the community school; 1322

(4) Provide technical assistance to the community school 1323  
in complying with laws applicable to the school and terms of the 1324

contract; 1325

(5) Take steps to intervene in the school's operation to 1326  
correct problems in the school's overall performance, declare 1327  
the school to be on probationary status pursuant to section 1328  
3314.073 of the Revised Code, suspend the operation of the 1329  
school pursuant to section 3314.072 of the Revised Code, or 1330  
terminate the contract of the school pursuant to section 3314.07 1331  
of the Revised Code as determined necessary by the sponsor; 1332

(6) Have in place a plan of action to be undertaken in the 1333  
event the community school experiences financial difficulties or 1334  
closes prior to the end of a school year. 1335

(E) Upon the expiration of a contract entered into under 1336  
this section, the sponsor of a community school may, with the 1337  
approval of the governing authority of the school, renew that 1338  
contract for a period of time determined by the sponsor, but not 1339  
ending earlier than the end of any school year, if the sponsor 1340  
finds that the school's compliance with applicable laws and 1341  
terms of the contract and the school's progress in meeting the 1342  
academic goals prescribed in the contract have been 1343  
satisfactory. Any contract that is renewed under this division 1344  
remains subject to the provisions of sections 3314.07, 3314.072, 1345  
and 3314.073 of the Revised Code. 1346

(F) If a community school fails to open for operation 1347  
within one year after the contract entered into under this 1348  
section is adopted pursuant to division (D) of section 3314.02 1349  
of the Revised Code or permanently closes prior to the 1350  
expiration of the contract, the contract shall be void and the 1351  
school shall not enter into a contract with any other sponsor. A 1352  
school shall not be considered permanently closed because the 1353  
operations of the school have been suspended pursuant to section 1354

3314.072 of the Revised Code. 1355

**Sec. 3314.19.** The sponsor of each community school shall 1356  
provide the following assurances in writing to the department of 1357  
education not later than ten business days prior to the opening 1358  
of the school's first year of operation or, if the school is not 1359  
an internet- or computer-based community school and it changes 1360  
the building from which it operates, the opening of the first 1361  
year it operates from the new building: 1362

(A) That a current copy of the contract between the 1363  
sponsor and the governing authority of the school entered into 1364  
under section 3314.03 of the Revised Code has been filed with 1365  
the department and that any subsequent modifications to that 1366  
contract will be filed with the department; 1367

(B) That the school has submitted to the sponsor a plan 1368  
for providing special education and related services to students 1369  
with disabilities and has demonstrated the capacity to provide 1370  
those services in accordance with Chapter 3323. of the Revised 1371  
Code and federal law; 1372

(C) That the school has a plan and procedures for 1373  
administering the achievement and diagnostic assessments 1374  
prescribed by sections 3301.0710, 3301.0712, and 3301.0715 of 1375  
the Revised Code; 1376

(D) That school personnel have the necessary training, 1377  
knowledge, and resources to properly use and submit information 1378  
to all databases maintained by the department for the collection 1379  
of education data, including the education management 1380  
information system established under section 3301.0714 of the 1381  
Revised Code in accordance with methods and timelines 1382  
established under section 3314.17 of the Revised Code; 1383



(E) That all required information about the school has 1384  
been submitted to the Ohio education directory system or any 1385  
successor system; 1386

(F) That the school will enroll at least the minimum 1387  
number of students required by division (A) (11) (a) of section 1388  
3314.03 of the Revised Code in the school year for which the 1389  
assurances are provided; 1390

(G) That all classroom teachers are licensed in accordance 1391  
with sections 3319.22 to 3319.31 of the Revised Code, except for 1392  
noncertificated persons engaged to teach up to twelve hours or 1393  
forty hours per week pursuant to section 3319.301 of the Revised 1394  
Code; 1395

(H) That the school's fiscal officer is in compliance with 1396  
section 3314.011 of the Revised Code; 1397

(I) That the school has complied with sections 3319.39 and 1398  
3319.391 of the Revised Code with respect to all employees and 1399  
that the school has conducted a criminal records check of each 1400  
of its governing authority members; 1401

(J) That the school holds all of the following: 1402

(1) Proof of property ownership or a lease for the 1403  
facilities used by the school; 1404

(2) A certificate of occupancy; 1405

(3) Liability insurance for the school, as required by 1406  
division (A) (11) (b) of section 3314.03 of the Revised Code, that 1407  
the sponsor considers sufficient to indemnify the school's 1408  
facilities, staff, and governing authority against risk; 1409

(4) A satisfactory health and safety inspection; 1410

(5) A satisfactory fire inspection;	1411
(6) A valid food permit, if applicable.	1412
(K) That the sponsor has conducted a pre-opening site	1413
visit to the school for the school year for which the assurances	1414
are provided;	1415
(L) That the school has designated a date it will open for	1416
the school year for which the assurances are provided that is in	1417
compliance with division (A) (25) of section 3314.03 of the	1418
Revised Code;	1419
(M) That the school has met all of the sponsor's	1420
requirements for opening and any other requirements of the	1421
sponsor.	1422
(N) That, for any school that operates using the blended	1423
learning model, as defined in section 3301.079 of the Revised	1424
Code, the sponsor has reviewed the following information,	1425
submitted by the school:	1426
(1) An indication of what blended learning model or models	1427
will be used;	1428
(2) A description of how student instructional needs will	1429
be determined and documented;	1430
(3) The method to be used for determining competency,	1431
granting credit, and promoting students to a higher grade level;	1432
(4) The school's attendance requirements, including how	1433
the school will document participation in learning	1434
opportunities;	1435
(5) A statement describing how student progress will be	1436
monitored;	1437

(6) A statement describing how private student data will be protected;	1438
	1439
(7) A description of the professional development activities that will be offered to teachers.	1440
	1441
<b><u>Sec. 3317.037. (A) As used in this section:</u></b>	1442
(1) <u>"Contracting district" means a school district that has entered into a contract to provide career-technical education services that meet standards set by the state board of education to one or more other school districts.</u>	1443
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(2) <u>"Career-technical planning district" has the same meaning as in section 3317.023 of the Revised Code.</u>	1447
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(3) <u>"Home district" means any city, local, or exempted village school district that is also not a lead district or a contracting district.</u>	1449
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(4) <u>"Lead district" means a lead district, as defined in section 3317.023 of the Revised Code, which is designated by the department of education to provide primary career-technical education leadership within a career-technical planning district.</u>	1452
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(B) <u>For the purposes of maintaining student enrollment records under section 3317.03 of the Revised Code, the superintendent of each home district shall provide to the lead district or contracting district the attendance records for each student who receives career-technical education services provided by the lead district or contracting district in facilities operated by the student's home district.</u>	1457
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(C) <u>Any lead district of a career-technical planning district may enter into an agreement with another school</u>	1464
	1465

district within that career-technical planning district under 1466  
which the lead district and the other school district may 1467  
establish a method to determine the full-time equivalency for 1468  
each student attending school in both districts for the purposes 1469  
of calculating each district's enrollment under section 3317.03 1470  
of the Revised Code. 1471

**Sec. 3317.60.** (A) (1) The department of education shall 1472  
conduct a study that does both of the following: 1473

~~(a) Reviews the criteria used in the current school~~ 1474  
~~funding formula to define "economically disadvantaged students"~~ 1475  
~~in order to determine the effectiveness of the criteria~~ 1476  
Evaluates and determines the essential types and amounts of 1477  
resources needed to provide economically disadvantaged students 1478  
the emotional, social, and academic services necessary to ensure 1479  
adequate opportunities for success; 1480

~~(b) Researches how other states define "economically~~ 1481  
~~disadvantaged students" and how "economically disadvantaged~~ 1482  
~~students" are addressed in other states' school funding~~ 1483  
~~formulas.~~ Evaluates and revises the current definition of 1484  
"economically disadvantaged student." 1485

The department shall submit a report of its findings to 1486  
the individuals prescribed in division (B) (1) of this section 1487  
not later than December 31, ~~2020~~ 2021. 1488

(2) The department of education, in consultation with the 1489  
department of job and family services and stakeholder groups 1490  
determined appropriate by the department, shall prepare a report 1491  
including both of the following: 1492

(a) A review of early child initiatives in Ohio, including 1493  
preschool, head start, and other early learning opportunities 1494

for young children;	1495
(b) Information regarding how other states support early learning opportunities for young children.	1496
	1497
The department of education shall submit the report to the individuals prescribed in division (B) <u>(2)</u> of this section not later than December 31, 2020.	1498
	1499
	1500
<u>(3) The department of education shall conduct an evaluation of all of the following topics regarding special education:</u>	1501
	1502
	1503
<u>(a) The categories of special education students specified under section 3317.013 of the Revised Code and the funding amounts corresponding to those categories;</u>	1504
	1505
	1506
<u>(b) Best practices for providing education to special education students;</u>	1507
	1508
<u>(c) Protocols for providing treatment to special education students;</u>	1509
	1510
<u>(d) Technology to enhance the provision of special education;</u>	1511
	1512
<u>(e) Costs of providing special education.</u>	1513
<u>The department shall submit a report of its findings and recommendations to the individuals prescribed in division (B) (1) of this section not later than December 31, 2021.</u>	1514
	1515
	1516
<u>(4) The department of education shall evaluate the current funding amounts and required services for all categories of English language learners described in section 3317.016 of the Revised Code. The department shall submit a report of its findings to the individuals prescribed in division (B) (1) of</u>	1517
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<u>this section not later than December 31, 2021.</u>	1522
<u>(B) (1) The reports prepared under divisions (A) (1), (3),</u>	1523
<u>and (4) of this section shall be submitted to all of the</u>	1524
<u>following:</u>	1525
<u>(a) The chair, vice-chairperson, and ranking minority</u>	1526
<u>member of the finance committee of the house of representatives</u>	1527
<u>and the senate;</u>	1528
<u>(b) The chair, vice-chairperson, and ranking minority</u>	1529
<u>member of the finance subcommittees regarding primary and</u>	1530
<u>secondary education of the house of representatives and the</u>	1531
<u>senate;</u>	1532
<u>(c) The chair, vice-chairperson, and ranking minority</u>	1533
<u>member of the standing committee of the house of representatives</u>	1534
<u>and the senate that consider legislation regarding primary and</u>	1535
<u>secondary education;</u>	1536
<u>(d) The superintendent of public instruction;</u>	1537
<u>(e) The president of the state board of education.</u>	1538
<u>(2) The reports prepared under division (A) (2) of this</u>	1539
<u>section shall be submitted to all of the following:</u>	1540
<del>(1)</del> <u>(a) The president and minority leader of the senate;</u>	1541
<del>(2)</del> <u>(b) The speaker and minority leader of the house of</u>	1542
<u>representatives;</u>	1543
<del>(3)</del> <u>(c) The members of the standing committees of the</u>	1544
<u>house of representatives and the senate that consider</u>	1545
<u>legislation regarding primary and secondary education.</u>	1546
<b>Sec. 3319.112.</b> (A) The state board of education shall	1547
revise the standards-based state framework for the evaluation of	1548

teachers based on the recommendations of the educator standards board established under section 3319.60 of the Revised Code. The state board shall hold at least one public hearing on the revised framework and shall make the full text of the revised framework available at each hearing it holds on the revised framework. Not later than May 1, 2020, the state board shall adopt the revised framework. The state board may update the framework periodically by adoption of a resolution. The framework shall establish an evaluation system that does the following:

- (1) Provides for multiple evaluation factors;
- (2) Is aligned with the standards for teachers adopted under section 3319.61 of the Revised Code;
- (3) Requires observation of the teacher being evaluated, including at least two formal observations by the evaluator of at least thirty minutes each and classroom walk-throughs;
- (4) Assigns a rating on each evaluation in accordance with division (B) of this section;
- (5) Requires each teacher to be provided with a written report of the results of the teacher's evaluation;
- (6) Uses at least two measures of high-quality student data to provide evidence of student learning attributable to the teacher being evaluated. The state board shall define "high-quality student data" for this purpose. When applicable to the grade level or subject area taught by a teacher, high-quality student data shall include the value-added progress dimension established under section 3302.021 of the Revised Code, but the teacher or evaluator shall use at least one other measure of high-quality student data to demonstrate student learning.

