

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

**134th General Assembly**

**Regular Session  
2021-2022**

**Sub. H. B. No. 554**

**Representatives Lightbody, Bird**

**Cosponsors: Representatives Miller, A., Brown, Click, Galonski, Hillyer,  
Humphrey, Lanese, Lepore-Hagan, Liston, Merrin, Miller, J., O'Brien, Robinson,  
Seitz, Sheehy, Sobeki, Troy, Weinstein, White, Addison, Blackshear, Callender,  
Crossman, Denson, Edwards, Grendell, Gross, Hall, Hicks-Hudson, Holmes,  
Ingram, Jarrells, Johnson, Jones, Kick, Leland, Miranda, Patton, Plummer, Riedel,  
Russo, Smith, K., Smith, M., Stein, Stevens, Sweeney, Upchurch, West, Young, T.**

**Senator Brenner**

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**A BILL**

To amend sections 3310.41, 3313.618, 3314.05, 1  
3317.013, 3318.70, 3319.222, 3319.60, and 2  
3323.01; to enact sections 3345.141 and 3  
3365.036; and to repeal section 3319.613 of the 4  
Revised Code to require the State Board of 5  
Education to issue temporary educator licenses 6  
to applicants with expired professional 7  
teacher's certificates and professional educator 8  
licenses, with regard to the composition of the 9  
Educator Standards Board and its subcommittees, 10  
STEM school classroom facilities project 11  
funding, full-time equivalency for students 12  
enrolled in certain community schools for the 13  
2022-2023 school year, the provision of 14  
intervention services under the Autism 15  
Scholarship Program, children of military 16  
families participation in the college credit 17  
plus program, high school graduation 18

requirements for transfer and chartered 19  
nonpublic school students, and regarding the 20  
education of children experiencing developmental 21  
delays and state operating funding for districts 22  
and schools educating them; to expand where 23  
multiple community school facilities may be 24  
located under a community school sponsor 25  
contract; and to permit state universities to 26  
develop a policy regulating student 27  
organizations' use of university logos. 28

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

**Section 1.** That sections 3310.41, 3313.618, 3314.05, 29  
3317.013, 3318.70, 3319.222, 3319.60, and 3323.01 be amended and 30  
sections 3345.141 and 3365.036 of the Revised Code be enacted to 31  
read as follows: 32

**Sec. 3310.41.** (A) As used in this section: 33

(1) "Alternative public provider" means either of the 34  
following providers that agrees to enroll a child in the 35  
provider's special education program to implement the child's 36  
individualized education program and to which the child's parent 37  
owes fees for the services provided to the child: 38

(a) A school district that is not the school district in 39  
which the child is entitled to attend school; 40

(b) A public entity other than a school district. 41

(2) "Entitled to attend school" means entitled to attend 42  
school in a school district under section 3313.64 or 3313.65 of 43

the Revised Code.	44
(3) "Formula ADM" has the same meaning as in section 3317.02 of the Revised Code.	45 46
(4) "Preschool child with a disability" and "individualized education program" have the same meanings as in section 3323.01 of the Revised Code.	47 48 49
(5) "Parent" has the same meaning as in section 3313.64 of the Revised Code, except that "parent" does not mean a parent whose custodial rights have been terminated. "Parent" also includes the custodian of a qualified special education child, when a court has granted temporary, legal, or permanent custody of the child to an individual other than either of the natural or adoptive parents of the child or to a government agency.	50 51 52 53 54 55 56
(6) "Qualified special education child" is a child for whom all of the following conditions apply:	57 58
(a) The school district in which the child is entitled to attend school has identified the child as autistic. A child who has been identified as having a "pervasive developmental disorder - not otherwise specified (PPD-NOS)" shall be considered to be an autistic child for purposes of this section.	59 60 61 62 63
(b) The school district in which the child is entitled to attend school has developed an individualized education program under Chapter 3323. of the Revised Code for the child.	64 65 66
(c) The child either:	67
(i) Was enrolled in the school district in which the child is entitled to attend school in any grade from preschool through twelve in the school year prior to the year in which a scholarship under this section is first sought for the child; or	68 69 70 71

(ii) Is eligible to enter school in any grade preschool 72  
through twelve in the school district in which the child is 73  
entitled to attend school in the school year in which a 74  
scholarship under this section is first sought for the child. 75

(7) "Registered private provider" means a nonpublic school 76  
or other nonpublic entity that has been approved by the 77  
department of education to participate in the program 78  
established under this section. 79

(8) "Special education program" means a school or facility 80  
that provides special education and related services to children 81  
with disabilities. 82

(B) There is hereby established the autism scholarship 83  
program. Under the program, the department of education shall 84  
pay a scholarship under section 3317.022 of the Revised Code to 85  
the parent of each qualified special education child upon 86  
application of that parent pursuant to procedures and deadlines 87  
established by rule of the state board of education. Each 88  
scholarship shall be used only to pay tuition for the child on 89  
whose behalf the scholarship is awarded to attend a special 90  
education program that implements the child's individualized 91  
education program and that is operated by an alternative public 92  
provider or by a registered private provider, and to pay for 93  
other services agreed to by the provider and the parent of a 94  
qualified special education child that are not included in the 95  
individualized education program but are associated with 96  
educating the child. Upon agreement with the parent of a 97  
qualified special education child, the alternative public 98  
provider or the registered private provider may modify the 99  
services provided to the child. The purpose of the scholarship 100  
is to permit the parent of a qualified special education child 101

the choice to send the child to a special education program, 102  
instead of the one operated by or for the school district in 103  
which the child is entitled to attend school, to receive the 104  
services prescribed in the child's individualized education 105  
program once the individualized education program is finalized 106  
and any other services agreed to by the provider and the parent 107  
of a qualified special education child. The services provided 108  
under the scholarship shall include an educational component or 109  
services designed to assist the child to benefit from the 110  
child's education. 111

A scholarship under this section shall not be awarded to 112  
the parent of a child while the child's individualized education 113  
program is being developed by the school district in which the 114  
child is entitled to attend school, or while any administrative 115  
or judicial mediation or proceedings with respect to the content 116  
of the child's individualized education program are pending. A 117  
scholarship under this section shall not be used for a child to 118  
attend a public special education program that operates under a 119  
contract, compact, or other bilateral agreement between the 120  
school district in which the child is entitled to attend school 121  
and another school district or other public provider, or for a 122  
child to attend a community school established under Chapter 123  
3314. of the Revised Code. However, nothing in this section or 124  
in any rule adopted by the state board shall prohibit a parent 125  
whose child attends a public special education program under a 126  
contract, compact, or other bilateral agreement, or a parent 127  
whose child attends a community school, from applying for and 128  
accepting a scholarship under this section so that the parent 129  
may withdraw the child from that program or community school and 130  
use the scholarship for the child to attend a special education 131  
program for which the parent is required to pay for services for 132

the child. 133

Except for development of the child's individualized 134  
education program, the school district in which a qualified 135  
special education child is entitled to attend school and the 136  
child's school district of residence, as defined in section 137  
3323.01 of the Revised Code, if different, are not obligated to 138  
provide the child with a free appropriate public education under 139  
Chapter 3323. of the Revised Code for as long as the child 140  
continues to attend the special education program operated by 141  
either an alternative public provider or a registered private 142  
provider for which a scholarship is awarded under the autism 143  
scholarship program. If at any time, the eligible applicant for 144  
the child decides no longer to accept scholarship payments and 145  
enrolls the child in the special education program of the school 146  
district in which the child is entitled to attend school, that 147  
district shall provide the child with a free appropriate public 148  
education under Chapter 3323. of the Revised Code. 149

