

**As Passed by the House**

**134th General Assembly**

**Regular Session**

**2021-2022**

**Am. Sub. S. B. No. 229**

**Senator Blessing**

**Cosponsors: Senators Brenner, Cirino, Craig, Fedor, Gavarone, Hoagland, Huffman, S., Johnson, Maharath, Manning, Reineke, Rulli, Schuring, Sykes, Thomas, Wilson, Yuko Representatives Manning, Jones, Bird, Brown, Carfagna, Crossman, Edwards, Fraizer, Ginter, Hicks-Hudson, Humphrey, Jarrells, Johnson, Lanese, Lightbody, Liston, Loychik, Miller, K., Miranda, Pavliga, Robinson, Roemer, Russo, Smith, K., Smith, M., Sobecki, Stein, Upchurch, Weinstein, White, Young, T.**

**A BILL**

To amend sections 3301.079, 3302.03, 3302.039, 1  
3310.033, 3313.6412, 3314.03, 3314.262, 2  
3317.022, 3317.11, 3326.15, 3328.22, and 3  
5502.262 and to enact section 3313.6027 of the 4  
Revised Code regarding blended or remote 5  
learning models for the 2021-2022 school year, 6  
the state report card, emergency management 7  
plans, withdrawal of untested students from 8  
internet- or computer-based schools, the Third 9  
Grade Reading Guarantee, high school financial 10  
literacy instruction, Educational Choice and 11  
Cleveland Scholarship payments, operating 12  
subsidies for educational service centers, and 13  
to declare an emergency. 14

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

**Section 1.** That sections 3301.079, 3302.03, 3302.039, 15

3310.033, 3313.6412, 3314.03, 3314.262, 3317.022, 3317.11, 16  
3326.15, 3328.22, and 5502.262 be amended and section 3313.6027 17  
of the Revised Code be enacted to read as follows: 18

**Sec. 3301.079.** (A) (1) The state board of education 19  
periodically shall adopt statewide academic standards with 20  
emphasis on coherence, focus, and essential knowledge and that 21  
are more challenging and demanding when compared to 22  
international standards for each of grades kindergarten through 23  
twelve in English language arts, mathematics, science, and 24  
social studies. 25

(a) The state board shall ensure that the standards do all 26  
of the following: 27

(i) Include the essential academic content and skills that 28  
students are expected to know and be able to do at each grade 29  
level that will allow each student to be prepared for 30  
postsecondary instruction and the workplace for success in the 31  
twenty-first century; 32

(ii) Include the development of skill sets that promote 33  
information, media, and technological literacy; 34

(iii) Include interdisciplinary, project-based, real-world 35  
learning opportunities; 36

(iv) Instill life-long learning by providing essential 37  
knowledge and skills based in the liberal arts tradition, as 38  
well as science, technology, engineering, mathematics, and 39  
career-technical education; 40

(v) Be clearly written, transparent, and understandable by 41  
parents, educators, and the general public. 42

(b) Not later than July 1, 2012, the state board shall 43

incorporate into the social studies standards for grades four to 44  
twelve academic content regarding the original texts of the 45  
Declaration of Independence, the Northwest Ordinance, the 46  
Constitution of the United States and its amendments, with 47  
emphasis on the Bill of Rights, and the Ohio Constitution, and 48  
their original context. The state board shall revise the model 49  
curricula and achievement assessments adopted under divisions 50  
(B) and (C) of this section as necessary to reflect the 51  
additional American history and American government content. The 52  
state board shall make available a list of suggested grade- 53  
appropriate supplemental readings that place the documents 54  
prescribed by this division in their historical context, which 55  
teachers may use as a resource to assist students in reading the 56  
documents within that context. 57

(c) When the state board adopts or revises academic 58  
content standards in social studies, American history, American 59  
government, or science under division (A) (1) of this section, 60  
the state board shall develop such standards independently and 61  
not as part of a multistate consortium. 62

(2) After completing the standards required by division 63  
(A) (1) of this section, the state board shall adopt standards 64  
and model curricula for instruction in technology, financial 65  
literacy and entrepreneurship, fine arts, and foreign language 66  
for grades kindergarten through twelve. The standards shall meet 67  
the same requirements prescribed in division (A) (1) (a) of this 68  
section. 69

(3) The state board shall adopt the most recent standards 70  
developed by the national association for sport and physical 71  
education for physical education in grades kindergarten through 72  
twelve or shall adopt its own standards for physical education 73

in those grades and revise and update them periodically. 74

The department of education shall employ a full-time 75  
physical education coordinator to provide guidance and technical 76  
assistance to districts, community schools, and STEM schools in 77  
implementing the physical education standards adopted under this 78  
division. The superintendent of public instruction shall 79  
determine that the person employed as coordinator is qualified 80  
for the position, as demonstrated by possessing an adequate 81  
combination of education, license, and experience. 82