However, the value-added progress dimension or any other form of 1578  
value-added data shall not be used as a measure of high-quality 1579  
student data for an individual who is teaching career-technical 1580  
education courses at any school district or joint vocational 1581  
school district. Nor shall the value-added progress dimension or 1582  
any other form of value-added data be used as a measure of high- 1583  
quality student data for an individual who is teaching any other 1584  
subject matter at a joint vocational school district. In 1585  
accordance with the guidance described in division (D) (3) of 1586  
this section, high-quality student data may be used as evidence 1587  
in any component of the evaluation related to the following: 1588

(a) Knowledge of the students to whom the teacher provides 1589  
instruction; 1590

(b) The teacher's use of differentiated instructional 1591  
practices based on the needs or abilities of individual 1592  
students; 1593

(c) Assessment of student learning; 1594

(d) The teacher's use of assessment data; 1595

(e) Professional responsibility and growth. 1596

(7) Prohibits the shared attribution of student 1597  
performance data among all teachers in a district, building, 1598  
grade, content area, or other group; 1599

(8) Includes development of a professional growth plan or 1600  
improvement plan for the teacher that is based on the results of 1601  
the evaluation and is aligned to any school district or building 1602  
improvement plan required for the teacher's district or building 1603  
under the "Elementary and Secondary Education Act of 1965," as 1604  
amended by the "Every Student Succeeds Act of 2015," Pub. L. No. 1605  
114-95, 20 U.S.C. 6301 et seq.; 1606



(9) Provides for professional development to accelerate 1607  
and continue teacher growth and provide support to poorly 1608  
performing teachers; 1609

(10) Provides for the allocation of financial resources to 1610  
support professional development; 1611

(11) Prohibits the use of student learning objectives. 1612

(B) For purposes of the framework adopted under this 1613  
section, the state board also shall do the following: 1614

(1) Revise, as necessary, specific standards and criteria 1615  
that distinguish between the following levels of performance for 1616  
teachers and principals for the purpose of assigning ratings on 1617  
the evaluations conducted under sections 3311.80, 3311.84, 1618  
3319.02, and 3319.111 of the Revised Code: 1619

(a) Accomplished; 1620

(b) Skilled; 1621

(c) Developing; 1622

(d) Ineffective. 1623

(2) Develop a list of student assessments that measure 1624  
mastery of the course content for the appropriate grade level, 1625  
which may include nationally normed standardized assessments, 1626  
industry certification examinations, or end-of-course 1627  
examinations. The data from these assessments may be considered 1628  
high-quality student data. 1629

(C) The state board shall consult with experts, teachers 1630  
and principals employed in public schools, the educator 1631  
standards board, and representatives of stakeholder groups in 1632  
revising the standards and criteria required by division (B) (1) 1633

of this section. 1634

(D) To assist school districts in developing evaluation 1635  
policies under sections 3311.80, 3311.84, 3319.02, and 3319.111 1636  
of the Revised Code, the department shall do all of the 1637  
following: 1638

(1) Serve as a clearinghouse of promising evaluation 1639  
procedures and evaluation models that districts may use; 1640

(2) Provide technical assistance to districts in creating 1641  
evaluation policies; 1642

(3) Provide guidance to districts on how high-quality 1643  
student data may be used as evidence of student learning 1644  
attributable to a particular teacher, including examples of 1645  
appropriate use of that data within the framework adopted under 1646  
this section; 1647

(4) Provide guidance to districts on how information from 1648  
student surveys, student portfolios, peer review evaluations, 1649  
teacher self-evaluations, and other components determined 1650  
appropriate by the district may be used as part of the 1651  
evaluation process. 1652

(E) Not later than July 1, 2020, the state board, in 1653  
consultation with state agencies that employ teachers, shall 1654  
update its standards-based framework for the evaluation of 1655  
teachers employed by those agencies. Each state agency that 1656  
employs teachers shall adopt a standards-based teacher 1657  
evaluation policy to conform with the framework. The policy 1658  
shall become operative at the expiration of any collective 1659  
bargaining agreement covering teachers employed by the agency 1660  
that is in effect on ~~the effective date of this amendment~~ 1661  
November 2, 2018, and shall be included in any renewal or 1662

extension of such an agreement. However, this division does not 1663  
apply to any person who is employed as a substitute teacher or 1664  
as an instructor of adult education. 1665

**Sec. 3319.226.** (A) Beginning July 1, 2019, the state board 1666  
of education shall issue educator licenses for substitute 1667  
teaching only under this section. 1668

(B) The state board shall adopt rules establishing 1669  
standards and requirements for obtaining a license under this 1670  
section and for renewal of the license. Except as provided in 1671  
division (F) of section 3319.229 of the Revised Code, the rules 1672  
shall require an applicant to hold a post-secondary degree, but 1673  
not in any specified subject area. The rules also shall allow 1674  
the holder of a license issued under this section to work: 1675

(1) For an unlimited number of school days if the license 1676  
holder has a post-secondary degree in either education or a 1677  
subject area directly related to the subject of the class the 1678  
license holder will teach; 1679

(2) For one full semester, subject to the approval of the 1680  
employing school district board of education, if the license 1681  
holder has a post-secondary degree in a subject area that is not 1682  
directly related to the subject of the class that the license 1683  
holder will teach. 1684

The district superintendent may request that the board 1685  
approve one or more additional subsequent semester-long periods 1686  
of teaching for the license holder. 1687

(C) The rules adopted under division (B) of this section 1688  
shall permit a substitute career-technical teaching license 1689  
holder to teach outside the license holder's certified career 1690  
field for up to one semester, subject to approval of the 1691

employing school district superintendent. 1692

(D) Any license issued or renewed under former section 3319.226 of the Revised Code that was still in force on ~~the~~ ~~effective date of this section~~ November 2, 2018, shall remain in force for the remainder of the term for which it was issued or renewed. Upon the expiration of that term, the holder of that license shall be subject to licensure under the rules adopted under this section. 1693  
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**Sec. 3319.2211.** (A) An individual who holds an adult education permit may be employed by any school district and shall not be limited to employment solely by the district that recommended and employed that individual at the time of the initial issuance of the individual's permit. 1700  
1701  
1702  
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(B) Notwithstanding anything to the contrary in section 3319.226 of the Revised Code, an individual who holds an adult education permit issued by the state board of education may be assigned as a substitute teacher for any of grades nine through twelve, in the same manner as the holder of a substitute career-technical teaching license issued under section 3319.226 of the Revised Code, to teach courses offered by the individual's employing district. 1705  
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**Sec. 3319.301.** (A) As used in this ~~section,~~ section: 1713

(1) "Dropout recovery community school" means a community school established under Chapter 3314. of the Revised Code in which a majority of the students are enrolled in a dropout prevention and recovery program that is operated by the school. 1714  
1715  
1716  
1717

(2) "Industry-recognized credential program" means a career-technical course in which a student may earn an industry-recognized credential approved under section 3313.6113 of the 1718  
1719  
1720

Revised Code. 1721

(3) "STEM school" means a science, technology, 1722  
engineering, and mathematics school established under Chapter 1723  
3326. of the Revised Code. 1724

(B) The state board of education shall issue permits to 1725  
individuals who are not licensed as required by sections 3319.22 1726  
to 3319.30 of the Revised Code, but who are otherwise qualified, 1727  
to teach classes for not more than a total of twelve hours a 1728  
week, except that an individual teaching in a STEM school or an 1729  
individual teaching an industry-recognized credential program 1730  
offered at a dropout recovery community school may teach classes 1731  
for not more than a total of forty hours a week. The state 1732  
board, by rule, shall set forth the qualifications, other than 1733  
licensure under sections 3319.22 to 3319.30 of the Revised Code, 1734  
to be met by individuals in order to be issued a permit as 1735  
provided in this section. Such qualifications shall include the 1736  
possession of a baccalaureate, master's, or doctoral degree in, 1737  
or significant experience related to, the subject the individual 1738  
is to teach. For an individual assigned to teach a career- 1739  
technical class, significant experience related to a subject 1740  
shall include career-technical experience. Applications for 1741  
permits pursuant to this section shall be made in accordance 1742  
with section 3319.29 of the Revised Code. A permit issued under 1743  
this section shall be renewable. 1744

The state board, by rule, shall authorize the board of 1745  
education of each school district and each STEM school to engage 1746  
individuals holding permits issued under this section to teach 1747  
classes for not more than the total number of hours a week 1748  
specified in the permit. The rules shall include provisions with 1749  
regard to each of the following: 1750

(1) That a board of education or STEM school shall engage 1751  
a nonlicensed individual to teach pursuant to this section on a 1752  
volunteer basis, or by entering into a contract with the 1753  
individual or the individual's employer on such terms and 1754  
conditions as are agreed to between the board or school and the 1755  
individual or the individual's employer; 1756

(2) That an employee of the board of education or STEM 1757  
school who is licensed under sections 3319.22 to 3319.30 of the 1758  
Revised Code shall directly supervise a nonlicensed individual 1759  
who is engaged to teach pursuant to this section until the 1760  
superintendent of the school district or the chief 1761  
administrative officer of the STEM school is satisfied that the 1762  
nonlicensed individual has sufficient understanding of, and 1763  
experience in, effective teaching methods to teach without 1764  
supervision. 1765

(C) A nonlicensed individual engaged to teach pursuant to 1766  
this section is a teacher for the purposes of Title XXXIII of 1767  
the Revised Code except for the purposes of Chapters 3307. and 1768  
3317. and sections 3319.07 to 3319.31 of the Revised Code. Such 1769  
an individual is not an employee of the board of education or 1770  
STEM school for the purpose of Titles I or XLI or Chapter 3309. 1771  
of the Revised Code. 1772

(D) Students enrolled in a class taught by a nonlicensed 1773  
individual pursuant to this section and rules adopted thereunder 1774  
shall receive the same credit as if the class had been taught by 1775  
an employee licensed pursuant to sections 3319.22 to 3319.30 of 1776  
the Revised Code. 1777