A child attending a special education program with a 150  
scholarship under this section shall continue to be entitled to 151  
transportation to and from that program in the manner prescribed 152  
by law. 153

(C) As prescribed in division (A) (2) (h) of section 3317.03 154  
of the Revised Code, a child who is not a preschool child with a 155  
disability for whom a scholarship is awarded under this section 156  
shall be counted in the formula ADM of the district in which the 157  
child is entitled to attend school and not in the formula ADM of 158  
any other school district. 159

(D) A scholarship shall not be paid under section 3317.022 160  
of the Revised Code to a parent for payment of tuition owed to a 161  
nonpublic entity unless that entity is a registered private 162

provider. The department shall approve entities that meet the 163  
standards established by rule of the state board for the program 164  
established under this section. 165

(E) The state board shall adopt rules under Chapter 119. 166  
of the Revised Code prescribing procedures necessary to 167  
implement this section, including, but not limited to, 168  
procedures and deadlines for parents to apply for scholarships, 169  
standards for registered private providers, and procedures for 170  
approval of entities as registered private providers. 171

The rules also shall specify that intervention services 172  
under the autism scholarship program may be provided by a 173  
qualified, credentialed provider, including, but not limited to, 174  
all of the following: 175

(1) A behavior analyst certified by a nationally 176  
recognized organization that certifies behavior analysts; 177

(2) A psychologist licensed to practice in this state 178  
under Chapter 4732. of the Revised Code; 179

(3) A school psychologist licensed by the state board 180  
under section 3319.22 of the Revised Code; 181

(4) Any person employed by a licensed psychologist or 182  
licensed school psychologist, while carrying out specific tasks, 183  
under the licensee's supervision, as an extension of the 184  
licensee's legal and ethical authority as specified under 185  
Chapter 4732. of the Revised Code who is ascribed as "psychology 186  
trainee," "psychology assistant," "psychology intern," a- 187  
~~"registered behavior technician" as described under rule 5123-9-~~ 188  
~~41 of the Administrative Code, a "certified Ohio behavior-~~ 189  
~~analyst" under Chapter 4783. of the Revised Code, or other 190  
appropriate term that clearly implies their supervised or 191~~

training status;	192
(5) Unlicensed persons holding a doctoral degree in	193
psychology or special education from a program approved by the	194
state board;	195
(6) Any other qualified individual as determined by the	196
state board.	197
(F) The department shall provide reasonable notice to all	198
parents of children receiving a scholarship under the autism	199
scholarship program, alternative public providers, and	200
registered private providers of any amendment to a rule	201
governing, or change in the administration of, the autism	202
scholarship program.	203
<b>Sec. 3313.618.</b> (A) In addition to the curriculum	204
requirements specified by the board of education of a school	205
district or governing authority of a chartered nonpublic school,	206
each student entering ninth grade for the first time on or after	207
July 1, 2014, but prior to July 1, 2019, shall satisfy at least	208
one of the following conditions or the conditions prescribed	209
under division (B) of this section in order to qualify for a	210
high school diploma:	211
(1) Be remediation-free, in accordance with standards	212
adopted under division (F) of section 3345.061 of the Revised	213
Code, on each of the nationally standardized assessments in	214
English, mathematics, and reading;	215
(2) Attain a score specified under division (B) (5) (c) of	216
section 3301.0712 of the Revised Code on the end-of-course	217
examinations prescribed under division (B) of section 3301.0712	218
of the Revised Code.	219
(3) Attain a score that demonstrates workforce readiness	220

and employability on a nationally recognized job skills 221  
assessment selected by the state board of education under 222  
division (G) of section 3301.0712 of the Revised Code and obtain 223  
either an industry-recognized credential or a license issued by 224  
a state agency or board for practice in a vocation that requires 225  
an examination for issuance of that license. 226

For the purposes of this division, the industry-recognized 227  
credentials and licenses shall be as approved under section 228  
3313.6113 of the Revised Code. 229

A student may choose to qualify for a high school diploma 230  
by satisfying any of the separate requirements prescribed by 231  
divisions (A) (1) to (3) of this section. If the student's school 232  
district or school does not administer the examination 233  
prescribed by one of those divisions that the student chooses to 234  
take to satisfy the requirements of this section, the school 235  
district or school may require that student to arrange for the 236  
applicable scores to be sent directly to the district or school 237  
by the company or organization that administers the examination. 238

(B) In addition to the curriculum requirements specified 239  
by the district board or school governing authority, each 240  
student entering ninth grade for the first time on or after July 241  
1, 2019, shall satisfy the following conditions in order to 242  
qualify for a high school diploma: 243

(1) ~~Except as otherwise provided in division (D) of this~~ 244  
~~section, attain~~Attain a competency score as determined under 245  
division (B) (10) of section 3301.0712 of the Revised Code on 246  
each of the Algebra I and English language arts II end-of-course 247  
examinations prescribed under division (B) (2) of section 248  
3301.0712 of the Revised Code. 249

School districts and chartered nonpublic schools shall 250  
offer remedial support to any student who fails to attain a 251  
competency score on one or both of the Algebra I and English 252  
language arts II end-of-course examinations. 253

Following the first administration of the exam, if a 254  
student fails to attain a competency score on one or both of the 255  
Algebra I and English language arts II end-of-course 256  
examinations that student must retake the respective examination 257  
at least once. 258

If a student fails to attain a competency score on a 259  
retake examination, the student may demonstrate competency in 260  
the failed subject area through one of the following options: 261

(a) Earn course credit taken through the college credit 262  
plus program established under Chapter 3365. of the Revised Code 263  
in the failed subject area; 264

(b) Complete two of the following options, one of which 265  
must be foundational: 266