(4) Not later than ~~one year after the effective date of~~ 83  
~~this amendment~~ September 30, 2022, the state board shall update 84  
the standards and model curriculum for instruction in computer 85  
science in grades kindergarten through twelve, which shall 86  
include standards for introductory and advanced computer science 87  
courses in grades nine through twelve. When developing the 88  
standards and curriculum, the state board shall consider 89  
recommendations from computer science education stakeholder 90  
groups, including teachers and representatives from higher 91  
education, industry, computer science organizations in Ohio, and 92  
national computer science organizations. 93

Any district or school may utilize the computer science 94  
standards or model curriculum or any part thereof adopted 95  
pursuant to division (A) (4) of this section. However, no 96  
district or school shall be required to utilize all or any part 97  
of the standards or curriculum. 98

(5) When academic standards have been completed for any 99  
subject area required by this section, the state board shall 100  
inform all school districts, all community schools established 101  
under Chapter 3314. of the Revised Code, all STEM schools 102  
established under Chapter 3326. of the Revised Code, and all 103

nonpublic schools required to administer the assessments 104  
prescribed by sections 3301.0710 and 3301.0712 of the Revised 105  
Code of the content of those standards. Additionally, upon 106  
completion of any academic standards under this section, the 107  
department shall post those standards on the department's web 108  
site. 109

(B) (1) The state board shall adopt a model curriculum for 110  
instruction in each subject area for which updated academic 111  
standards are required by division (A) (1) of this section and 112  
for each of grades kindergarten through twelve that is 113  
sufficient to meet the needs of students in every community. The 114  
model curriculum shall be aligned with the standards, to ensure 115  
that the academic content and skills specified for each grade 116  
level are taught to students, and shall demonstrate vertical 117  
articulation and emphasize coherence, focus, and rigor. When any 118  
model curriculum has been completed, the state board shall 119  
inform all school districts, community schools, and STEM schools 120  
of the content of that model curriculum. 121

(2) Not later than June 30, 2013, the state board, in 122  
consultation with any office housed in the governor's office 123  
that deals with workforce development, shall adopt model 124  
curricula for grades kindergarten through twelve that embed 125  
career connection learning strategies into regular classroom 126  
instruction. 127

(3) All school districts, community schools, and STEM 128  
schools may utilize the state standards and the model curriculum 129  
established by the state board, together with other relevant 130  
resources, examples, or models to ensure that students have the 131  
opportunity to attain the academic standards. Upon request, the 132  
department shall provide technical assistance to any district, 133

community school, or STEM school in implementing the model 134  
curriculum. 135

Nothing in this section requires any school district to 136  
utilize all or any part of a model curriculum developed under 137  
this section. 138

(C) The state board shall develop achievement assessments 139  
aligned with the academic standards and model curriculum for 140  
each of the subject areas and grade levels required by divisions 141  
(A) (1) and (B) (1) of section 3301.0710 of the Revised Code. 142

When any achievement assessment has been completed, the 143  
state board shall inform all school districts, community 144  
schools, STEM schools, and nonpublic schools required to 145  
administer the assessment of its completion, and the department 146  
shall make the achievement assessment available to the districts 147  
and schools. 148

(D) (1) The state board shall adopt a diagnostic assessment 149  
aligned with the academic standards and model curriculum for 150  
each of grades kindergarten through two in reading, writing, and 151  
mathematics and for grade three in reading and writing. The 152  
diagnostic assessment shall be designed to measure student 153  
comprehension of academic content and mastery of related skills 154  
for the relevant subject area and grade level. Any diagnostic 155  
assessment shall not include components to identify gifted 156  
students. Blank copies of diagnostic assessments shall be public 157  
records. 158

(2) When each diagnostic assessment has been completed, 159  
the state board shall inform all school districts of its 160  
completion and the department shall make the diagnostic 161  
assessment available to the districts at no cost to the 162

district. 163

(3) School districts shall administer the diagnostic 164  
assessment pursuant to section 3301.0715 of the Revised Code 165  
beginning the first school year following the development of the 166  
assessment. 167

However, beginning with the 2017-2018 school year, both of 168  
the following shall apply: 169

(a) In the case of the diagnostic assessments for grades 170  
one or two in writing or mathematics or for grade three in 171  
writing, a school district shall not be required to administer 172  
any such assessment, but may do so at the discretion of the 173  
district board; 174

(b) In the case of any diagnostic assessment that is not 175  
for the grade levels and subject areas specified in division (D) 176  
(3) (a) of this section, each school district shall administer 177  
the assessment in the manner prescribed by section 3301.0715 of 178  
the Revised Code. 179

(E) The state board shall not adopt a diagnostic or 180  
achievement assessment for any grade level or subject area other 181  
than those specified in this section. 182