(E) No board of education of any school district shall 1778  
engage any one or more nonlicensed individuals if such 1779  
employment displaces from employment an existing licensed 1780

employee of the district. 1781

**Sec. 3326.032.** (A) The STEM committee may grant a 1782  
designation of STEM school equivalent to a community school 1783  
established under Chapter 3314. of the Revised Code, to a career 1784  
center, or to a chartered nonpublic school. In order to be 1785  
eligible for this designation, a community school, a career 1786  
center, or chartered nonpublic school shall submit a proposal 1787  
that satisfies the requirements of this section. 1788

The committee shall determine the criteria for proposals, 1789  
establish procedures for the submission of proposals, accept and 1790  
evaluate proposals, and choose which proposals warrant a 1791  
community school, career center, or chartered nonpublic school 1792  
to be designated as a STEM school equivalent. 1793

(B) A proposal for designation as a STEM school equivalent 1794  
shall include at least the following: 1795

(1) Assurances that the community school, career center, 1796  
or chartered nonpublic school submitting the proposal has a 1797  
working partnership with both public and private entities, 1798  
including higher education entities and business organizations. 1799  
If the proposal is for a STEAM school equivalent, it also shall 1800  
include evidence that this partnership includes arts 1801  
organizations. 1802

(2) Assurances that the school or career center submitting 1803  
the proposal will operate in compliance with this section and 1804  
the provisions of the proposal as accepted by the committee; 1805

(3) Evidence that the school or career center submitting 1806  
the proposal will offer a rigorous, diverse, integrated, and 1807  
project-based curriculum to students in any of grades 1808  
kindergarten through twelve, with the goal to prepare those 1809

students for college, the workforce, and citizenship, and that 1810  
does all of the following: 1811

(a) Emphasizes the role of science, technology, 1812  
engineering, and mathematics in promoting innovation and 1813  
economic progress; 1814

(b) Incorporates scientific inquiry and technological 1815  
design; 1816

(c) Includes the arts and humanities. If the proposal is 1817  
for a STEAM school equivalent, it also shall include evidence 1818  
that the curriculum will integrate arts and design into the 1819  
study of science, technology, engineering, and mathematics to 1820  
foster creative thinking, problem-solving, and new approaches to 1821  
scientific invention. 1822

(d) Emphasizes personalized learning and teamwork skills. 1823

(4) Evidence that the school or career center submitting 1824  
the proposal will attract school leaders who support the 1825  
curriculum principles of division (B) (3) of this section; 1826

(5) A description of how each school's or career center's 1827  
curriculum will be developed and approved in accordance with 1828  
section 3326.09 of the Revised Code; 1829

(6) Evidence that the school or career center submitting 1830  
the proposal will utilize an established capacity to capture and 1831  
share knowledge for best practices and innovative professional 1832  
development; 1833

(7) Assurances that the school or career center submitting 1834  
the proposal has received commitments of sustained and 1835  
verifiable fiscal and in-kind support from regional education 1836  
and business entities. If the proposal is for a STEAM school 1837



equivalent, it also shall include assurances that the school or 1838  
career center has received commitments of sustained and 1839  
verifiable fiscal and in-kind support from arts organizations. 1840

(C) (1) A community school, career center, or chartered 1841  
nonpublic school that is designated as a STEM school equivalent 1842  
under this section shall not be subject to the requirements of 1843  
Chapter 3326. of the Revised Code, except that the school or 1844  
career center shall be subject to the requirements of this 1845  
section and to the curriculum requirements of section 3326.09 of 1846  
the Revised Code. 1847

Nothing in this section, however, shall relieve a 1848  
community school of the applicable requirements of Chapter 3314. 1849  
of the Revised Code. Nor shall anything in this section relieve 1850  
a chartered nonpublic school of any provisions of law outside of 1851  
this chapter that are applicable to chartered nonpublic schools. 1852

(2) A community school, career center, or chartered 1853  
nonpublic school that is designated as a STEM school equivalent 1854  
under this section shall not be eligible for operating funding 1855  
under sections 3326.31 to 3326.37, 3326.39 to 3326.40, and 1856  
3326.51 of the Revised Code. 1857

(3) A community school, career center, or chartered 1858  
nonpublic school that is designated as a STEM school equivalent 1859  
under this section may apply for any of the grants and 1860  
additional funds described in section 3326.38 of the Revised 1861  
Code for which the school or career center is eligible. 1862

(D) If a community school, a career center, or chartered 1863  
nonpublic school that is designated as a STEM school equivalent 1864  
under this section intends to close or intends to no longer be 1865  
designated as a STEM school equivalent, it shall notify the STEM 1866

committee of that fact. 1867

(E) If a community school, a career center, or chartered 1868  
nonpublic school that is designated as a STEM school equivalent 1869  
wishes to be designated as a STEAM school equivalent, it may 1870  
change its existing proposal to include the items required under 1871  
divisions (B) (1), (B) (3) (c), and (B) (7) of this section and 1872  
submit the revised proposal to the STEM committee for approval. 1873

(F) As used in this section, "career center" means a 1874  
school building that enrolls students in any of grades nine 1875  
through twelve and in which a career-technical planning 1876  
district, as defined in section 3317.023 of the Revised Code, 1877  
provides career-technical education services that meet standards 1878  
adopted by the state board of education. 1879

**Sec. 3326.17.** (A) The department of education shall issue 1880  
an annual report card for each science, technology, engineering, 1881  
and mathematics school that includes all information applicable 1882  
to school buildings under section 3302.03 of the Revised Code. 1883

(B) ~~For~~ Beginning with the report cards issued for the 1884  
2019-2020 school year, for each student enrolled in a STEM 1885  
school that is not a STEM school governed by a STEM school 1886  
sponsoring district, as defined in section 3326.51 of the 1887  
Revised Code, the department shall combine data regarding the 1888  
academic performance of that student with comparable data from 1889  
the school district in which the student is entitled to attend 1890  
school pursuant to section 3313.64 or 3313.65 of the Revised 1891  
Code for the purpose of calculating the performance of the 1892  
district as a whole on the report card issued for the district 1893  
under section 3302.03 of the Revised Code. 1894

(C) The department also shall compute a rating for each 1895

group of STEM schools that is under the direction of the same 1896  
governing body, as authorized under section 3326.031 of the 1897  
Revised Code, and issue a distinct report card for the group as 1898  
a whole. 1899

(D) Each STEM school and its governing body shall comply 1900  
with sections 3302.04 and 3302.041 of the Revised Code, except 1901  
that any action required to be taken by a school district 1902  
pursuant to those sections shall be taken by the school. 1903  
However, the school shall not be required to take any action 1904  
described in division (F) of section 3302.04 of the Revised 1905  
Code. 1906

**Sec. 5709.62.** (A) In any municipal corporation that is 1907  
defined by the United States office of management and budget as 1908  
a principal city of a metropolitan statistical area, the 1909  
legislative authority of the municipal corporation may designate 1910  
one or more areas within its municipal corporation as proposed 1911  
enterprise zones. Upon designating an area, the legislative 1912  
authority shall petition the director of development services 1913  
for certification of the area as having the characteristics set 1914  
forth in division (A)(1) of section 5709.61 of the Revised Code 1915  
as amended by Substitute Senate Bill No. 19 of the 120th general 1916  
assembly. Except as otherwise provided in division (E) of this 1917  
section, on and after July 1, 1994, legislative authorities 1918  
shall not enter into agreements under this section unless the 1919  
legislative authority has petitioned the director and the 1920  
director has certified the zone under this section as amended by 1921  
that act; however, all agreements entered into under this 1922  
section as it existed prior to July 1, 1994, and the incentives 1923  
granted under those agreements shall remain in effect for the 1924  
period agreed to under those agreements. Within sixty days after 1925  
receiving such a petition, the director shall determine whether 1926

the area has the characteristics set forth in division (A) (1) of 1927  
section 5709.61 of the Revised Code, and shall forward the 1928  
findings to the legislative authority of the municipal 1929  
corporation. If the director certifies the area as having those 1930  
characteristics, and thereby certifies it as a zone, the 1931  
legislative authority may enter into an agreement with an 1932  
enterprise under division (C) of this section. 1933

(B) Any enterprise that wishes to enter into an agreement 1934  
with a municipal corporation under division (C) of this section 1935  
shall submit a proposal to the legislative authority of the 1936  
municipal corporation on a form prescribed by the director of 1937  
development services, together with the application fee 1938  
established under section 5709.68 of the Revised Code. The form 1939  
shall require the following information: 1940

(1) An estimate of the number of new employees whom the 1941  
enterprise intends to hire, or of the number of employees whom 1942  
the enterprise intends to retain, within the zone at a facility 1943  
that is a project site, and an estimate of the amount of payroll 1944  
of the enterprise attributable to these employees; 1945

(2) An estimate of the amount to be invested by the 1946  
enterprise to establish, expand, renovate, or occupy a facility, 1947  
including investment in new buildings, additions or improvements 1948  
to existing buildings, machinery, equipment, furniture, 1949  
fixtures, and inventory; 1950

(3) A listing of the enterprise's current investment, if 1951  
any, in a facility as of the date of the proposal's submission. 1952

The enterprise shall review and update the listings 1953  
required under this division to reflect material changes, and 1954  
any agreement entered into under division (C) of this section 1955

shall set forth final estimates and listings as of the time the 1956  
agreement is entered into. The legislative authority may, on a 1957  
separate form and at any time, require any additional 1958  
information necessary to determine whether an enterprise is in 1959  
compliance with an agreement and to collect the information 1960  
required to be reported under section 5709.68 of the Revised 1961  
Code. 1962

(C) Upon receipt and investigation of a proposal under 1963  
division (B) of this section, if the legislative authority finds 1964  
that the enterprise submitting the proposal is qualified by 1965  
financial responsibility and business experience to create and 1966  
preserve employment opportunities in the zone and improve the 1967  
economic climate of the municipal corporation, the legislative 1968  
authority may do one of the following: 1969

(1) Enter into an agreement with the enterprise under 1970  
which the enterprise agrees to establish, expand, renovate, or 1971  
occupy a facility and hire new employees, or preserve employment 1972  
opportunities for existing employees, in return for one or more 1973  
of the following incentives: 1974

(a) Exemption for a specified number of years, not to 1975  
exceed fifteen, of a specified portion, up to seventy-five per 1976  
cent, of the assessed value of tangible personal property first 1977  
used in business at the project site as a result of the 1978  
agreement. If an exemption for inventory is specifically granted 1979  
in the agreement pursuant to this division, the exemption 1980  
applies to inventory required to be listed pursuant to sections 1981  
5711.15 and 5711.16 of the Revised Code, except that, in the 1982  
instance of an expansion or other situations in which an 1983  
enterprise was in business at the facility prior to the 1984  
establishment of the zone, the inventory that is exempt is that 1985

amount or value of inventory in excess of the amount or value of 1986  
inventory required to be listed in the personal property tax 1987  
return of the enterprise in the return for the tax year in which 1988  
the agreement is entered into. 1989