(i) Foundational options to demonstrate competency, which 267  
include earning a cumulative score of proficient or higher on 268  
three or more state technical assessments aligned with section 269  
3313.903 of the Revised Code in a single career pathway, 270  
obtaining an industry-recognized credential, or group of 271  
credentials, approved under section 3313.6113 of the Revised 272  
Code that is at least equal to the total number of points 273  
established under that section to qualify for a high school 274  
diploma, obtaining a license approved under section 3313.6113 of 275  
the Revised Code that is issued by a state agency or board for 276  
practice in a vocation that requires an examination for issuance 277  
of that license, completing a pre-apprenticeship aligned with 278

options established under section 3313.904 of the Revised Code 279  
in the student's chosen career field, completing an 280  
apprenticeship registered with the apprenticeship council 281  
established under section 4139.02 of the Revised Code in the 282  
student's chosen career field, or providing evidence of 283  
acceptance into an apprenticeship program after high school that 284  
is restricted to participants eighteen years of age or older; 285

(ii) Supporting options to demonstrate competency, which 286  
include completing two hundred fifty hours of a work-based 287  
learning experience with evidence of positive evaluations, 288  
obtaining an OhioMeansJobs-readiness seal under section 289  
3313.6112 of the Revised Code, or attaining a workforce 290  
readiness score, as determined by the department of education, 291  
on the nationally recognized job skills assessment selected by 292  
the state board under division (G) of section 3301.0712 of the 293  
Revised Code. 294

(c) Provide evidence that the student has enlisted in a 295  
branch of the armed services of the United States as defined in 296  
section 5910.01 of the Revised Code. 297

(d) Be remediation-free, in accordance with standards 298  
adopted under division (F) of section 3345.061 of the Revised 299  
Code, in the failed subject area on a nationally standardized 300  
assessment prescribed under division (B)(1) of section 3301.0712 301  
of the Revised Code. For English language arts II, a student 302  
must be remediation-free in the subjects of English and reading 303  
on the nationally standardized assessment. 304

Subject to division (L)(2) of section 3313.61 of the 305  
Revised Code, for any students receiving special education and 306  
related services under Chapter 3323. of the Revised Code, the 307  
individualized education program developed for the student under 308

that chapter shall specify the manner in which the student will 309  
participate in the assessments administered under this division 310  
or an alternate assessment in accordance with division (C) (1) of 311  
section 3301.0711 of the Revised Code. 312

(2) Earn at least two of the state diploma seals 313  
prescribed under division (A) of section 3313.6114 of the 314  
Revised Code, at least one of which shall be any of the 315  
following: 316

(a) The state seal of biliteracy established under section 317  
3313.6111 of the Revised Code; 318

(b) The OhioMeansJobs-readiness seal established under 319  
section 3313.6112 of the Revised Code; 320

(c) One of the state diploma seals established under 321  
divisions (C) (1) to (7) of section 3313.6114 of the Revised 322  
Code. 323

~~(C) (1)~~ A student who transfers into an Ohio public or 324  
chartered nonpublic high school from another state or enrolls in 325  
such a high school after receiving home instruction or attending 326  
a nonchartered, nontax-supported school in the previous school 327  
year shall meet the requirements of division (B) or (D) of this 328  
section, as applicable, in order to qualify for a high school 329  
diploma ~~under that division~~. However, any ~~such~~ student subject 330  
to division (B) of this section who transfers or enrolls after 331  
the start of the student's twelfth grade year and fails to 332  
attain a competency score on the Algebra I or English language 333  
arts II end-of-course examination shall not be required to 334  
retake the applicable examination prior to demonstrating 335  
competency in the failed subject area under the options 336  
prescribed in divisions (B) (1) (a) to (d) of this section. 337

(2) The department shall prescribe standards that allow a transfer student who, prior to the student's transfer, took an assessment described in division (B) (1) or (2) of section 3301.0712 or section 3313.619 of the Revised Code to apply the score from that assessment towards graduation requirements at the student's new public or chartered nonpublic school.

(D) ~~Notwithstanding division (B) of this section, in addition to the curriculum requirements specified by the school governing authority, a chartered nonpublic school student subject to division (L) (3) (a) (ii) of section 3301.0711 of the Revised Code entering ninth grade for the first time on or after July 1, 2019, shall be considered to have demonstrated competency for the purposes of division (B) (1) of this section qualify for a high school diploma~~ if the student earns a remediation-free score in the areas of English, mathematics, and reading, in accordance with standards adopted under division (F) of section 3345.061 of the Revised Code, on a nationally standardized assessment prescribed under division (B) (1) of section 3301.0712 of the Revised Code. No such student shall be required to take the Algebra I or English language arts II end-of-course examination or earn diploma seals under this section.

(E) The state board of education shall not create or require any additional assessment for the granting of any type of high school diploma other than as prescribed by this section. Except as provided in sections 3313.6111, 3313.6112, and 3313.6114 of the Revised Code, the state board or the superintendent of public instruction shall not create any endorsement or designation that may be affiliated with a high school diploma.

**Sec. 3314.05.** (A) The contract between the community

school and the sponsor shall specify the facilities to be used 368  
for the community school and the method of acquisition. Except 369  
as provided in divisions (B) (3) and (4) of this section, no 370  
community school shall be established in more than one school 371  
district under the same contract. 372

(B) Division (B) of this section shall not apply to 373  
internet- or computer-based community schools. 374

(1) A community school may be located in multiple 375  
facilities under the same contract only if the limitations on 376  
availability of space prohibit serving all the grade levels 377  
specified in the contract in a single facility or division (B) 378  
(2), (3), or (4) of this section applies to the school. The 379  
school shall not offer the same grade level classrooms in more 380  
than one facility. 381

(2) A community school may be located in multiple 382  
facilities under the same contract and, notwithstanding division 383  
(B) (1) of this section, may assign students in the same grade 384  
level to multiple facilities, as long as all of the following 385  
apply: 386

(a) The governing authority has entered into and maintains 387  
a contract with an operator of the type described in division 388  
(A) (8) (b) of section 3314.02 of the Revised Code. 389

(b) The contract with that operator qualified the school 390  
to be established pursuant to division (A) of former section 391  
3314.016 of the Revised Code. 392

(c) The school's rating under section 3302.03 of the 393  
Revised Code does not fall below a combination of any of the 394  
following for two or more consecutive years: 395

(i) A rating of "in need of continuous improvement" under 396

section 3302.03 of the Revised Code, as that section existed 397  
prior to March 22, 2013; 398

(ii) For the 2012-2013, 2013-2014, 2014-2015, and 2015- 399  
2016 school years, a rating of "C" for both the performance 400  
index score under division (A) (1) (b) or (B) (1) (b) and the value- 401  
added dimension under division (A) (1) (e) or (B) (1) (e) of section 402  
3302.03 of the Revised Code; or if the building serves only 403  
grades ten through twelve, the building received a grade of "C" 404  
for the performance index score under division (A) (1) (b) or (B) 405  
(1) (b) of section 3302.03 of the Revised Code; 406

(iii) For the 2016-2017, 2017-2018, 2018-2019, 2019-2020, 407  
2020-2021 school years, an overall grade of "C" under division 408  
(C) (3) of section 3302.03 of the Revised Code or an overall 409  
performance designation of "meets standards" under division (E) 410  
(3) (e) of section 3314.017 of the Revised Code; 411