(F) Whenever the state board or the department consults 183  
with persons for the purpose of drafting or reviewing any 184  
standards, diagnostic assessments, achievement assessments, or 185  
model curriculum required under this section, the state board or 186  
the department shall first consult with parents of students in 187  
kindergarten through twelfth grade and with active Ohio 188  
classroom teachers, other school personnel, and administrators 189  
with expertise in the appropriate subject area. Whenever 190  
practicable, the state board and department shall consult with 191

teachers recognized as outstanding in their fields.	192
If the department contracts with more than one outside	193
entity for the development of the achievement assessments	194
required by this section, the department shall ensure the	195
interchangeability of those assessments.	196
(G) Whenever the state board adopts standards or model	197
curricula under this section, the department also shall provide	198
information on the use of blended, online, or digital learning	199
in the delivery of the standards or curricula to students in	200
accordance with division (A) (5) of this section.	201
(H) The fairness sensitivity review committee, established	202
by rule of the state board of education, shall not allow any	203
question on any achievement or diagnostic assessment developed	204
under this section or any proficiency test prescribed by former	205
section 3301.0710 of the Revised Code, as it existed prior to	206
September 11, 2001, to include, be written to promote, or	207
inquire as to individual moral or social values or beliefs. The	208
decision of the committee shall be final. This section does not	209
create a private cause of action.	210
(I) Not later than sixty days prior to the adoption by the	211
state board of updated academic standards under division (A) (1)	212
of this section or updated model curricula under division (B) (1)	213
of this section, the superintendent of public instruction shall	214
present the academic standards or model curricula, as	215
applicable, in person at a public hearing of the respective	216
committees of the house of representatives and senate that	217
consider education legislation.	218
(J) As used in this section:	219
(1) "Blended learning" means the delivery of instruction	220



in a combination of time primarily in a supervised physical 221  
location away from home and online delivery whereby the student 222  
has some element of control over time, place, path, or pace of 223  
learning and includes noncomputer-based learning opportunities. 224

(2) "Online learning" means students work primarily from 225  
their residences on assignments delivered via an internet- or 226  
other computer-based instructional method. 227

(3) "Coherence" means a reflection of the structure of the 228  
discipline being taught. 229

(4) "Digital learning" means learning facilitated by 230  
technology that gives students some element of control over 231  
time, place, path, or pace of learning. 232

(5) "Focus" means limiting the number of items included in 233  
a curriculum to allow for deeper exploration of the subject 234  
matter. 235

(6) "Vertical articulation" means key academic concepts 236  
and skills associated with mastery in particular content areas 237  
should be articulated and reinforced in a developmentally 238  
appropriate manner at each grade level so that over time 239  
students acquire a depth of knowledge and understanding in the 240  
core academic disciplines. 241

**Sec. 3302.03.** Not later than the thirty-first day of July 242  
of each year, the department of education shall submit 243  
preliminary report card data for overall academic performance 244  
and for each separate performance measure for each school 245  
district, and each school building, in accordance with this 246  
section. 247

Annually, not later than the fifteenth day of September or 248  
the preceding Friday when that day falls on a Saturday or 249

Sunday, the department shall assign a letter grade or 250  
performance rating for overall academic performance and for each 251  
separate performance measure for each school district, and each 252  
school building in a district, in accordance with this section. 253  
The state board of education shall adopt rules pursuant to 254  
Chapter 119. of the Revised Code to implement this section. The 255  
state board's rules shall establish performance criteria for 256  
each letter grade or performance rating and prescribe a method 257  
by which the department assigns each letter grade or performance 258  
rating. For a school building to which any of the performance 259  
measures do not apply, due to grade levels served by the 260  
building, the department shall designate the performance 261  
measures that are applicable to the building and that must be 262  
calculated separately and used to calculate the building's 263  
overall grade or performance rating. The department shall issue 264  
annual report cards reflecting the performance of each school 265  
district, each building within each district, and for the state 266  
as a whole using the performance measures and letter grade or 267  
performance rating system described in this section. The 268  
department shall include on the report card for each district 269  
and each building within each district the most recent two-year 270  
trend data in student achievement for each subject and each 271  
grade. 272

(A) (1) For the 2012-2013 school year, the department shall 273  
issue grades as described in division (F) of this section for 274  
each of the following performance measures: 275

(a) Annual measurable objectives; 276

(b) Performance index score for a school district or 277  
building. Grades shall be awarded as a percentage of the total 278  
possible points on the performance index system as adopted by 279

the state board. In adopting benchmarks for assigning letter 280  
grades under division (A) (1) (b) of this section, the state board 281  
shall designate ninety per cent or higher for an "A," at least 282  
seventy per cent but not more than eighty per cent for a "C," 283  
and less than fifty per cent for an "F." 284

(c) The extent to which the school district or building 285  
meets each of the applicable performance indicators established 286  
by the state board under section 3302.02 of the Revised Code and 287  
the percentage of applicable performance indicators that have 288  
been achieved. In adopting benchmarks for assigning letter 289  
grades under division (A) (1) (c) of this section, the state board 290  
shall designate ninety per cent or higher for an "A." 291

(d) The four- and five-year adjusted cohort graduation 292  
rates. 293

In adopting benchmarks for assigning letter grades under 294  
division (A) (1) (d), (B) (1) (d), or (C) (1) (d) of this section, the 295  
department shall designate a four-year adjusted cohort 296  
graduation rate of ninety-three per cent or higher for an "A" 297  
and a five-year cohort graduation rate of ninety-five per cent 298  
or higher for an "A." 299