(b) Exemption for a specified number of years, not to 1990  
exceed fifteen, of a specified portion, up to seventy-five per 1991  
cent, of the increase in the assessed valuation of real property 1992  
constituting the project site subsequent to formal approval of 1993  
the agreement by the legislative authority; 1994

(c) Provision for a specified number of years, not to 1995  
exceed fifteen, of any optional services or assistance that the 1996  
municipal corporation is authorized to provide with regard to 1997  
the project site. 1998

(2) Enter into an agreement under which the enterprise 1999  
agrees to remediate an environmentally contaminated facility, to 2000  
spend an amount equal to at least two hundred fifty per cent of 2001  
the true value in money of the real property of the facility 2002  
prior to remediation as determined for the purposes of property 2003  
taxation to establish, expand, renovate, or occupy the 2004  
remediated facility, and to hire new employees or preserve 2005  
employment opportunities for existing employees at the 2006  
remediated facility, in return for one or more of the following 2007  
incentives: 2008

(a) Exemption for a specified number of years, not to 2009  
exceed fifteen, of a specified portion, not to exceed fifty per 2010  
cent, of the assessed valuation of the real property of the 2011  
facility prior to remediation; 2012

(b) Exemption for a specified number of years, not to 2013  
exceed fifteen, of a specified portion, not to exceed one 2014

hundred per cent, of the increase in the assessed valuation of the real property of the facility during or after remediation;

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

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

(3) Enter into an agreement with an enterprise that plans to purchase and operate a large manufacturing facility that has ceased operation or 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 the assessed value of tangible personal property used in business at the project site as a result of the agreement, or of the assessed valuation of real property constituting the project site, or both.

(D) (1) Notwithstanding divisions (C) (1) (a) and (b) 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 seventy-five 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 sixty 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 seventy-five per cent.

(2) Notwithstanding any provision of the Revised Code to

the contrary, the exemptions described in divisions (C) (1) (a), 2044  
(b), and (c), (C) (2) (a), (b), and (c), and (C) (3) of this 2045  
section may be for up to fifteen years if the board of education 2046  
of the city, local, or exempted village school district within 2047  
the territory of which the property is or will be located 2048  
approves a number of years in excess of ten. 2049

(3) For the purpose of obtaining the approval of a city, 2050  
local, or exempted village school district under division (D) (1) 2051  
or (2) of this section, the legislative authority shall deliver 2052  
to the board of education a notice not later than forty-five 2053  
days prior to approving the agreement, excluding Saturdays, 2054  
Sundays, and legal holidays as defined in section 1.14 of the 2055  
Revised Code. The notice shall state the percentage to be 2056  
exempted, an estimate of the true value of the property to be 2057  
exempted, and the number of years the property is to be 2058  
exempted. The board of education, by resolution adopted by a 2059  
majority of the board, shall approve or disapprove the agreement 2060  
and certify a copy of the resolution to the legislative 2061  
authority not later than fourteen days prior to the date 2062  
stipulated by the legislative authority as the date upon which 2063  
approval of the agreement is to be formally considered by the 2064  
legislative authority. The board of education may include in the 2065  
resolution conditions under which the board would approve the 2066  
agreement, including the execution of an agreement to compensate 2067  
the school district under division (B) of section 5709.82 of the 2068  
Revised Code. The legislative authority may approve the 2069  
agreement at any time after the board of education certifies its 2070  
resolution approving the agreement to the legislative authority, 2071  
or, if the board approves the agreement conditionally, at any 2072  
time after the conditions are agreed to by the board and the 2073  
legislative authority. If an agreement is negotiated between the 2074



legislative authority and the board to compensate the school 2075  
district for all or part of the taxes exempted, the legislative 2076  
authority shall compensate the joint vocational school district 2077  
within which the property is located at the same rate and under 2078  
the same terms received by the city, local, or exempted village 2079  
school district. 2080

If a board of education has adopted a resolution waiving 2081  
its right to approve agreements and the resolution remains in 2082  
effect, approval of an agreement by the board is not required 2083  
under this division. If a board of education has adopted a 2084  
resolution allowing a legislative authority to deliver the 2085  
notice required under this division fewer than forty-five 2086  
business days prior to the legislative authority's approval of 2087  
the agreement, the legislative authority shall deliver the 2088  
notice to the board not later than the number of days prior to 2089  
such approval as prescribed by the board in its resolution. If a 2090  
board of education adopts a resolution waiving its right to 2091  
approve agreements or shortening the notification period, the 2092  
board shall certify a copy of the resolution to the legislative 2093  
authority. If the board of education rescinds such a resolution, 2094  
it shall certify notice of the rescission to the legislative 2095  
authority. 2096

(4) The legislative authority shall comply with section 2097  
5709.83 of the Revised Code unless the board of education has 2098  
adopted a resolution under that section waiving its right to 2099  
receive such notice. 2100

(E) This division applies to zones certified by the 2101  
director of development services under this section prior to 2102  
July 22, 1994. 2103

The legislative authority that designated a zone to which 2104

this division applies may enter into an agreement with an 2105  
enterprise if the legislative authority finds that the 2106  
enterprise satisfies one of the criteria described in divisions 2107  
(E) (1) to (5) of this section: 2108

(1) The enterprise currently has no operations in this 2109  
state and, subject to approval of the agreement, intends to 2110  
establish operations in the zone; 2111

(2) The enterprise currently has operations in this state 2112  
and, subject to approval of the agreement, intends to establish 2113  
operations at a new location in the zone that would not result 2114  
in a reduction in the number of employee positions at any of the 2115  
enterprise's other locations in this state; 2116

(3) The enterprise, subject to approval of the agreement, 2117  
intends to relocate operations, currently located in another 2118  
state, to the zone; 2119

(4) The enterprise, subject to approval of the agreement, 2120  
intends to expand operations at an existing site in the zone 2121  
that the enterprise currently operates; 2122

(5) The enterprise, subject to approval of the agreement, 2123  
intends to relocate operations, currently located in this state, 2124  
to the zone, and the director of development services has issued 2125  
a waiver for the enterprise under division (B) of section 2126  
5709.633 of the Revised Code. 2127

The agreement shall require the enterprise to agree to 2128  
establish, expand, renovate, or occupy a facility in the zone 2129  
and hire new employees, or preserve employment opportunities for 2130  
existing employees, in return for one or more of the incentives 2131  
described in division (C) of this section. 2132

(F) All agreements entered into under this section shall 2133

be in the form prescribed under section 5709.631 of the Revised Code. After an agreement is entered into under this section, if the legislative authority revokes its designation of a zone, or if the director of development services revokes a zone's certification, any entitlements granted under the agreement shall continue for the number of years specified in the agreement.

(G) Except as otherwise provided in this division, an agreement entered into under this section shall require that the enterprise pay an annual fee equal to the greater of one per cent of the dollar value of incentives offered under the agreement or five hundred dollars; provided, however, that if the value of the incentives exceeds two hundred fifty thousand dollars, the fee shall not exceed two thousand five hundred dollars. The fee shall be payable to the legislative authority once per year for each year the agreement is effective on the days and in the form specified in the agreement. Fees paid shall be deposited in a special fund created for such purpose by the legislative authority and shall be used by the legislative authority exclusively for the purpose of complying with section 5709.68 of the Revised Code and by the tax incentive review council created under section 5709.85 of the Revised Code exclusively for the purposes of performing the duties prescribed under that section. The legislative authority may waive or reduce the amount of the fee charged against an enterprise, but such a waiver or reduction does not affect the obligations of the legislative authority or the tax incentive review council to comply with section 5709.68 or 5709.85 of the Revised Code.

(H) When an agreement is entered into pursuant to this section, the legislative authority authorizing the agreement shall forward a copy of the agreement to the director of

development services and to the tax commissioner within fifteen 2165  
days after the agreement is entered into. If any agreement 2166  
includes terms not provided for in section 5709.631 of the 2167  
Revised Code affecting the revenue of a city, local, ~~or~~-exempted 2168  
village, or joint vocational school district or causing revenue 2169  
to be forgone by the district, including any compensation to be 2170  
paid to the school district pursuant to section 5709.82 of the 2171  
Revised Code, those terms also shall be forwarded in writing to 2172  
the director of development services along with the copy of the 2173  
agreement forwarded under this division. 2174

(I) After an agreement is entered into, the enterprise 2175  
shall file with each personal property tax return required to be 2176  
filed, or annual report required to be filed under section 2177  
5727.08 of the Revised Code, while the agreement is in effect, 2178  
an informational return, on a form prescribed by the tax 2179  
commissioner for that purpose, setting forth separately the 2180  
property, and related costs and values, exempted from taxation 2181  
under the agreement. 2182

(J) Enterprises may agree to give preference to residents 2183  
of the zone within which the agreement applies relative to 2184  
residents of this state who do not reside in the zone when 2185  
hiring new employees under the agreement. 2186

(K) An agreement entered into under this section may 2187  
include a provision requiring the enterprise to create one or 2188  
more temporary internship positions for students enrolled in a 2189  
course of study at a school or other educational institution in 2190  
the vicinity, and to create a scholarship or provide another 2191  
form of educational financial assistance for students holding 2192  
such a position in exchange for the student's commitment to work 2193  
for the enterprise at the completion of the internship. 2194

(L) The tax commissioner's authority in determining the 2195  
accuracy of any exemption granted by an agreement entered into 2196  
under this section is limited to divisions (C) (1) (a) and (b), 2197  
(C) (2) (a), (b), and (c), (C) (3), (D), and (I) of this section 2198  
and divisions (B) (1) to (10) of section 5709.631 of the Revised 2199  
Code and, as authorized by law, to enforcing any modification 2200  
to, or revocation of, that agreement by the legislative 2201  
authority of a municipal corporation or the director of 2202  
development services. 2203

**Sec. 5709.63.** (A) With the consent of the legislative 2204  
authority of each affected municipal corporation or of a board 2205  
of township trustees, a board of county commissioners may, in 2206  
the manner set forth in section 5709.62 of the Revised Code, 2207  
designate one or more areas in one or more municipal 2208  
corporations or in unincorporated areas of the county as 2209  
proposed enterprise zones. A board of county commissioners may 2210  
designate no more than one area within a township, or within 2211  
adjacent townships, as a proposed enterprise zone. The board 2212  
shall petition the director of development services for 2213  
certification of the area as having the characteristics set 2214  
forth in division (A) (1) or (2) of section 5709.61 of the 2215  
Revised Code as amended by Substitute Senate Bill No. 19 of the 2216  
120th general assembly. Except as otherwise provided in division 2217  
(D) of this section, on and after July 1, 1994, boards of county 2218  
commissioners shall not enter into agreements under this section 2219  
unless the board has petitioned the director and the director 2220  
has certified the zone under this section as amended by that 2221  
act; however, all agreements entered into under this section as 2222  
it existed prior to July 1, 1994, and the incentives granted 2223  
under those agreements shall remain in effect for the period 2224  
agreed to under those agreements. The director shall make the 2225

determination in the manner provided under section 5709.62 of 2226  
the Revised Code. 2227