(iv) For the 2021-2022 school year and any school year 412  
thereafter, an overall performance rating of three stars under 413  
division (D) (3) of section 3302.03 of the Revised Code or an 414  
overall performance designation of "meets standards" under 415  
division (E) (3) (e) of section 3314.017 of the Revised Code. 416

(3) On and after ~~the effective date of this~~ 417  
~~amendment~~ September 30, 2021, a new start-up community school may 418  
be established in two school districts under the same contract 419  
regardless of the proposed location of either district if both 420  
of the following apply: 421

(a) The school operates not more than one facility in each 422  
school district and, in accordance with division (B) (1) of this 423  
section, the school does not offer the same grade level 424  
classrooms in both facilities; and 425

(b) Transportation between the two facilities does not 426  
require more than thirty minutes of direct travel time as 427  
measured by school bus. 428

(4) A community school may be located in multiple 429  
facilities under the same contract and, notwithstanding division 430  
(B) (1) of this section, may assign students in the same grade 431  
level to multiple facilities, as long as both of the following 432  
apply: 433

(a) The facilities are all located in the same county or 434  
in any county adjacent to the county in which the community 435  
school's primary facility is located. 436

(b) Either of the following conditions are satisfied: 437

(i) The community school is sponsored by a board of 438  
education of a city, local, or exempted village school district 439  
having territory in the same county where the facilities of the 440  
community school are located or in any county adjacent to the 441  
county in which the community school's primary facility is 442  
located; 443

(ii) The community school is managed by an operator. 444

In the case of a community school to which division (B) (4) 445  
of this section applies and that maintains facilities in more 446  
than one school district, the school's governing authority shall 447  
designate one of those districts to be considered the school's 448  
primary location and the district in which the school is located 449  
for the purposes of division (A) (19) of section 3314.03 and 450  
divisions (C) and (H) of section 3314.06 of the Revised Code and 451  
for all other purposes of this chapter and shall notify the 452  
department of that designation. 453

(5) Any facility used for a community school shall meet 454

all health and safety standards established by law for school 455  
buildings. 456

(C) In the case where a community school is proposed to be 457  
located in a facility owned by a school district or educational 458  
service center, the facility may not be used for such community 459  
school unless the district or service center board owning the 460  
facility enters into an agreement for the community school to 461  
utilize the facility. Use of the facility may be under any terms 462  
and conditions agreed to by the district or service center board 463  
and the school. 464

(D) Two or more separate community schools may be located 465  
in the same facility. 466

(E) In the case of a community school that is located in 467  
multiple facilities, beginning July 1, 2012, the department 468  
shall assign a unique identification number to the school and to 469  
each facility maintained by the school. Each number shall be 470  
used for identification purposes only. Nothing in this division 471  
shall be construed to require the department to calculate the 472  
amount of funds paid under this chapter, or to compute any data 473  
required for the report cards issued under section 3314.012 of 474  
the Revised Code, for each facility separately. The department 475  
shall make all such calculations or computations for the school 476  
as a whole. 477

(F) (1) In the case of a community school that exists prior 478  
to ~~the effective date of this amendment~~September 30, 2021, to 479  
which division (B) (3) of this section applies, if only one of 480  
the school districts in which the school is established was 481  
located in a challenged school district prior to ~~the effective~~ 482  
~~date of this amendment~~September 30, 2021, that district 483  
continues to be considered the school's primary location and the 484

district in which the school is located for the purposes of 485  
division (A) (19) of section 3314.03 and divisions (C) and (H) of 486  
section 3314.06 of the Revised Code and for all other purposes 487  
of this chapter unless and until the school's governing 488  
authority designates a different school district as the school's 489  
primary location in accordance with division (F) (2) of this 490  
section. If both of the school districts in which the school is 491  
established were challenged school districts on that date, and 492  
the primary location was already designated by the school's 493  
governing authority pursuant to the requirements of this section 494  
as it existed prior to the ~~effective date of this~~ 495  
~~amendment~~ September 30, 2021, that designation remains unless and 496  
until the school's governing authority designates a different 497  
primary location. 498

(2) (a) On and after ~~the effective date of this~~ 499  
~~amendment~~ September 30, 2021, when a new start-up community 500  
school is established in two school districts under the same 501  
contract, the school's governing authority shall designate one 502  
of those districts to be considered the school's primary 503  
location and the district in which the school is located for the 504  
purposes of division (A) (19) of section 3314.03 and divisions 505  
(C) and (H) of section 3314.06 of the Revised Code and for all 506  
other purposes of this chapter and shall notify the department 507  
of education of that designation. 508

(b) A community school governing authority that elects to 509  
modify a community school's primary location, whether in 510  
accordance with division (F) (1) of this section or otherwise, 511  
shall notify the department of that modification. 512

**Sec. 3317.013.** The multiples for the following categories 513  
of special education programs, as these programs are defined for 514

purposes of Chapter 3323. of the Revised Code, are as follows:	515
(A) A multiple of 0.2435 for students whose primary or	516
only identified disability is a speech and language disability,	517
as this term is defined pursuant to Chapter 3323. of the Revised	518
Code;	519
(B) A multiple of 0.6179 for students identified as	520
specific learning disabled <del> or</del> , <u>developmentally disabled, or</u>	521
<u>developmentally delayed</u> , as these terms are defined pursuant to	522
Chapter 3323. of the Revised Code, identified as having an other	523
health impairment-minor, or identified as a preschool child who	524
is developmentally delayed;	525
(C) A multiple of 1.4845 for students identified as	526
hearing disabled or severe behavior disabled, as these terms are	527
defined pursuant to Chapter 3323. of the Revised Code;	528
(D) A multiple of 1.9812 for students identified as vision	529
impaired, as this term is defined pursuant to Chapter 3323. of	530
the Revised Code, or as having an other health impairment-major;	531
(E) A multiple of 2.6830 for students identified as	532
orthopedically disabled or as having multiple disabilities, as	533
these terms are defined pursuant to Chapter 3323. of the Revised	534
Code;	535
(F) A multiple of 3.9554 for students identified as	536
autistic, having traumatic brain injuries, or as both visually	537
and hearing impaired, as these terms are defined pursuant to	538
Chapter 3323. of the Revised Code.	539
<b>Sec. 3318.70.</b> (A) As used in this section:	540
(1) "Acquisition of classroom facilities" has the same	541
meaning as in section 3318.40 of the Revised Code.	542

(2) "Classroom facilities" has the same meaning as in 543  
section 3318.01 of the Revised Code. 544

(3) "STEM school" means a science, technology, 545  
engineering, and mathematics school established under Chapter 546  
3326. of the Revised Code that is not governed by a single 547  
school district board of education, as prescribed by section 548  
3326.51 of the Revised Code. 549