(e) The overall score under the value-added progress 300  
dimension of a school district or building, for which the 301  
department shall use up to three years of value-added data as 302  
available. The letter grade assigned for this growth measure 303  
shall be as follows: 304

(i) A score that is at least one standard error of measure 305  
above the mean score shall be designated as an "A." 306

(ii) A score that is less than one standard error of 307  
measure above but greater than one standard error of measure 308

below the mean score shall be designated as a "B." 309

(iii) A score that is less than or equal to one standard 310  
error of measure below the mean score but greater than two 311  
standard errors of measure below the mean score shall be 312  
designated as a "C." 313

(iv) A score that is less than or equal to two standard 314  
errors of measure below the mean score but is greater than three 315  
standard errors of measure below the mean score shall be 316  
designated as a "D." 317

(v) A score that is less than or equal to three standard 318  
errors of measure below the mean score shall be designated as an 319  
"F." 320

Whenever the value-added progress dimension is used as a 321  
graded performance measure in this division and divisions (B) 322  
and (C) of this section, whether as an overall measure or as a 323  
measure of separate subgroups, the grades for the measure shall 324  
be calculated in the same manner as prescribed in division (A) 325  
(1)(e) of this section. 326

(f) The value-added progress dimension score for a school 327  
district or building disaggregated for each of the following 328  
subgroups: students identified as gifted, students with 329  
disabilities, and students whose performance places them in the 330  
lowest quintile for achievement on a statewide basis. Each 331  
subgroup shall be a separate graded measure. 332

(2) Not later than April 30, 2013, the state board of 333  
education shall adopt a resolution describing the performance 334  
measures, benchmarks, and grading system for the 2012-2013 335  
school year and, not later than June 30, 2013, shall adopt rules 336  
in accordance with Chapter 119. of the Revised Code that 337

prescribe the methods by which the performance measures under 338  
division (A) (1) of this section shall be assessed and assigned a 339  
letter grade, including performance benchmarks for each letter 340  
grade. 341

At least forty-five days prior to the state board's 342  
adoption of rules to prescribe the methods by which the 343  
performance measures under division (A) (1) of this section shall 344  
be assessed and assigned a letter grade, the department shall 345  
conduct a public presentation before the standing committees of 346  
the house of representatives and the senate that consider 347  
education legislation describing such methods, including 348  
performance benchmarks. 349

(3) There shall not be an overall letter grade for a 350  
school district or building for the 2012-2013 school year. 351

(B) (1) For the 2013-2014 school year, the department shall 352  
issue grades as described in division (F) of this section for 353  
each of the following performance measures: 354

(a) Annual measurable objectives; 355

(b) Performance index score for a school district or 356  
building. Grades shall be awarded as a percentage of the total 357  
possible points on the performance index system as created by 358  
the department. In adopting benchmarks for assigning letter 359  
grades under division (B) (1) (b) of this section, the state board 360  
shall designate ninety per cent or higher for an "A," at least 361  
seventy per cent but not more than eighty per cent for a "C," 362  
and less than fifty per cent for an "F." 363

(c) The extent to which the school district or building 364  
meets each of the applicable performance indicators established 365  
by the state board under section 3302.03 of the Revised Code and 366

the percentage of applicable performance indicators that have 367  
been achieved. In adopting benchmarks for assigning letter 368  
grades under division (B) (1) (c) of this section, the state board 369  
shall designate ninety per cent or higher for an "A." 370

(d) The four- and five-year adjusted cohort graduation 371  
rates; 372

(e) The overall score under the value-added progress 373  
dimension of a school district or building, for which the 374  
department shall use up to three years of value-added data as 375  
available. 376

(f) The value-added progress dimension score for a school 377  
district or building disaggregated for each of the following 378  
subgroups: students identified as gifted in superior cognitive 379  
ability and specific academic ability fields under Chapter 3324. 380  
of the Revised Code, students with disabilities, and students 381  
whose performance places them in the lowest quintile for 382  
achievement on a statewide basis. Each subgroup shall be a 383  
separate graded measure. 384

(g) Whether a school district or building is making 385  
progress in improving literacy in grades kindergarten through 386  
three, as determined using a method prescribed by the state 387  
board. The state board shall adopt rules to prescribe benchmarks 388  
and standards for assigning grades to districts and buildings 389  
for purposes of division (B) (1) (g) of this section. In adopting 390  
benchmarks for assigning letter grades under divisions (B) (1) (g) 391  
and (C) (1) (g) of this section, the state board shall determine 392  
progress made based on the reduction in the total percentage of 393  
students scoring below grade level, or below proficient, 394  
compared from year to year on the reading and writing diagnostic 395  
assessments administered under section 3301.0715 of the Revised 396

Code and the third grade English language arts assessment under 397  
section 3301.0710 of the Revised Code, as applicable. The state 398  
board shall designate for a "C" grade a value that is not lower 399  
than the statewide average value for this measure. No grade 400  
shall be issued under divisions (B) (1) (g) and (C) (1) (g) of this 401  
section for a district or building in which less than five per 402  
cent of students have scored below grade level on the diagnostic 403  
assessment administered to students in kindergarten under 404  
division (B) (1) of section 3313.608 of the Revised Code. 405