Any enterprise wishing to enter into an agreement with the 2228  
board under division (B) or (D) of this section shall submit a 2229  
proposal to the board on the form and accompanied by the 2230  
application fee prescribed under division (B) of section 5709.62 2231  
of the Revised Code. The enterprise shall review and update the 2232  
estimates and listings required by the form in the manner 2233  
required under that division. The board may, on a separate form 2234  
and at any time, require any additional information necessary to 2235  
determine whether an enterprise is in compliance with an 2236  
agreement and to collect the information required to be reported 2237  
under section 5709.68 of the Revised Code. 2238

(B) If the board of county commissioners finds that an 2239  
enterprise submitting a proposal is qualified by financial 2240  
responsibility and business experience to create and preserve 2241  
employment opportunities in the zone and to improve the economic 2242  
climate of the municipal corporation or municipal corporations 2243  
or the unincorporated areas in which the zone is located and to 2244  
which the proposal applies, the board, with the consent of the 2245  
legislative authority of each affected municipal corporation or 2246  
of the board of township trustees, may do either of the 2247  
following: 2248

(1) Enter into an agreement with the enterprise under 2249  
which the enterprise agrees to establish, expand, renovate, or 2250  
occupy a facility in the zone and hire new employees, or 2251  
preserve employment opportunities for existing employees, in 2252  
return for the following incentives: 2253

(a) When the facility is located in a municipal 2254  
corporation, the board may enter into an agreement for one or 2255

more of the incentives provided in division (C) of section 2256  
5709.62 of the Revised Code, subject to division (D) of that 2257  
section; 2258

(b) When the facility is located in an unincorporated 2259  
area, the board may enter into an agreement for one or more of 2260  
the following incentives: 2261

(i) Exemption for a specified number of years, not to 2262  
exceed fifteen, of a specified portion, up to sixty per cent, of 2263  
the assessed value of tangible personal property first used in 2264  
business at a project site as a result of the agreement. If an 2265  
exemption for inventory is specifically granted in the agreement 2266  
pursuant to this division, the exemption applies to inventory 2267  
required to be listed pursuant to sections 5711.15 and 5711.16 2268  
of the Revised Code, except, in the instance of an expansion or 2269  
other situations in which an enterprise was in business at the 2270  
facility prior to the establishment of the zone, the inventory 2271  
that is exempt is that amount or value of inventory in excess of 2272  
the amount or value of inventory required to be listed in the 2273  
personal property tax return of the enterprise in the return for 2274  
the tax year in which the agreement is entered into. 2275

(ii) Exemption for a specified number of years, not to 2276  
exceed fifteen, of a specified portion, up to sixty per cent, of 2277  
the increase in the assessed valuation of real property 2278  
constituting the project site subsequent to formal approval of 2279  
the agreement by the board; 2280

(iii) Provision for a specified number of years, not to 2281  
exceed fifteen, of any optional services or assistance the board 2282  
is authorized to provide with regard to the project site; 2283

(iv) The incentive described in division (C) (2) of section 2284

5709.62 of the Revised Code.	2285
(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.	2286 2287 2288 2289 2290 2291 2292 2293
(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.	2294 2295 2296 2297 2298 2299 2300 2301 2302 2303 2304
(b) Notwithstanding any provision of the Revised Code to the contrary, the exemptions described in divisions (B) (1) (b) (i), (ii), (iii), and (iv) and (B) (2) of this section may be for up to fifteen years 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 number of years in excess of ten.	2305 2306 2307 2308 2309 2310 2311
(c) For the purpose of obtaining the approval of a city, local, or exempted village school district under division (C) (1) (a) or (b) of this section, the board of county commissioners	2312 2313 2314



shall deliver to the board of education a notice not later than 2315  
forty-five days prior to approving the agreement, excluding 2316  
Saturdays, Sundays, and legal holidays as defined in section 2317  
1.14 of the Revised Code. The notice shall state the percentage 2318  
to be exempted, an estimate of the true value of the property to 2319  
be exempted, and the number of years the property is to be 2320  
exempted. The board of education, by resolution adopted by a 2321  
majority of the board, shall approve or disapprove the agreement 2322  
and certify a copy of the resolution to the board of county 2323  
commissioners not later than fourteen days prior to the date 2324  
stipulated by the board of county commissioners as the date upon 2325  
which approval of the agreement is to be formally considered by 2326  
the board of county commissioners. The board of education may 2327  
include in the resolution conditions under which the board would 2328  
approve the agreement, including the execution of an agreement 2329  
to compensate the school district under division (B) of section 2330  
5709.82 of the Revised Code. The board of county commissioners 2331  
may approve the agreement at any time after the board of 2332  
education certifies its resolution approving the agreement to 2333  
the board of county commissioners, or, if the board of education 2334  
approves the agreement conditionally, at any time after the 2335  
conditions are agreed to by the board of education and the board 2336  
of county commissioners. If an agreement is negotiated between 2337  
the legislative authority and the board to compensate the school 2338  
district for all or part of the taxes exempted, the legislative 2339  
authority shall compensate the joint vocational school district 2340  
within which the property is located at the same rate and under 2341  
the same terms received by the city, local, or exempted village 2342  
school district. 2343

If a board of education has adopted a resolution waiving 2344  
its right to approve agreements and the resolution remains in 2345

effect, approval of an agreement by the board of education is 2346  
not required under division (C) of this section. If a board of 2347  
education has adopted a resolution allowing a board of county 2348  
commissioners to deliver the notice required under this division 2349  
fewer than forty-five business days prior to approval of the 2350  
agreement by the board of county commissioners, the board of 2351  
county commissioners shall deliver the notice to the board of 2352  
education not later than the number of days prior to such 2353  
approval as prescribed by the board of education in its 2354  
resolution. If a board of education adopts a resolution waiving 2355  
its right to approve agreements or shortening the notification 2356  
period, the board of education shall certify a copy of the 2357  
resolution to the board of county commissioners. If the board of 2358  
education rescinds such a resolution, it shall certify notice of 2359  
the rescission to the board of county commissioners. 2360

(2) The board of county commissioners shall comply with 2361  
section 5709.83 of the Revised Code unless the board of 2362  
education has adopted a resolution under that section waiving 2363  
its right to receive such notice. 2364

(D) This division applies to zones certified by the 2365  
director of development services under this section prior to 2366  
July 22, 1994. 2367

With the consent of the legislative authority of each 2368  
affected municipal corporation or board of township trustees of 2369  
each affected township, the board of county commissioners that 2370  
designated a zone to which this division applies may enter into 2371  
an agreement with an enterprise if the board finds that the 2372  
enterprise satisfies one of the criteria described in divisions 2373  
(D) (1) to (5) of this section: 2374

(1) The enterprise currently has no operations in this 2375

state and, subject to approval of the agreement, intends to 2376  
establish operations in the zone; 2377

(2) The enterprise currently has operations in this state 2378  
and, subject to approval of the agreement, intends to establish 2379  
operations at a new location in the zone that would not result 2380  
in a reduction in the number of employee positions at any of the 2381  
enterprise's other locations in this state; 2382

(3) The enterprise, subject to approval of the agreement, 2383  
intends to relocate operations, currently located in another 2384  
state, to the zone; 2385

(4) The enterprise, subject to approval of the agreement, 2386  
intends to expand operations at an existing site in the zone 2387  
that the enterprise currently operates; 2388

(5) The enterprise, subject to approval of the agreement, 2389  
intends to relocate operations, currently located in this state, 2390  
to the zone, and the director of development services has issued 2391  
a waiver for the enterprise under division (B) of section 2392  
5709.633 of the Revised Code. 2393

The agreement shall require the enterprise to agree to 2394  
establish, expand, renovate, or occupy a facility in the zone 2395  
and hire new employees, or preserve employment opportunities for 2396  
existing employees, in return for one or more of the incentives 2397  
described in division (B) of this section. 2398

(E) All agreements entered into under this section shall 2399  
be in the form prescribed under section 5709.631 of the Revised 2400  
Code. After an agreement under this section is entered into, if 2401  
the board of county commissioners revokes its designation of a 2402  
zone, or if the director of development services revokes a 2403  
zone's certification, any entitlements granted under the 2404

agreement shall continue for the number of years specified in 2405  
the agreement. 2406

(F) Except as otherwise provided in this division, an 2407  
agreement entered into under this section shall require that the 2408  
enterprise pay an annual fee equal to the greater of one per 2409  
cent of the dollar value of incentives offered under the 2410  
agreement or five hundred dollars; provided, however, that if 2411  
the value of the incentives exceeds two hundred fifty thousand 2412  
dollars, the fee shall not exceed two thousand five hundred 2413  
dollars. The fee shall be payable to the board of county 2414  
commissioners once per year for each year the agreement is 2415  
effective on the days and in the form specified in the 2416  
agreement. Fees paid shall be deposited in a special fund 2417  
created for such purpose by the board and shall be used by the 2418  
board exclusively for the purpose of complying with section 2419  
5709.68 of the Revised Code and by the tax incentive review 2420  
council created under section 5709.85 of the Revised Code 2421  
exclusively for the purposes of performing the duties prescribed 2422  
under that section. The board may waive or reduce the amount of 2423  
the fee charged against an enterprise, but such waiver or 2424  
reduction does not affect the obligations of the board or the 2425  
tax incentive review council to comply with section 5709.68 or 2426  
5709.85 of the Revised Code, respectively. 2427

(G) With the approval of the legislative authority of a 2428  
municipal corporation or the board of township trustees of a 2429  
township in which a zone is designated under division (A) of 2430  
this section, the board of county commissioners may delegate to 2431  
that legislative authority or board any powers and duties of the 2432  
board of county commissioners to negotiate and administer 2433  
agreements with regard to that zone under this section. 2434

(H) When an agreement is entered into pursuant to this 2435  
section, the board of county commissioners authorizing the 2436  
agreement or the legislative authority or board of township 2437  
trustees that negotiates and administers the agreement shall 2438  
forward a copy of the agreement to the director of development 2439  
services and to the tax commissioner within fifteen days after 2440  
the agreement is entered into. If any agreement includes terms 2441  
not provided for in section 5709.631 of the Revised Code 2442  
affecting the revenue of a city, local, ~~or~~-exempted village, or 2443  
joint vocational school district or causing revenue to be 2444  
foregone by the district, including any compensation to be paid 2445  
to the school district pursuant to section 5709.82 of the 2446  
Revised Code, those terms also shall be forwarded in writing to 2447  
the director of development services along with the copy of the 2448  
agreement forwarded under this division. 2449

(I) After an agreement is entered into, the enterprise 2450  
shall file with each personal property tax return required to be 2451  
filed, or annual report that is required to be filed under 2452  
section 5727.08 of the Revised Code, while the agreement is in 2453  
effect, an informational return, on a form prescribed by the tax 2454  
commissioner for that purpose, setting forth separately the 2455  
property, and related costs and values, exempted from taxation 2456  
under the agreement. 2457