(B) The Ohio facilities construction commission shall 550  
establish guidelines for assisting STEM schools in the 551  
acquisition of classroom facilities. 552

(C) Upon receipt of a written proposal by the governing 553  
body of a STEM school, the commission, subject to approval of 554  
the controlling board, shall provide funding to assist that STEM 555  
school in the acquisition of classroom facilities. The proposal 556  
of the governing body shall be submitted in a form and in the 557  
manner prescribed by the commission. The proposal shall indicate 558  
both the total amount of funding requested from the commission 559  
and the amount of other funding pledged for the acquisition of 560  
the classroom facilities, the latter of which shall not be less 561  
than the total amount of funding requested from the commission. 562  
Once the commission determines a proposal meets its established 563  
guidelines and if the controlling board approves that funding, 564  
the commission shall enter into an agreement with the governing 565  
body for the acquisition of the classroom facilities and shall 566  
encumber, in accordance with section 3318.11 of the Revised 567  
Code, the approved funding from the amounts appropriated to the 568  
commission for classroom facilities assistance projects. The 569  
agreement shall include a stipulation of the ownership of the 570  
classroom facilities in the event the STEM school permanently 571  
closes at any time. 572

(D) In the case of the governing body of a group of STEM schools, as prescribed by section 3326.031 of the Revised Code, the governing body shall submit a proposal for each school under its direction separately, and the commission shall consider each proposal separately.

(E) If, after the commission and a STEM school to which this section applies enter into a written agreement under this section for the construction of a classroom facilities project, the commission approves an increase in the basic project cost above the amount budgeted plus any interest earned and available in the school's project construction fund, the state and the school shall share the increased cost in proportion to their respective contributions to the school's project construction fund.

**Sec. 3319.222.** (A) Notwithstanding the amendments to and repeal of statutes by ~~the act that enacted this section~~ H.B. 1 of the 128th general assembly, the state board of education shall accept applications for new, and renewal and upgrade of, temporary, associate, provisional, and professional educator licenses, alternative educator licenses, one-year conditional teaching permits, and school nurse licenses through December 31, 2010, and issue them on the basis of the applications received by that date in accordance with the former statutes in effect immediately prior to amendment or repeal by ~~the act that enacted this section~~ H.B. 1 of the 128th general assembly.

(B) A permanent teacher's certificate issued under former sections 3319.22 to 3319.31 of the Revised Code prior to October 29, 1996, or under former section 3319.222 of the Revised Code as it existed prior to October 16, 2009, shall be valid for teaching in the subject areas and grades for which the

certificate was issued, except as the certificate is limited, 603  
suspended, or revoked under section 3319.31 of the Revised Code. 604

(C) The following certificates, permits, or licenses shall 605  
be valid until the certificate, permit, or license expires for 606  
teaching in the subject areas and grades for which the 607  
certificate, permit, or license was issued, except as the 608  
certificate, permit, or license is limited, suspended, or 609  
revoked under section 3319.31 of the Revised Code: 610

(1) Any professional teacher's certificate issued under 611  
former section 3319.222 of the Revised Code, as it existed prior 612  
to October 16, 2009; 613

(2) Any temporary, associate, provisional, or professional 614  
educator license issued under former section 3319.22 of the 615  
Revised Code, as it existed prior to October 16, 2009, or under 616  
division (A) of this section; 617

(3) Any alternative educator license issued under former 618  
section 3319.26 of the Revised Code, as it existed prior to 619  
October 16, 2009, or under division (A) of this section; 620

(4) Any one-year conditional teaching permit issued under 621  
former section 3319.302 or 3319.304 of the Revised Code, as it 622  
existed prior to October 16, 2009, or under division (A) of this 623  
section. 624

(D) Any school nurse license issued under former section 625  
3319.22 of the Revised Code, as it existed prior to October 16, 626  
2009, or under division (A) of this section shall be valid until 627  
the license expires for employment as a school nurse, except as 628  
the license is limited, suspended, or revoked under section 629  
3319.31 of the Revised Code. 630

(E) Nothing in this section shall be construed to prohibit 631

a person from applying to the state board for an educator license issued under section 3319.22 of the Revised Code, a school nurse license or a school nurse wellness coordinator license issued under former section 3319.221 of the Revised Code, or an alternative resident educator license issued under section 3319.26 of the Revised Code, as the section exists on and after October 16, 2009.

(F) On and after October 16, 2009, any reference in the Revised Code to educator licensing is hereby deemed to refer also to certification or licensure under divisions (A) to (D) or (G) of this section.

(G) (1) On and after the effective date of this amendment, the state board shall accept an application from and issue a nonrenewable, two-year temporary educator license to an individual who has an expired professional teacher's certificate or professional educator license issued under any version of section 3319.22 or 3319.222 of the Revised Code and who, at the time of expiration of the license or certificate, had no disciplinary sanctions on the certificate or license. The temporary educator license shall be valid for teaching in the same subject areas and grades for which the expired certificate or license was issued including any endorsements attached to the expired certificate or license, except as the temporary license is subsequently limited, suspended, or revoked under section 3319.31 of the Revised Code.

(2) Prior to providing instruction at an employing school district or school under a temporary educator license issued under division (G) (1) of this section, an individual shall complete any training required by the employing school district or school.

(3) The state board shall issue a professional educator license with any applicable license endorsements to an individual who receives a temporary educator license issued under division (G) (1) of this section and who, during the duration of that license, completes either eighteen continuing education units or six semester hours of coursework in the area of licensure or in an area related to the teaching field. The license and endorsements shall be valid for teaching in the same subject areas and grades for which the individual's expired certificate or license and endorsements were issued, except as the professional educator license is subsequently limited, suspended, or revoked under section 3319.31 of the Revised Code.

**Sec. 3319.60.** There is hereby established the educator standards board. The board shall develop and recommend to the state board of education standards for entering and continuing in the educator professions and standards for educator professional development. The board membership shall reflect the diversity of the state in terms of gender, race, ethnic background, and geographic distribution.