(h) For a high mobility school district or building, an 406  
additional value-added progress dimension score. For this 407  
measure, the department shall use value-added data from the most 408  
recent school year available and shall use assessment scores for 409  
only those students to whom the district or building has 410  
administered the assessments prescribed by section 3301.0710 of 411  
the Revised Code for each of the two most recent consecutive 412  
school years. 413

As used in this division, "high mobility school district 414  
or building" means a school district or building where at least 415  
twenty-five per cent of its total enrollment is made up of 416  
students who have attended that school district or building for 417  
less than one year. 418

(2) In addition to the graded measures in division (B) (1) 419  
of this section, the department shall include on a school 420  
district's or building's report card all of the following 421  
without an assigned letter grade: 422

(a) The percentage of students enrolled in a district or 423  
building participating in advanced placement classes and the 424  
percentage of those students who received a score of three or 425  
better on advanced placement examinations; 426

(b) The number of a district's or building's students who 427  
have earned at least three college credits through dual 428  
enrollment or advanced standing programs, such as the post- 429  
secondary enrollment options program under Chapter 3365. of the 430  
Revised Code and state-approved career-technical courses offered 431  
through dual enrollment or statewide articulation, that appear 432  
on a student's transcript or other official document, either of 433  
which is issued by the institution of higher education from 434  
which the student earned the college credit. The credits earned 435  
that are reported under divisions (B) (2) (b) and (C) (2) (c) of 436  
this section shall not include any that are remedial or 437  
developmental and shall include those that count toward the 438  
curriculum requirements established for completion of a degree. 439

(c) The percentage of students enrolled in a district or 440  
building who have taken a national standardized test used for 441  
college admission determinations and the percentage of those 442  
students who are determined to be remediation-free in accordance 443  
with standards adopted under division (F) of section 3345.061 of 444  
the Revised Code; 445

(d) The percentage of the district's or the building's 446  
students who receive industry-recognized credentials as approved 447  
under section 3313.6113 of the Revised Code. 448

(e) The percentage of students enrolled in a district or 449  
building who are participating in an international baccalaureate 450  
program and the percentage of those students who receive a score 451  
of four or better on the international baccalaureate 452  
examinations. 453

(f) The percentage of the district's or building's 454  
students who receive an honors diploma under division (B) of 455  
section 3313.61 of the Revised Code. 456



(3) Not later than December 31, 2013, the state board 457  
shall adopt rules in accordance with Chapter 119. of the Revised 458  
Code that prescribe the methods by which the performance 459  
measures under divisions (B) (1) (f) and (B) (1) (g) of this section 460  
will be assessed and assigned a letter grade, including 461  
performance benchmarks for each grade. 462

At least forty-five days prior to the state board's 463  
adoption of rules to prescribe the methods by which the 464  
performance measures under division (B) (1) of this section shall 465  
be assessed and assigned a letter grade, the department shall 466  
conduct a public presentation before the standing committees of 467  
the house of representatives and the senate that consider 468  
education legislation describing such methods, including 469  
performance benchmarks. 470

(4) There shall not be an overall letter grade for a 471  
school district or building for the 2013-2014, 2014-2015, 2015- 472  
2016, and 2016-2017 school years. 473

(C) (1) For the 2014-2015, 2015-2016, 2016-2017, 2017-2018, 474  
2018-2019, 2019-2020, and 2020-2021 school years, the department 475  
shall issue grades as described in division (F) of this section 476  
for each of the performance measures prescribed in division (C) 477  
(1) of this section. The graded measures are as follows: 478

(a) Annual measurable objectives. For the 2017-2018 school 479  
year, the department shall not include any subgroup data in the 480  
annual measurable objectives that includes data from fewer than 481  
twenty-five students. For the 2018-2019 school year, the 482  
department shall not include any subgroup data in the annual 483  
measurable objectives that includes data from fewer than twenty 484  
students. Beginning with the 2019-2020 school year, the 485  
department shall not include any subgroup data in the annual 486

measurable objectives that includes data from fewer than fifteen 487  
students. 488

(b) Performance index score for a school district or 489  
building. Grades shall be awarded as a percentage of the total 490  
possible points on the performance index system as created by 491  
the department. In adopting benchmarks for assigning letter 492  
grades under division (C) (1) (b) of this section, the state board 493  
shall designate ninety per cent or higher for an "A," at least 494  
seventy per cent but not more than eighty per cent for a "C," 495  
and less than fifty per cent for an "F." 496

(c) The extent to which the school district or building 497  
meets each of the applicable performance indicators established 498  
by the state board under section 3302.03 of the Revised Code and 499  
the percentage of applicable performance indicators that have 500  
been achieved. In adopting benchmarks for assigning letter 501  
grades under division (C) (1) (c) of this section, the state board 502  
shall designate ninety per cent or higher for an "A." 503