(J) Enterprises may agree to give preference to residents 2458  
of the zone within which the agreement applies relative to 2459  
residents of this state who do not reside in the zone when 2460  
hiring new employees under the agreement. 2461

(K) An agreement entered into under this section may 2462  
include a provision requiring the enterprise to create one or 2463  
more temporary internship positions for students enrolled in a 2464

course of study at a school or other educational institution in 2465  
the vicinity, and to create a scholarship or provide another 2466  
form of educational financial assistance for students holding 2467  
such a position in exchange for the student's commitment to work 2468  
for the enterprise at the completion of the internship. 2469

(L) The tax commissioner's authority in determining the 2470  
accuracy of any exemption granted by an agreement entered into 2471  
under this section is limited to divisions (B) (1) (b) (i) and 2472  
(ii), (B) (2), (C), and (I) of this section, division (B) (1) (b) 2473  
(iv) of this section as it pertains to divisions (C) (2) (a), (b), 2474  
and (c) of section 5709.62 of the Revised Code, and divisions 2475  
(B) (1) to (10) of section 5709.631 of the Revised Code and, as 2476  
authorized by law, to enforcing any modification to, or 2477  
revocation of, that agreement by the board of county 2478  
commissioners or the director of development services or, if the 2479  
board's powers and duties are delegated under division (G) of 2480  
this section, by the legislative authority of a municipal 2481  
corporation or board of township trustees. 2482

**Sec. 5709.632.** (A) (1) The legislative authority of a 2483  
municipal corporation defined by the United States office of 2484  
management and budget as a principal city of a metropolitan 2485  
statistical area may, in the manner set forth in section 5709.62 2486  
of the Revised Code, designate one or more areas in the 2487  
municipal corporation as a proposed enterprise zone. 2488

(2) With the consent of the legislative authority of each 2489  
affected municipal corporation or of a board of township 2490  
trustees, a board of county commissioners may, in the manner set 2491  
forth in section 5709.62 of the Revised Code, designate one or 2492  
more areas in one or more municipal corporations or in 2493  
unincorporated areas of the county as proposed urban jobs and 2494

enterprise zones, except that a board of county commissioners 2495  
may designate no more than one area within a township, or within 2496  
adjacent townships, as a proposed urban jobs and enterprise 2497  
zone. 2498

(3) The legislative authority or board of county 2499  
commissioners may petition the director of development services 2500  
for certification of the area as having the characteristics set 2501  
forth in division (A) (3) of section 5709.61 of the Revised Code. 2502  
Within sixty days after receiving such a petition, the director 2503  
shall determine whether the area has the characteristics set 2504  
forth in that division and forward the findings to the 2505  
legislative authority or board of county commissioners. If the 2506  
director certifies the area as having those characteristics and 2507  
thereby certifies it as a zone, the legislative authority or 2508  
board may enter into agreements with enterprises under division 2509  
(B) of this section. Any enterprise wishing to enter into an 2510  
agreement with a legislative authority or board of county 2511  
commissioners under this section and satisfying one of the 2512  
criteria described in divisions (B) (1) to (5) of this section 2513  
shall submit a proposal to the legislative authority or board on 2514  
the form prescribed under division (B) of section 5709.62 of the 2515  
Revised Code and shall review and update the estimates and 2516  
listings required by the form in the manner required under that 2517  
division. The legislative authority or board may, on a separate 2518  
form and at any time, require any additional information 2519  
necessary to determine whether an enterprise is in compliance 2520  
with an agreement and to collect the information required to be 2521  
reported under section 5709.68 of the Revised Code. 2522

(B) Prior to entering into an agreement with an 2523  
enterprise, the legislative authority or board of county 2524  
commissioners shall determine whether the enterprise submitting 2525

the proposal is qualified by financial responsibility and 2526  
business experience to create and preserve employment 2527  
opportunities in the zone and to improve the economic climate of 2528  
the municipal corporation or municipal corporations or the 2529  
unincorporated areas in which the zone is located and to which 2530  
the proposal applies, and whether the enterprise satisfies one 2531  
of the following criteria: 2532

(1) The enterprise currently has no operations in this 2533  
state and, subject to approval of the agreement, intends to 2534  
establish operations in the zone; 2535

(2) The enterprise currently has operations in this state 2536  
and, subject to approval of the agreement, intends to establish 2537  
operations at a new location in the zone that would not result 2538  
in a reduction in the number of employee positions at any of the 2539  
enterprise's other locations in this state; 2540

(3) The enterprise, subject to approval of the agreement, 2541  
intends to relocate operations, currently located in another 2542  
state, to the zone; 2543

(4) The enterprise, subject to approval of the agreement, 2544  
intends to expand operations at an existing site in the zone 2545  
that the enterprise currently operates; 2546

(5) The enterprise, subject to approval of the agreement, 2547  
intends to relocate operations, currently located in this state, 2548  
to the zone, and the director of development services has issued 2549  
a waiver for the enterprise under division (B) of section 2550  
5709.633 of the Revised Code. 2551

(C) If the legislative authority or board determines that 2552  
the enterprise is so qualified and satisfies one of the criteria 2553  
described in divisions (B) (1) to (5) of this section, the 2554



legislative authority or board may, after complying with section 2555  
5709.83 of the Revised Code and, in the case of a board of 2556  
commissioners, with the consent of the legislative authority of 2557  
each affected municipal corporation or of the board of township 2558  
trustees, enter into an agreement with the enterprise under 2559  
which the enterprise agrees to establish, expand, renovate, or 2560  
occupy a facility in the zone and hire new employees, or 2561  
preserve employment opportunities for existing employees, in 2562  
return for the following incentives: 2563

(1) When the facility is located in a municipal 2564  
corporation, a legislative authority or board of commissioners 2565  
may enter into an agreement for one or more of the incentives 2566  
provided in division (C) of section 5709.62 of the Revised Code, 2567  
subject to division (D) of that section; 2568

(2) When the facility is located in an unincorporated 2569  
area, a board of commissioners may enter into an agreement for 2570  
one or more of the incentives provided in divisions (B) (1) (b), 2571  
(B) (2), and (B) (3) of section 5709.63 of the Revised Code, 2572  
subject to division (C) of that section. 2573

(D) All agreements entered into under this section shall 2574  
be in the form prescribed under section 5709.631 of the Revised 2575  
Code. After an agreement under this section is entered into, if 2576  
the legislative authority or board of county commissioners 2577  
revokes its designation of the zone, or if the director of 2578  
development services revokes the zone's certification, any 2579  
entitlements granted under the agreement shall continue for the 2580  
number of years specified in the agreement. 2581

(E) Except as otherwise provided in this division, an 2582  
agreement entered into under this section shall require that the 2583  
enterprise pay an annual fee equal to the greater of one per 2584

cent of the dollar value of incentives offered under the 2585  
agreement or five hundred dollars; provided, however, that if 2586  
the value of the incentives exceeds two hundred fifty thousand 2587  
dollars, the fee shall not exceed two thousand five hundred 2588  
dollars. The fee shall be payable to the legislative authority 2589  
or board of commissioners once per year for each year the 2590  
agreement is effective on the days and in the form specified in 2591  
the agreement. Fees paid shall be deposited in a special fund 2592  
created for such purpose by the legislative authority or board 2593  
and shall be used by the legislative authority or board 2594  
exclusively for the purpose of complying with section 5709.68 of 2595  
the Revised Code and by the tax incentive review council created 2596  
under section 5709.85 of the Revised Code exclusively for the 2597  
purposes of performing the duties prescribed under that section. 2598  
The legislative authority or board may waive or reduce the 2599  
amount of the fee charged against an enterprise, but such waiver 2600  
or reduction does not affect the obligations of the legislative 2601  
authority or board or the tax incentive review council to comply 2602  
with section 5709.68 or 5709.85 of the Revised Code, 2603  
respectively. 2604

(F) With the approval of the legislative authority of a 2605  
municipal corporation or the board of township trustees of a 2606  
township in which a zone is designated under division (A) (2) of 2607  
this section, the board of county commissioners may delegate to 2608  
that legislative authority or board any powers and duties of the 2609  
board to negotiate and administer agreements with regard to that 2610  
zone under this section. 2611

(G) When an agreement is entered into pursuant to this 2612  
section, the legislative authority or board of commissioners 2613  
authorizing the agreement shall forward a copy of the agreement 2614  
to the director of development services and to the tax 2615

commissioner within fifteen days after the agreement is entered 2616  
into. If any agreement includes terms not provided for in 2617  
section 5709.631 of the Revised Code affecting the revenue of a 2618  
city, local, ~~or~~-exempted village, or joint vocational school 2619  
district or causing revenue to be forgone by the district, 2620  
including any compensation to be paid to the school district 2621  
pursuant to section 5709.82 of the Revised Code, those terms 2622  
also shall be forwarded in writing to the director of 2623  
development services along with the copy of the agreement 2624  
forwarded under this division. 2625

(H) After an agreement is entered into, the enterprise 2626  
shall file with each personal property tax return required to be 2627  
filed while the agreement is in effect, an informational return, 2628  
on a form prescribed by the tax commissioner for that purpose, 2629  
setting forth separately the property, and related costs and 2630  
values, exempted from taxation under the agreement. 2631

(I) An agreement entered into under this section may 2632  
include a provision requiring the enterprise to create one or 2633  
more temporary internship positions for students enrolled in a 2634  
course of study at a school or other educational institution in 2635  
the vicinity, and to create a scholarship or provide another 2636  
form of educational financial assistance for students holding 2637  
such a position in exchange for the student's commitment to work 2638  
for the enterprise at the completion of the internship. 2639

**Sec. 5709.82.** (A) As used in this section: 2640

(1) "New employee" means both of the following: 2641

(a) Persons employed in the construction of real property 2642  
exempted from taxation under the chapters or sections of the 2643  
Revised Code enumerated in division (B) of this section; 2644

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

(2) "Infrastructure costs" means costs incurred by a municipal corporation in a calendar year to acquire, construct, reconstruct, improve, plan, or equip real or tangible personal property that directly benefits or will directly benefit the exempted property. If the municipal corporation finances the acquisition, construction, reconstruction, improvement, planning, or equipping of real or tangible personal property that directly benefits the exempted property by issuing debt, "infrastructure costs" means the annual debt charges incurred by the municipal corporation from the issuance of such debt. Real or tangible personal property directly benefits exempted property only if the exempted property places or will place direct, additional demand on the real or tangible personal property for which such costs were or will be incurred.