(A) The board shall consist of the following members:

(1) The following nineteen members appointed by the state board of education:

(a) Ten persons employed as teachers in a school district. Three persons appointed under this division shall be employed as teachers in a secondary school, two persons shall be employed as teachers in a middle school, three persons shall be employed as teachers in an elementary school, one person shall be employed as a teacher in a pre-kindergarten classroom, and one person shall be a teacher who serves on a local professional development committee pursuant to section 3319.22 of the Revised

Code. At least one person appointed under this division shall 692  
hold a teaching certificate or license issued by the national 693  
board for professional teaching standards. The Ohio education 694  
association shall submit a list of fourteen nominees for these 695  
appointments and the state board may appoint up to seven members 696  
to the educator standards board from that list. The Ohio 697  
federation of teachers shall submit a list of six nominees for 698  
these appointments and the state board may appoint up to three 699  
members to the educator standards board from that list. If there 700  
is an insufficient number of nominees from both lists to satisfy 701  
the membership requirements of this division, the state board 702  
shall request additional nominees who satisfy those 703  
requirements. 704

(b) One person employed as a teacher in a chartered, 705  
nonpublic school. Stakeholder groups selected by the state board 706  
shall submit a list of two nominees for this appointment. 707

(c) Five persons employed as school administrators in a 708  
school district. Of those five persons, one person shall be 709  
employed as a secondary school principal, one person shall be 710  
employed as a middle school principal, one person shall be 711  
employed as an elementary school principal, one person shall be 712  
employed as a school district treasurer or business manager, and 713  
one person shall be employed as a school district 714  
superintendent. The buckeye association of school administrators 715  
shall submit a list of two nominees for the school district 716  
superintendent, the Ohio association of school business 717  
officials shall submit a list of two nominees for the school 718  
district treasurer or business manager, the Ohio association of 719  
elementary school administrators shall submit a list of two 720  
nominees for the elementary school principal, and the Ohio 721  
association of secondary school administrators shall submit a 722

list of two nominees for the middle school principal and a list	723
of two nominees for the secondary school principal.	724
(d) One person who is a member of a school district board	725
of education. The Ohio school boards association shall submit a	726
list of two nominees for this appointment.	727
(e) One person who is a parent of a student currently	728
enrolled in a school operated by a school district. The Ohio	729
parent teacher association shall submit a list of two nominees	730
for this appointment.	731
(f) One person who represents community schools	732
established under Chapter 3314. of the Revised Code.	733
(2) The chancellor of <del>the Ohio board of regents</del> <u>higher</u>	734
<u>education</u> shall appoint three persons employed by institutions	735
of higher education that offer educator preparation programs.	736
One person shall be employed by an institution of higher	737
education that has a certificate of authorization under Chapter	738
1713. of the Revised Code; one person shall be employed by a	739
state university, as defined in section 3345.011 of the Revised	740
Code, or a university branch; and one person shall be employed	741
by a state community college, community college, or technical	742
college. Of the two persons appointed from an institution of	743
higher education that has a certificate of authorization under	744
Chapter 1713. of the Revised Code and from a state university or	745
university branch, <del>one shall be employed in a college of</del>	746
<del>education and one shall be employed in a college of arts and</del>	747
<del>sciences.</del> <u>:</u>	748
(a) <u>One shall be a representative of the Ohio association</u>	749
<u>of private colleges for teacher education, or its successor</u>	750
<u>organization.</u>	751

(b) One shall be a representative of the state university 752  
education deans of Ohio, or its successor organization. 753

The chancellor shall appoint a representative from each of 754  
the organizations specified in divisions (A)(2)(a) and (b) of 755  
this section not later than sixty days after the effective date 756  
of this amendment. Each representative shall serve a two-year 757  
term beginning July 1, 2023. 758

(3) The speaker of the house of representatives shall 759  
appoint two persons who are active in or retired from the 760  
education profession. 761

(4) The president of the senate shall appoint two persons 762  
who are active in or retired from the education profession. 763

(5) The superintendent of public instruction or a designee 764  
of the superintendent, the chancellor of ~~the Ohio board of~~ 765  
~~regents higher education~~ or a designee of the chancellor, and 766  
the chairpersons and the ranking minority members of the 767  
education committees of the senate and house of representatives 768  
shall serve as nonvoting, ex officio members. 769

(B) Terms of office shall be for two years. Each member 770  
shall hold office from the date of the member's appointment 771  
until the end of the term for which the member was appointed. At 772  
the first meeting, appointed members shall select a chairperson 773  
and a vice-chairperson. Vacancies on the board shall be filled 774  
in the same manner as prescribed for appointments under division 775  
(A) of this section. Any member appointed to fill a vacancy 776  
occurring prior to the expiration of the term for which the 777  
member's predecessor was appointed shall hold office for the 778  
remainder of such term. Any member shall continue in office 779  
subsequent to the expiration date of the member's term until the 780

member's successor takes office, or until a period of sixty days 781  
has elapsed, whichever occurs first. The terms of office of 782  
members are renewable. 783

(C) Members shall receive no compensation for their 784  
services. 785

(D) The board shall establish guidelines for its 786  
operation. These guidelines ~~shall require the creation of a~~ 787  
~~standing subcommittee on higher education, and shall permit the~~ 788  
creation of ~~other~~ standing subcommittees when necessary. The 789  
board shall determine the membership of any subcommittee it 790  
creates. The board may select persons who are not members of the 791  
board to participate in the deliberations of any subcommittee as 792  
representatives of stakeholder groups, but no such person shall 793  
vote on any issue before the subcommittee. 794

**Sec. 3323.01.** As used in this chapter: 795

(A) "Child with a disability" means a child who is at 796  
least three years of age and less than twenty-two years of age; 797  
who has an intellectual disability, a hearing impairment 798  
(including deafness), a speech or language impairment, a visual 799  
impairment (including blindness), a serious emotional 800  
disturbance, an orthopedic impairment, autism, traumatic brain 801  
injury, an other health impairment, a specific learning 802  
disability (including dyslexia), deaf-blindness, or multiple 803  
disabilities; and who, by reason thereof, needs special 804  
education and related services. 805

A "child with a disability" may include a child who is at 806  
least three years of age and less than ~~six~~ ten years of age; who 807  
is experiencing developmental delays, as defined by standards 808  
adopted by the state board of education and as measured by 809

appropriate diagnostic instruments and procedures in one or more 810  
of the following areas: physical development, cognitive 811  
development, communication development, social or emotional 812  
development, or adaptive development; and who, by reason 813  
thereof, needs special education and related services. 814

(B) "Free appropriate public education" means special 815  
education and related services that meet all of the following: 816

(1) Are provided at public expense, under public 817  
supervision and direction, and without charge; 818

(2) Meet the standards of the state board of education; 819

(3) Include an appropriate preschool, elementary, or 820  
secondary education as otherwise provided by the law of this 821  
state; 822

(4) Are provided for each child with a disability in 823  
conformity with the child's individualized education program. 824

(C) "Homeless children" means "homeless children and 825  
youths" as defined in section 725 of the "McKinney-Vento 826  
Homeless Assistance Act," 42 U.S.C. 11434a. 827

(D) "Individualized education program" or "IEP" means the 828  
written statement described in section 3323.011 of the Revised 829  
Code. 830

(E) "Individualized education program team" or "IEP team" 831  
means a group of individuals composed of: 832

(1) The parents of a child with a disability; 833

(2) At least one regular education teacher of the child, 834  
if the child is or may be participating in the regular education 835  
environment; 836