(d) The four- and five-year adjusted cohort graduation 504  
rates; 505

(e) The overall score under the value-added progress 506  
dimension, or another measure of student academic progress if 507  
adopted by the state board, of a school district or building, 508  
for which the department shall use up to three years of value- 509  
added data as available. 510

In adopting benchmarks for assigning letter grades for 511  
overall score on value-added progress dimension under division 512  
(C) (1) (e) of this section, the state board shall prohibit the 513  
assigning of a grade of "A" for that measure unless the 514  
district's or building's grade assigned for value-added progress 515

dimension for all subgroups under division (C) (1) (f) of this 516  
section is a "C" or higher. 517

For the metric prescribed by division (C) (1) (e) of this 518  
section, the state board may adopt a student academic progress 519  
measure to be used instead of the value-added progress 520  
dimension. If the state board adopts such a measure, it also 521  
shall prescribe a method for assigning letter grades for the new 522  
measure that is comparable to the method prescribed in division 523  
(A) (1) (e) of this section. 524

(f) The value-added progress dimension score of a school 525  
district or building disaggregated for each of the following 526  
subgroups: students identified as gifted in superior cognitive 527  
ability and specific academic ability fields under Chapter 3324. 528  
of the Revised Code, students with disabilities, and students 529  
whose performance places them in the lowest quintile for 530  
achievement on a statewide basis, as determined by a method 531  
prescribed by the state board. Each subgroup shall be a separate 532  
graded measure. 533

The state board may adopt student academic progress 534  
measures to be used instead of the value-added progress 535  
dimension. If the state board adopts such measures, it also 536  
shall prescribe a method for assigning letter grades for the new 537  
measures that is comparable to the method prescribed in division 538  
(A) (1) (e) of this section. 539

(g) Whether a school district or building is making 540  
progress in improving literacy in grades kindergarten through 541  
three, as determined using a method prescribed by the state 542  
board. The state board shall adopt rules to prescribe benchmarks 543  
and standards for assigning grades to a district or building for 544  
purposes of division (C) (1) (g) of this section. The state board 545

shall designate for a "C" grade a value that is not lower than 546  
the statewide average value for this measure. No grade shall be 547  
issued under division (C) (1) (g) of this section for a district 548  
or building in which less than five per cent of students have 549  
scored below grade level on the kindergarten diagnostic 550  
assessment under division (B) (1) of section 3313.608 of the 551  
Revised Code. 552

(h) For a high mobility school district or building, an 553  
additional value-added progress dimension score. For this 554  
measure, the department shall use value-added data from the most 555  
recent school year available and shall use assessment scores for 556  
only those students to whom the district or building has 557  
administered the assessments prescribed by section 3301.0710 of 558  
the Revised Code for each of the two most recent consecutive 559  
school years. 560

As used in this division, "high mobility school district 561  
or building" means a school district or building where at least 562  
twenty-five per cent of its total enrollment is made up of 563  
students who have attended that school district or building for 564  
less than one year. 565

(2) In addition to the graded measures in division (C) (1) 566  
of this section, the department shall include on a school 567  
district's or building's report card all of the following 568  
without an assigned letter grade: 569

(a) The percentage of students enrolled in a district or 570  
building who have taken a national standardized test used for 571  
college admission determinations and the percentage of those 572  
students who are determined to be remediation-free in accordance 573  
with the standards adopted under division (F) of section 574  
3345.061 of the Revised Code; 575

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

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

(d) The percentage of the district's or building's students who receive an honor's diploma under division (B) of section 3313.61 of the Revised Code;

(e) The percentage of the district's or building's students who receive industry-recognized credentials as approved under section 3313.6113 of the Revised Code;

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

(g) The results of the college and career-ready assessments administered under division (B) (1) of section

3301.0712 of the Revised Code; 605

(h) Whether the school district or building has 606  
implemented a positive behavior intervention and supports 607  
framework in compliance with the requirements of section 3319.46 608  
of the Revised Code, notated as a "yes" or "no" answer. 609

(3) The state board shall adopt rules pursuant to Chapter 610  
119. of the Revised Code that establish a method to assign an 611  
overall grade for a school district or school building for the 612  
2017-2018 school year and each school year thereafter. The rules 613  
shall group the performance measures in divisions (C) (1) and (2) 614  
of this section into the following components: 615

(a) Gap closing, which shall include the performance 616  
measure in division (C) (1) (a) of this section; 617

(b) Achievement, which shall include the performance 618  
measures in divisions (C) (1) (b) and (c) of this section; 619

(c) Progress, which shall include the performance measures 620  
in divisions (C) (1) (e) and (f) of this section; 621

(d) Graduation, which shall include the performance 622  
measure in division (C) (1) (d) of this section; 623

(e) Kindergarten through third-grade literacy, which shall 624  
include the performance measure in division (C) (1) (g) of this 625  
section; 626