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

(B) (1) Except as otherwise provided under division (C) of this section, the legislative authority of any political subdivision that has acted under the authority of Chapter 725. or 1728., sections 3735.65 to 3735.70, or section 5709.40, 5709.41, 5709.45, 5709.62, 5709.63, 5709.632, 5709.73, 5709.78,

5709.84, or 5709.88 of the Revised Code to grant an exemption 2675  
from taxation for real or tangible personal property may 2676  
negotiate with the board of education of each city, local, 2677  
exempted village, or joint vocational school district or other 2678  
taxing unit within the territory of which the exempted property 2679  
is located, and enter into an agreement whereby the school 2680  
district or taxing unit is compensated for tax revenue foregone 2681  
by the school district or taxing unit as a result of the 2682  
exemption. Except as otherwise provided in division (B) (1) of 2683  
this section, if a political subdivision enters into more than 2684  
one agreement under this section with respect to a tax 2685  
exemption, the political subdivision shall provide to each 2686  
school district or taxing unit with which it contracts the same 2687  
percentage of tax revenue foregone by the school district or 2688  
taxing unit, which may be based on a good faith projection made 2689  
at the time the exemption is granted. Such percentage shall be 2690  
calculated on the basis of amounts paid by the political 2691  
subdivision and any amounts paid by an owner under division (B) 2692  
(2) of this section. A political subdivision may provide a 2693  
school district or other taxing unit with a smaller percentage 2694  
of foregone tax revenue than that provided to other school 2695  
districts or taxing units only if the school district or taxing 2696  
unit expressly consents in the agreement to receiving a smaller 2697  
percentage. If a subdivision has acted under the authority of 2698  
section 5709.40, 5709.41, 5709.45, 5709.62, 5709.63, 5709.632, 2699  
5709.73, or 5709.78 of the Revised Code and enters into a 2700  
compensation agreement with a city, local, or exempted village 2701  
school district, the subdivision shall provide compensation to 2702  
the joint vocational school district within the territory of 2703  
which the exempted property is located at the same rate and 2704  
under the same terms as received by the city, local, or exempted 2705  
village school district. 2706

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

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

(1) The legislative authority of a municipal corporation that has acted under the authority of division (H) of section 715.70 or division (U) of section 715.72 of the Revised Code to consent to the granting of an exemption from taxation for real or tangible personal property in a joint economic development district.

(2) The legislative authority of a municipal corporation that has specified in an ordinance adopted under section 5709.40, 5709.41, or 5709.45 of the Revised Code that payments in lieu of taxes provided for under section 5709.42 or 5709.46 of the Revised Code shall be paid to the city, local, or exempted village school district in which the improvements are located in the amount of taxes that would have been payable to

the school district if the improvements had not been exempted 2737  
from taxation, as directed in the ordinance. 2738

If the legislative authority of any municipal corporation 2739  
has acted under the authority of Chapter 725. or 1728. or 2740  
section 3735.671, 5709.40, 5709.41, 5709.45, 5709.62, 5709.63, 2741  
5709.632, or 5709.88, or a housing officer under section 3735.67 2742  
of the Revised Code, to grant or consent to the granting of an 2743  
exemption from taxation for real or tangible personal property 2744  
on or after July 1, 1994, the municipal corporation imposes a 2745  
tax on incomes, and the payroll of new employees resulting from 2746  
the exercise of that authority equals or exceeds one million 2747  
dollars in any tax year for which such property is exempted, the 2748  
legislative authority and the board of education of each city, 2749  
local, or exempted village school district within the territory 2750  
of which the exempted property is located shall attempt to 2751  
negotiate an agreement providing for compensation to the school 2752  
district for all or a portion of the tax revenue the school 2753  
district would have received had the property not been exempted 2754  
from taxation. The agreement may include as a party the owner of 2755  
the property exempted or to be exempted from taxation and may 2756  
include provisions obligating the owner to compensate the school 2757  
district by paying cash or providing property or services by 2758  
gift, loan, or otherwise. Such an obligation is enforceable by 2759  
the board of education of the school district pursuant to the 2760  
terms of the agreement. 2761

If the legislative authority and board of education fail 2762  
to negotiate an agreement that is mutually acceptable within six 2763  
months of formal approval by the legislative authority of the 2764  
instrument granting the exemption, the legislative authority 2765  
shall compensate the school district in the amount and manner 2766  
prescribed by division (D) of this section. 2767

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

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

**Sec. 5709.83.** (A) Except as otherwise provided in division (B) or (C) of this section, prior to taking formal action to adopt or enter into any instrument granting a tax exemption under section 725.02, 1728.06, 5709.40, 5709.41, 5709.45, 5709.62, 5709.63, 5709.632, 5709.73, 5709.78, 5709.84, or



5709.88 of the Revised Code or formally approving an agreement 2799  
under section 3735.671 of the Revised Code, or prior to 2800  
forwarding an application for a tax exemption for residential 2801  
property under section 3735.67 of the Revised Code to the county 2802  
auditor, the legislative authority of the political subdivision 2803  
or housing officer shall notify the board of education of each 2804  
city, local, exempted village, or joint vocational school 2805  
district in which the proposed tax-exempted property is located. 2806  
The notice shall include a copy of the instrument or 2807  
application. The notice shall be delivered not later than 2808  
fourteen days prior to the day the legislative authority takes 2809  
formal action to adopt or enter into the instrument, or not 2810  
later than fourteen days prior to the day the housing officer 2811  
forwards the application to the county auditor. If the board of 2812  
education comments on the instrument or application to the 2813  
legislative authority or housing officer, the legislative 2814  
authority or housing officer shall consider the comments. If the 2815  
board of education of the city, local, exempted village, or 2816  
joint vocational school district so requests, the legislative 2817  
authority or the housing officer shall meet in person with a 2818  
representative designated by the board of education to discuss 2819  
the terms of the instrument or application. 2820

(B) The notice otherwise required to be provided to boards 2821  
of education under division (A) of this section is not required 2822  
if the board has adopted a resolution waiving its right to 2823  
receive such notices, and that resolution remains in effect. If 2824  
a board of education adopts such a resolution, the board shall 2825  
cause a copy of the resolution to be certified to the 2826  
legislative authority. If the board of education rescinds such a 2827  
resolution, it shall certify notice of the rescission to the 2828  
legislative authority. A board of education may adopt such a 2829

resolution with respect to any one or more counties, townships, 2830  
or municipal corporations situated in whole or in part within 2831  
the school district. 2832

(C) If a legislative authority is required to provide 2833  
notice to a city, local, or exempted village school district of 2834  
its intent to grant such an exemption as required by section 2835  
5709.40, 5709.41, 5709.45, 5709.62, 5709.63, 5709.632, 5709.73, 2836  
or 5709.78 of the Revised Code, the legislative authority, 2837  
before adopting a resolution or ordinance under that section, 2838  
shall notify the board of education of each joint vocational 2839  
school district in which the property to be exempted is located 2840  
using the same time requirements for the notice that applies to 2841  
notices to city, local, and exempted village school districts. 2842  
The content of the notice and procedures for responding to the 2843  
notice are the same as required in division (A) of this section. 2844

Sec. 6301.23. (A) As used in this section: 2845

(1) "Ohio career-technical associations" includes all of 2846  
the following: 2847

(a) The Ohio association of career and technical 2848  
education; 2849

(b) The Ohio association of career-technical 2850  
superintendents; 2851

(c) The Ohio association of comprehensive and compact 2852  
career-technical schools. 2853

(2) "Other public school" has the same meaning as in 2854  
section 3301.0711 of the Revised Code. 2855

(3) "State agency" has the same meaning as in section 1.60 2856  
of the Revised Code. 2857

(B) Not later than July 1, 2020, the governor's office of 2858  
workforce transformation, the department of education, and the 2859  
chancellor of higher education, in consultation with Ohio 2860  
career-technical associations and other appropriate 2861  
stakeholders, shall develop model guidance for maintaining a 2862  
statewide inventory of industry-recognized credentials. The 2863  
guidance shall address the following: 2864

(1) Methods for state agencies to efficiently and 2865  
effectively organize the different categories of industry- 2866  
recognized credentials in a manner that allows students, school 2867  
districts, other public schools, chartered nonpublic schools, 2868  
and institutions of higher education to easily understand 2869  
available credentialing options, based on the unique 2870  
circumstances of each individual student; 2871

(2) The potential creation of a centralized, inter-agency 2872  
database of information on all industry-recognized credentials 2873  
that is accessible to the public; 2874

(3) Methods to streamline the process to add career- 2875  
technical programs to the various approved credentialing lists; 2876

(4) Methods to increase transparency in the approval 2877  
process for industry-recognized credentials. 2878

**Section 2.** That existing sections 3310.01, 3310.03, 2879  
3310.031, 3310.032, 3310.08, 3310.16, 3313.14, 3313.25, 2880  
3313.482, 3313.82, 3313.903, 3314.011, 3314.03, 3314.19, 2881  
3317.60, 3319.112, 3319.226, 3319.301, 3326.032, 3326.17, 2882  
5709.62, 5709.63, 5709.632, 5709.82, and 5709.83 of the Revised 2883  
Code are hereby repealed. 2884

**Section 3.** That sections 3310.035, 3310.05, and 3311.242 2885  
of the Revised Code are hereby repealed. 2886

**Section 4.** The repeal of section 3311.242 of the Revised Code in Section 3 of this act shall take effect on September 1, 2020.

**Section 5.** If a school district has begun the transfer process in accordance with division (B) of section 3311.242 of the Revised Code prior to the repeal of that section by this act, the transfer process shall continue in accordance with the provisions of that section as it existed prior to its repeal. School districts shall not, however, be permitted to take action under that section if they have not begun the transfer process prior to the section's repeal by this act.

**Section 6.** That Section 265.260 of H.B. 166 of the 133rd General Assembly be amended to read as follows:

**Sec. 265.260.** ~~EDCHOICE EXPANSION~~ BUCKEYE OPPORTUNITY SCHOLARSHIPS

The foregoing appropriation item 200573, ~~EdChoice Expansion~~ Buckeye Opportunity Scholarships, shall be used to provide for the scholarships awarded under ~~the expansion of the educational choice program established under~~ section 3310.032 of the Revised Code. The number of scholarships awarded ~~under the expansion of the educational choice program~~ shall not exceed the number that can be funded with the appropriations made by the General Assembly for this purpose.

HALF-MILL MAINTENANCE EQUALIZATION

The foregoing appropriation item 200574, Half-Mill Maintenance Equalization, shall be used to make payments pursuant to section 3318.18 of the Revised Code.

ADAPTIVE SPORTS PROGRAM

The foregoing appropriation item 200576, Adaptive Sports Program, shall be used by the Department of Education, in collaboration with the Adaptive Sports Program of Ohio, to fund adaptive sports programs in school districts across the state.

PROGRAM AND PROJECT SUPPORT

Of the foregoing appropriation item 200597, Program and Project Support, \$500,000 in fiscal year 2020 shall be distributed to Tri-State Early College STEM School to provide additional support for facility renovations and operations, including professional development, educational materials, equipment, marketing, and recruitment.

Of the foregoing appropriation item 200597, Program and Project Support, \$500,000 in each fiscal year shall be distributed to Ohio Adolescent Health Centers to support risk avoidance education.

Of the foregoing appropriation item 200597, Program and Project Support, \$125,000 in each fiscal year shall be used to support Ruling Our eXperiences (ROX) programming in schools.