(3) At least one special education teacher, or where	837
appropriate, at least one special education provider of the	838
child;	839
(4) A representative of the school district who meets all	840
of the following:	841
(a) Is qualified to provide, or supervise the provision	842
of, specially designed instruction to meet the unique needs of	843
children with disabilities;	844
(b) Is knowledgeable about the general education	845
curriculum;	846
(c) Is knowledgeable about the availability of resources	847
of the school district.	848
(5) An individual who can interpret the instructional	849
implications of evaluation results, who may be a member of the	850
team as described in divisions (E) (2) to (4) of this section;	851
(6) At the discretion of the parent or the school	852
district, other individuals who have knowledge or special	853
expertise regarding the child, including related services	854
personnel as appropriate;	855
(7) Whenever appropriate, the child with a disability.	856
(F) "Instruction in braille reading and writing" means the	857
teaching of the system of reading and writing through touch	858
commonly known as standard English braille.	859
(G) "Other educational agency" means a department,	860
division, bureau, office, institution, board, commission,	861
committee, authority, or other state or local agency, which is	862
not a city, local, or exempted village school district or an	863
agency administered by the department of developmental	864

disabilities, that provides or seeks to provide special 865  
education or related services to children with disabilities. The 866  
term "other educational agency" includes a joint vocational 867  
school district. 868

(H) "Parent" of a child with a disability, except as used 869  
in sections 3323.09 and 3323.141 of the Revised Code, means: 870

(1) A natural or adoptive parent of a child but not a 871  
foster parent of a child; 872

(2) A guardian, but not the state if the child is a ward 873  
of the state; 874

(3) An individual acting in the place of a natural or 875  
adoptive parent, including a grandparent, stepparent, or other 876  
relative, with whom the child lives, or an individual who is 877  
legally responsible for the child's welfare; 878

(4) An individual assigned to be a surrogate parent, 879  
provided the individual is not prohibited by this chapter from 880  
serving as a surrogate parent for a child. 881

(I) "Preschool child with a disability" means a child with 882  
a disability who is at least three years of age but is not of 883  
compulsory school age, as defined under section 3321.01 of the 884  
Revised Code, and who is not currently enrolled in kindergarten. 885

(J) "Related services" means transportation, and such 886  
developmental, corrective, and other supportive services 887  
(including speech-language pathology and audiology services, 888  
interpreting services, psychological services, physical and 889  
occupational therapy, recreation, including therapeutic 890  
recreation, school nurse services designed to enable a child 891  
with a disability to receive a free appropriate public education 892  
as described in the individualized education program of the 893

child, counseling services, including rehabilitation counseling, 894  
orientation and mobility services, school health services, 895  
social work services in schools, and parent counseling and 896  
training, and medical services, except that such medical 897  
services shall be for diagnostic and evaluation purposes only) 898  
as may be required to assist a child with a disability to 899  
benefit from special education, and includes the early 900  
identification and assessment of disabling conditions in 901  
children. "Related services" does not include a medical device 902  
that is surgically implanted, or the replacement of such device. 903

(K) "School district" means a city, local, or exempted 904  
village school district. 905

(L) "School district of residence," as used in sections 906  
3323.09, 3323.091, 3323.13, and 3323.14 of the Revised Code, 907  
means: 908

(1) The school district in which the child's natural or 909  
adoptive parents reside; 910

(2) If the school district specified in division (L)(1) of 911  
this section cannot be determined, the last school district in 912  
which the child's natural or adoptive parents are known to have 913  
resided if the parents' whereabouts are unknown; 914

(3) If the school district specified in division ~~(M)(2)~~(L) 915  
(2) of this section cannot be determined, the school district 916  
determined under section 2151.362 of the Revised Code, or if no 917  
district has been so determined, the school district as 918  
determined by the probate court of the county in which the child 919  
resides. 920

(4) Notwithstanding divisions ~~(M)(1)~~(L)(1) to (3) of this 921  
section, if a school district is required by section 3313.65 of 922

the Revised Code to pay tuition for a child, that district shall 923  
be the child's school district of residence. 924

(M) "Special education" means specially designed 925  
instruction, at no cost to parents, to meet the unique needs of 926  
a child with a disability. "Special education" includes 927  
instruction conducted in the classroom, in the home, in 928  
hospitals and institutions, and in other settings, including an 929  
early childhood education setting, and instruction in physical 930  
education. 931

(N) "Student with a visual impairment" means any person 932  
who is less than twenty-two years of age and who has a visual 933  
impairment as that term is defined in this section. 934

(O) "Transition services" means a coordinated set of 935  
activities for a child with a disability that meet all of the 936  
following: 937

(1) Is designed to be within a results-oriented process, 938  
that is focused on improving the academic and functional 939  
achievement of the child with a disability to facilitate the 940  
child's movement from school to post-school activities, 941  
including post-secondary education; vocational education; 942  
integrated employment (including supported employment); 943  
continuing and adult education; adult services; independent 944  
living; or community participation; 945

(2) Is based on the individual child's needs, taking into 946  
account the child's strengths, preferences, and interests; 947

(3) Includes instruction, related services, community 948  
experiences, the development of employment and other post-school 949  
adult living objectives, and, when appropriate, acquisition of 950  
daily living skills and functional vocational evaluation. 951

"Transition services" for children with disabilities may 952  
be special education, if provided as specially designed 953  
instruction, or may be a related service, if required to assist 954  
a child with a disability to benefit from special education. 955

(P) "Visual impairment" for any individual means that one 956  
of the following applies to the individual: 957

(1) The individual has a visual acuity of 20/200 or less 958  
in the better eye with correcting lenses or has a limited field 959  
of vision in the better eye such that the widest diameter 960  
subtends an angular distance of no greater than twenty degrees. 961

(2) The individual has a medically indicated expectation 962  
of meeting the requirements of division (P) (1) of this section 963  
over a period of time. 964

(3) The individual has a medically diagnosed and medically 965  
uncorrectable limitation in visual functioning that adversely 966  
affects the individual's ability to read and write standard 967  
print at levels expected of the individual's peers of comparable 968  
ability and grade level. 969

(Q) "Ward of the state" has the same meaning as in section 970  
602(36) of the "Individuals with Disabilities Education 971  
Improvement Act of 2004," 20 U.S.C. 1401(36). 972

**Sec. 3345.141.** (A) The board of trustees of a state 973  
university, as defined in section 3345.011 of the Revised Code, 974  
may adopt a policy to permit a student organization that is 975  
registered with the university to use the university's master 976  
and subsidiary logos for any of the organization's activities, 977  
materials, publications, or web sites that are not otherwise 978  
sanctioned by the university. The board of trustees shall make 979  
the policy available to the public. 980

(B) No student organization registered with a state 981  
university shall use the university's logos for any of the 982  
organization's activities, materials, publications, or web sites 983  
that are not sanctioned by the university, unless the university 984  
has adopted a policy under this section, the organization 985  
receives approval under that policy, and the organization uses 986  
the logos in compliance with that policy. 987