(f) Prepared for success, which shall include the 627  
performance measures in divisions (C) (2) (a), (b), (c), (d), (e), 628  
and (f) of this section. The state board shall develop a method 629  
to determine a grade for the component in division (C) (3) (f) of 630  
this section using the performance measures in divisions (C) (2) 631  
(a), (b), (c), (d), (e), and (f) of this section. When 632

available, the state board may incorporate the performance 633  
measure under division (C) (2) (g) of this section into the 634  
component under division (C) (3) (f) of this section. When 635  
determining the overall grade for the prepared for success 636  
component prescribed by division (C) (3) (f) of this section, no 637  
individual student shall be counted in more than one performance 638  
measure. However, if a student qualifies for more than one 639  
performance measure in the component, the state board may, in 640  
its method to determine a grade for the component, specify an 641  
additional weight for such a student that is not greater than or 642  
equal to 1.0. In determining the overall score under division 643  
(C) (3) (f) of this section, the state board shall ensure that the 644  
pool of students included in the performance measures aggregated 645  
under that division are all of the students included in the 646  
four- and five-year adjusted graduation cohort. 647

In the rules adopted under division (C) (3) of this 648  
section, the state board shall adopt a method for determining a 649  
grade for each component in divisions (C) (3) (a) to (f) of this 650  
section. The state board also shall establish a method to assign 651  
an overall grade of "A," "B," "C," "D," or "F" using the grades 652  
assigned for each component. The method the state board adopts 653  
for assigning an overall grade shall give equal weight to the 654  
components in divisions (C) (3) (b) and (c) of this section. 655

At least forty-five days prior to the state board's 656  
adoption of rules to prescribe the methods for calculating the 657  
overall grade for the report card, as required by this division, 658  
the department shall conduct a public presentation before the 659  
standing committees of the house of representatives and the 660  
senate that consider education legislation describing the format 661  
for the report card, weights that will be assigned to the 662  
components of the overall grade, and the method for calculating 663

the overall grade. 664

(D) For the 2021-2022 school year and each school year 665  
thereafter, all of the following apply: 666

(1) The department shall include on a school district's or 667  
building's report card all of the following performance measures 668  
without an assigned performance rating: 669

(a) Whether the district or building meets the gifted 670  
performance indicator under division (A) (2) of section 3302.02 671  
of the Revised Code and the extent to which the district or 672  
building meets gifted indicator performance benchmarks; 673

(b) The extent to which the district or building meets the 674  
chronic absenteeism indicator under division (A) (3) of section 675  
3302.02 of the Revised Code; 676

(c) Performance index score percentage for a district or 677  
building, which shall be calculated by dividing the district's 678  
or building's performance index score according to the 679  
performance index system created by the department by the 680  
maximum performance index score for a district or building. The 681  
maximum performance index score shall be as follows: 682

(i) For a building, the average of the highest two per 683  
cent of performance index scores achieved by a building for the 684  
school year for which a report card is issued; 685

(ii) For a district, the average of the highest two per 686  
cent of performance index scores achieved by a district for the 687  
school year for which a report card is issued. 688

(d) The overall score under the value-added progress 689  
dimension of a district or building, for which the department 690  
shall use three consecutive years of value-added data. In using 691



three years of value-added data to calculate the measure 692  
prescribed under division (D) (1) (d) of this section, the 693  
department shall assign a weight of fifty per cent to the most 694  
recent year's data and a weight of twenty-five per cent to the 695  
data of each of the other years. However, if three consecutive 696  
years of value-added data is not available, the department shall 697  
use prior years of value-added data to calculate the measure, as 698  
follows: 699

(i) If two consecutive years of value-added data is not 700  
available, the department shall use one year of value-added data 701  
to calculate the measure. 702

(ii) If two consecutive years of value-added data is 703  
available, the department shall use two consecutive years of 704  
value-added data to calculate the measure. In using two years of 705  
value-added data to calculate the measure, the department shall 706  
assign a weight of sixty-seven per cent to the most recent 707  
year's data and a weight of thirty-three per cent to the data of 708  
the other year. 709

(e) The four-year adjusted cohort graduation rate. 710

(f) The five-year adjusted cohort graduation rate. 711

(g) The percentage of students in the district or building 712  
who score proficient or higher on the reading segment of the 713  
third grade English language arts assessment under section 714  
3301.0710 of the Revised Code. 715

To the extent possible, the department shall include the 716  
results of the summer administration of the third grade reading 717  
assessment under section 3301.0710 of the Revised Code in the 718  
performance measures prescribed under divisions (D) (1) (g) and 719  
(h) of this section. 720

(h) Whether a district or building is making progress in 721  
improving literacy in grades kindergarten through three, as 722  
determined using a method prescribed by the department. The 723  
method shall determine progress made based on the reduction in 724  
the total percentage of students scoring below grade level, or 725  
below proficient, compared from year to year on the reading 726  
segments of the diagnostic assessments administered under 727  
section 3301.0715 of the Revised Code, including the 728  
kindergarten readiness assessment, and the third grade English 729  
language arts assessment under section 3301.0710 of the Revised 730  
Code, as applicable. The method shall not include a deduction 731  
for students who did not pass the third grade English language 732  
arts assessment under section 3301.0710 of the Revised Code and 733  
were not on a reading improvement and monitoring plan. 734