**Section 7.** That existing Section 265.260 of H.B. 166 of the 133rd General Assembly is hereby repealed.

**Section 8.** That Section 265.10 of H.B. 166 of the 133rd General Assembly (as amended by S.B. 120 of the 133rd General Assembly) be amended to read as follows:

**Sec. 265.10.**

A		EDU DEPARTMENT OF EDUCATION				
B		General Revenue Fund				
C	GRF	200321 Operating Expenses	\$	15,153,032	\$	16,565,951
D	GRF	200408 Early Childhood Education	\$	68,116,789	\$	68,116,789
E	GRF	200420 Information Technology Development and Support	\$	4,004,299	\$	4,026,960
F	GRF	200422 School Management Assistance	\$	2,385,580	\$	2,408,711
G	GRF	200424 Policy Analysis	\$	458,232	\$	457,676
H	GRF	200426 Ohio Educational Computer Network	\$	15,457,000	\$	15,457,000
I	GRF	200427 Academic Standards	\$	4,434,215	\$	4,483,525
J	GRF	200437 Student Assessment	\$	56,906,893	\$	56,948,365
K	GRF	200439 Accountability/ Report Cards	\$	7,517,406	\$	7,565,320

L	GRF	200442	Child Care Licensing	\$	2,156,322	\$	2,227,153
M	GRF	200446	Education Management Information System	\$	8,112,987	\$	8,174,415
N	GRF	200448	Educator Preparation	\$	11,785,384	\$	7,285,384
O	GRF	200455	Community Schools and Choice Programs	\$	4,867,763	\$	4,912,546
P	GRF	200465	Education Technology Resources	\$	5,179,664	\$	5,179,664
Q	GRF	200478	Industry- Recognized Credentials High School Students	\$	25,000,000	\$	25,000,000
R	GRF	200502	Pupil Transportation	\$	527,129,809	\$	527,129,809
S	GRF	200505	School Lunch Match	\$	8,963,500	\$	8,963,500
T	GRF	200511	Auxiliary Services	\$	154,939,134	\$	154,939,134

U	GRF	200532	Nonpublic Administrative Cost Reimbursement	\$	69,997,735	\$	69,997,735
V	GRF	200540	Special Education Enhancements	\$	152,600,000	\$	152,850,000
W	GRF	200545	Career- Technical Education Enhancements	\$	9,750,892	\$	9,750,892
X	GRF	200550	Foundation Funding	\$	6,942,880,845	\$	6,774,618,845
Y	GRF	200566	Literacy Improvement	\$	1,452,876	\$	1,452,172
Z	GRF	200572	Adult Education Programs	\$	10,207,674	\$	10,207,674
AA	GRF	200573	<del>EdChoice</del> <del>Expansion</del> <u>Buckeye</u> <u>Opportunity</u> <u>Scholarships</u>	\$	57,223,340	\$	121,017,418
AB	GRF	200574	Half-Mill Maintenance Equalization	\$	18,849,207	\$	18,128,526



AC GRF	200576	Adaptive Sports Program	\$	250,000	\$	250,000
AD GRF	200597	Program and Project Support	\$	1,125,000	\$	625,000
AE GRF	657401	Medicaid in Schools	\$	297,978	\$	297,978
AF TOTAL GRF		General Revenue Fund	\$	8,187,203,556	\$	8,079,038,142
AG Dedicated Purpose Fund Group						
AH 4520	200638	Charges and Reimbursements	\$	1,000,000	\$	1,000,000
AI 4550	200608	Commodity Foods	\$	1,000,000	\$	1,000,000
AJ 4L20	200681	Teacher Certification and Licensure	\$	13,795,827	\$	14,000,000
AK 5980	200659	Auxiliary Services Reimbursement	\$	1,300,000	\$	1,300,000
AL 5H30	200687	School District Solvency Assistance	\$	2,000,000	\$	2,000,000
AM 5KX0	200691	Ohio School Sponsorship Program	\$	1,250,000	\$	1,250,000

AN 5MM0 200677	Child Nutrition Refunds	\$	550,000	\$	550,000
AO 5U20 200685	National Education Statistics	\$	170,675	\$	175,000
AP 5VS0 200604	Student Wellness and Success	\$	275,000,000	\$	400,000,000
AQ 5VU0 200663	School Bus Purchase	\$	0	\$	20,000,000
AR 6200 200615	Educational Improvement Grants	\$	594,443	\$	600,000
AS TOTAL DPF Dedicated Purpose Fund Group		\$	296,660,945	\$	441,875,000
AT Internal Service Activity Fund Group					
AU 1380 200606	Information Technology Development and Support	\$	7,939,104	\$	8,047,645
AV 4R70 200695	Indirect Operational Support	\$	7,856,766	\$	7,856,766
AW 4V70 200633	Interagency	\$	5,497,938	\$	5,500,000

Program Support

AX TOTAL ISA Internal Service	\$	21,293,808	\$	21,404,411
Activity Fund Group				
AY State Lottery Fund Group				
AZ 7017 200602 School Climate	\$	2,000,000	\$	2,000,000
Grants				
BA 7017 200612 Foundation	\$	1,081,400,000	\$	1,249,900,000
Funding				
BB 7017 200614 Accelerate	\$	1,500,000	\$	1,500,000
Great Schools				
BC 7017 200631 Quality	\$	30,000,000	\$	30,000,000
Community				
Schools Support				
BD 7017 200636 Enrollment	\$	15,500,000	\$	23,000,000
Growth				
Supplement				
BE 7017 200684 Community	\$	20,600,000	\$	20,600,000
School				
Facilities				
BF TOTAL SLF State Lottery Fund	\$	1,151,000,000	\$	1,327,000,000
Group				
BG Federal Fund Group				
BH 3670 200607 School Food	\$	11,469,730	\$	11,897,473

Services						
BI 3700	200624	Education of Exceptional Children	\$	2,000,000	\$	2,000,000
BJ 3AF0	657601	Schools Medicaid Administrative Claims	\$	295,500	\$	295,500
BK 3AN0	200671	School Improvement Grants	\$	17,000,000	\$	17,000,000
BL 3C50	200661	Early Childhood Education	\$	12,555,000	\$	12,555,000
BM 3EH0	200620	Migrant Education	\$	2,700,000	\$	2,700,000
BN 3EJ0	200622	Homeless Children Education	\$	3,295,203	\$	3,300,000
BO 3FE0	200669	Striving Readers	\$	12,507,905	\$	12,511,000
BP 3GE0	200674	Summer Food Service Program	\$	15,599,467	\$	16,342,299
BQ 3GG0	200676	Fresh Fruit and Vegetable	\$	4,911,207	\$	5,145,074

		Program				
BR 3HF0	200649	Federal Education Grants	\$	7,049,677	\$	7,056,327
BS 3HI0	200634	Student Support and Academic Enrichment	\$	40,042,720	\$	40,042,720
BT 3L60	200617	Federal School Lunch	\$	418,643,500	\$	430,837,000
BU 3L70	200618	Federal School Breakfast	\$	158,726,966	\$	163,350,081
BV 3L80	200619	Child/Adult Food Programs	\$	110,121,168	\$	113,328,580
BW 3L90	200621	Career- Technical Education Basic Grant	\$	45,946,927	\$	46,000,000
BX 3M00	200623	ESEA Title 1A	\$	600,000,000	\$	600,000,000
BY 3M20	200680	Individuals with Disabilities Education Act	\$	454,770,591	\$	455,000,000
BZ 3T40	200613	Public Charter Schools	\$	7,000,000	\$	7,000,000

CA 3Y20 200688	21st Century Community Learning Centers	\$	47,500,000	\$	47,500,000
CB 3Y60 200635	Improving Teacher Quality	\$	85,000,000	\$	85,000,000
CC 3Y70 200689	English Language Acquisition	\$	10,500,000	\$	10,500,000
CD 3Y80 200639	Rural and Low Income Technical Assistance	\$	3,600,000	\$	3,600,000
CE 3Z20 200690	State Assessments	\$	12,000,000	\$	12,000,000
CF 3Z30 200645	Consolidated Federal Grant Administration	\$	10,701,635	\$	10,900,000
CG TOTAL FED	Federal Fund Group	\$	2,093,937,196	\$	2,115,861,054
CH TOTAL ALL BUDGET	FUND GROUPS	\$	11,750,095,505	\$	11,985,178,607

**Section 9.** That existing Section 265.10 of H.B. 166 of the 2940  
133rd General Assembly (as amended by S.B. 120 of the 133rd 2941  
General Assembly) is hereby repealed. 2942

**Section 10.** The amendment by this act of sections 5709.62, 2943  
5709.63, 5709.632, 5709.82, and 5709.83 of the Revised Code 2944

applies to agreements entered into under sections 5709.62, 2945  
5709.63, and 5709.632 of the Revised Code on or after the 2946  
effective date of this act. 2947

**Section 11.** (A) There is hereby established the State 2948  
Educational Assessments Study Committee. 2949

(B) The Committee shall consist of the following members: 2950

(1) Five members of the House of Representatives, three of 2951  
which shall be from the majority party and two of which shall be 2952  
from the minority party; 2953

(2) Five members of the Senate, three of which shall be 2954  
from the majority party and two of which shall be from the 2955  
minority party. 2956

(C) Not later than October 1, 2020, the Committee shall 2957  
submit a report of its findings to the General Assembly in 2958  
accordance with section 101.68 of the Revised Code. The report 2959  
shall include, but not be limited to, all of the following: 2960

(1) Federal requirements regarding testing; 2961

(2) State requirements regarding testing; 2962

(3) End-of-course examination and assessment score ranges 2963  
as described under sections 3301.0710 and 3301.0712 of the 2964  
Revised Code; 2965

(4) Performance measures used to determine letter grades 2966  
on the state report card under section 3302.03 of the Revised 2967  
Code; 2968

(5) Any potential waivers from federal testing 2969  
requirements that the state may seek. 2970

Upon completion of the report, the Committee shall be 2971

dissolved. 2972

**Section 12.** The General Assembly, applying the principle 2973  
stated in division (B) of section 1.52 of the Revised Code that 2974  
amendments are to be harmonized if reasonably capable of 2975  
simultaneous operation, finds that the following sections, 2976  
presented in this act as composites of the sections as amended 2977  
by the acts indicated, are the resulting versions of the 2978  
sections in effect prior to the effective date of the sections 2979  
as presented in this act: 2980

Section 3313.25 of the Revised Code as amended by both 2981  
H.B. 291 and H.B. 491 of the 132nd General Assembly. 2982

Section 5709.82 of the Revised Code as amended by both 2983  
H.B. 182 and H.B. 233 of the 131st General Assembly. 2984

**Section 13.** Sections 3310.01, 3310.03, 3310.031, 3310.032, 2985  
3310.08, and 3310.16 of the Revised Code as amended by this act, 2986  
sections 3310.035 and 3310.05 of the Revised Code as repealed by 2987  
this act, and Section 11 of this act are hereby declared to be 2988  
an emergency measure necessary for the immediate preservation of 2989  
the public peace, health, and safety. The reason for such 2990  
necessity is to ensure that the changes regarding scholarship 2991  
eligibility and operation made by the act go into effect for the 2992  
next school year and that the establishment of the State 2993  
Educational Assessments Study Committee is effective in a timely 2994  
manner. Therefore, those sections shall go into immediate 2995  
effect. 2996