(C) A state university's policy shall do at least all of 988  
the following: 989

(1) Define "student organization" for the purposes of the 990  
policy; 991

(2) Establish a procedure under which a student 992  
organization may request approval to use the state university's 993  
logos. The procedure shall require a university employee to 994  
approve or disapprove the request based on the standards 995  
prescribed under division (C) (3) of this section. The employee 996  
who approves or disapproves a request shall indicate on the 997  
request form whether the request is approved or disapproved. 998  
That employee also shall include all of the following on the 999  
form: 1000

(a) The employee's printed name; 1001

(b) The employee's signature; 1002

(c) The date the request was approved or disapproved. 1003

(3) Prescribe standards for the approval or disapproval of 1004  
a student organization's use of the state university's logos. 1005  
The standards shall prohibit the use of the university's logos 1006  
to indicate the university's approval or disapproval of any 1007  
political or social issue supported by the organization. The 1008  
standards shall require a student organization to affirm that it 1009

will not violate that prohibition. 1010

(4) Require a student organization that has approval to 1011  
use the state university's logos to include a disclaimer on any 1012  
web site or printed or digital material if the web site or 1013  
material uses the university's logo and is not otherwise 1014  
sponsored by the university. The disclaimer shall state both of 1015  
the following: 1016

(a) The student organization is registered with the state 1017  
university; 1018

(b) Registration shall not be construed as the state 1019  
university's approval, endorsement, or sponsorship of the 1020  
student organization's publications, activities, purposes, 1021  
actions, or positions. 1022

(5) Establish a grievance procedure for when a logo 1023  
request is disapproved or a student organization is improperly 1024  
using a logo, including if an organization does any of the 1025  
following: 1026

(a) Uses a logo without approval; 1027

(b) Fails to include the disclaimer if it is required 1028  
under division (C) (4) of this section; 1029

(c) Uses the logo to indicate the state university's 1030  
approval, endorsement, or sponsorship of any of the 1031  
organization's publications, activities, purposes, actions, or 1032  
positions that are not sanctioned by the university. 1033

(6) If determined appropriate by the board of trustees, 1034  
establish penalties for a student organization that improperly 1035  
uses the state university's logo; 1036

(7) Require a university employee who makes a 1037

determination regarding a grievance to produce a report that 1038  
includes a description of the grievance and the resolution. The 1039  
employee shall include all of the following in the report: 1040

(a) The employee's printed name; 1041

(b) The employee's signature; 1042

(c) The date the report was signed. 1043

(8) Require the state university, each month, to enter 1044  
into a depository on the university's public web site a copy of 1045  
each approved or disapproved request form and each grievance 1046  
report produced in that month. Each form and report shall be 1047  
maintained in the depository for at least five years. The forms 1048  
and reports are public records subject to section 149.43 of the 1049  
Revised Code. 1050

(9) Require the state university to provide information 1051  
regarding the university's policy in any annual training the 1052  
university provides to student organization leaders; 1053

(10) If determined appropriate by the board of trustees, 1054  
designate a state university office or department to perform the 1055  
duties prescribed for university employees under the policy and 1056  
authorize an employee assigned to that office or department to 1057  
perform those duties. 1058

(D) A policy adopted under this section shall not apply to 1059  
any of the following: 1060

(1) Sections 3376.01 to 3376.08 of the Revised Code; 1061

(2) Any commercial revenue generating opportunity 1062  
sanctioned by a state university; 1063

(3) A student organization that operates on a campus on 1064

which a state university is co-located with another institution 1065  
of higher education. 1066

**Sec. 3365.036.** (A) As used in this section, "children of 1067  
military families" has the same meaning as in section 3301.60 of 1068  
the Revised Code. 1069

(B) Any secondary school or college that participates in 1070  
the college credit plus program under this chapter shall permit 1071  
children of military families participating in the program who 1072  
must withdraw from that school because of a permanent change of 1073  
station order out of the state to transition from one military 1074  
installation to another to do either of the following: 1075

(1) Complete participation in the course the student is 1076  
taking through the program for the duration of the semester in 1077  
which the student is enrolled in an online format, if possible; 1078

(2) Withdraw from the course the student is taking through 1079  
the program without academic or financial penalty. 1080

**Section 2.** That existing sections 3310.41, 3313.618, 1081  
3314.05, 3317.013, 3318.70, 3319.222, 3319.60, and 3323.01 of 1082  
the Revised Code are hereby repealed. 1083

**Section 3.** That section 3319.613 of the Revised Code is 1084  
hereby repealed. 1085

**Section 4.** Any child identified as having a developmental 1086  
delay who is enrolled in preschool on the effective date of this 1087  
section and who will turn six years old on or before June 30, 1088  
2023, shall be permitted to remain in preschool and shall 1089  
continue to be identified as having a developmental delay 1090  
through that date. 1091

**Section 5.** (A) This section applies to a community school 1092

described in Section 16 of H.B. 583 of the 134th General 1093  
Assembly and to any other community school that is operated by a 1094  
management company that operates a community school subject to 1095  
that section. 1096

(B) Notwithstanding division (H) of section 3314.08 of the 1097  
Revised Code, a community school established under Chapter 3314. 1098  
of the Revised Code and to which this section applies may report 1099  
to the Department of Education the number of students enrolled 1100  
in the community school on a full-time equivalent basis for the 1101  
2022-2023 school year using the lesser of the following: 1102

(1) The maximum full-time equivalency for the portion of 1103  
the school year for which the student is enrolled in the school; 1104

(2) The sum of one-sixth of the full-time equivalency 1105  
based on attendance for the portion of the school year for which 1106  
the student is enrolled in the school and one-sixth the full- 1107  
time equivalency based on each credit of instruction earned 1108  
during the enrollment period, not to exceed five credits. 1109

(C) (1) The Department of Education shall complete a review 1110  
of each community school that reports the full-time equivalency 1111  
of students under division (B) of this section in accordance 1112  
with division (K) of section 3314.08 of the Revised Code. 1113

(2) If the Department determines a school has been 1114  
overpaid based on a review completed under division (C) (1) of 1115  
this section, it shall require a repayment of the overpaid funds 1116  
and may require the school to establish a plan to improve the 1117  
reporting of enrollment. 1118

(D) Notwithstanding any provision to the contrary in the 1119  
Revised Code or the Administrative Code, for purposes of 1120  
reporting attendance and meeting minimum school year 1121

requirements under sections 3313.48 and 3314.03 of the Revised Code, a community school to which this section applies may report attendance to the Department of Education consistent with the attendance policy approved by the governing authority of the school.

**Section 6.** Section 3345.141 of the Revised Code as enacted by this act shall take effect on September 1, 2023.

**Section 7.** Section 3314.05 of the Revised Code is presented in this act as a composite of the section as amended by both H.B. 82 and H.B. 110 of the 134th General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act.