The performance measure prescribed under division (D) (1) 735  
(h) of this section shall not be included on the report card of 736  
a district or building in which less than ten per cent of 737  
students have scored below grade level on the diagnostic 738  
assessment administered to students in kindergarten under 739  
division (B) (1) of section 3313.608 of the Revised Code. 740

(i) The percentage of students in a district or building 741  
who are promoted to the fourth grade and not subject to 742  
retention under division (A) (2) of section 3313.608 of the 743  
Revised Code; 744

(j) A post-secondary readiness measure. This measure shall 745  
be calculated by dividing the number of students included in the 746  
four-year adjusted graduation rate cohort who demonstrate post- 747  
secondary readiness by the total number of students included in 748  
the denominator of the four-year adjusted graduation rate 749  
cohort. Demonstration of post-secondary readiness shall include 750

a student doing any of the following:	751
(i) Attaining a remediation-free score, 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;	752 753 754 755
(ii) Attaining required scores on three or more advanced placement or international baccalaureate examinations. The required score for an advanced placement examination shall be a three or better. The required score for an international baccalaureate examination shall be a four or better. A student may satisfy this condition with any combination of advanced placement or international baccalaureate examinations.	756 757 758 759 760 761 762
(iii) Earning at least twelve college credits through advanced standing programs, such as the college credit plus program under Chapter 3365. of the Revised Code, an early college high school program under section 3313.6013 of the Revised Code, and state-approved career-technical courses offered through dual enrollment or statewide articulation, that appear on a student's college transcript issued by the institution of higher education from which the student earned the college credit. Earned credits reported under division (D) (1) (j) (iii) of this section shall include credits that count toward the curriculum requirements established for completion of a degree, but shall not include any remedial or developmental credits.	763 764 765 766 767 768 769 770 771 772 773 774 775
(iv) Meeting the additional criteria for an honors diploma under division (B) of section 3313.61 of the Revised Code;	776 777
(v) Earning an industry-recognized credential or license issued by a state agency or board for practice in a vocation	778 779

that requires an examination for issuance of that license	780
approved under section 3313.6113 of the Revised Code;	781
(vi) Satisfying any of the following conditions:	782
(I) Completing a pre-apprenticeship aligned with options	783
established under section 3313.904 of the Revised Code in the	784
student's chosen career field;	785
(II) Completing an apprenticeship registered with the	786
apprenticeship council established under section 4139.02 of the	787
Revised Code in the student's chosen career field;	788
(III) Providing evidence of acceptance into an	789
apprenticeship program after high school that is restricted to	790
participants eighteen years of age or older.	791
(vii) Earning a cumulative score of proficient or higher	792
on three or more state technical assessments aligned with	793
section 3313.903 of the Revised Code in a single career pathway;	794
(viii) Earning an OhioMeansJobs-readiness seal established	795
under section 3313.6112 of the Revised Code and completing two	796
hundred fifty hours of an internship or other work-based	797
learning experience approved by the business advisory council	798
established under section 3313.82 of the Revised Code that	799
represents the student's district;	800
(ix) Providing evidence that the student has enlisted in a	801
branch of the armed services of the United States as defined in	802
section 5910.01 of the Revised Code.	803
A student who satisfies more than one of the conditions	804
prescribed under this division shall be counted as one student	805
for the purposes of calculating the measure prescribed under	806
division (D) (1) (j) of this section.	807

(2) In addition to the performance measures under division 808  
(D) (1) of this section, the department shall report on a 809  
district's or building's report card all of the following data 810  
without an assigned performance rating: 811

(a) The applicable performance indicators established by 812  
the state board under division (A) (1) of section 3302.02 of the 813  
Revised Code; 814

(b) The overall score under the value-added progress 815  
dimension of a district or building for the most recent school 816  
year; 817

(c) A composite of the overall scores under the value- 818  
added progress dimension of a district or building for the 819  
previous three school years or, if only two years of value-added 820  
data are available, for the previous two years; 821

(d) The percentage of students included in the four- and 822  
five-year adjusted cohort graduation rates of a district or 823  
building who did not receive a high school diploma under section 824  
3313.61 or 3325.08 of the Revised Code. To the extent possible, 825  
the department shall disaggregate that data according to the 826  
following categories: 827

(i) Students who are still enrolled in the district or 828  
building and receiving general education services; 829

(ii) Students with an individualized education program, as 830  
defined in section 3323.01 of the Revised Code, who satisfied 831  
the conditions for a high school diploma under section 3313.61 832  
or 3325.08 of the Revised Code, but opted not to receive a 833  
diploma and are still receiving education services; 834

(iii) Students with an individualized education program 835  
who have not yet satisfied conditions for a high school diploma 836

under section 3313.61 or 3325.08 of the Revised Code and who are 837  
still receiving education services; 838

(iv) Students who are no longer enrolled in any district 839  
or building; 840

(v) Students who, upon enrollment in the district or 841  
building for the first time, had completed fewer units of high 842  
school instruction required under section 3313.603 of the 843  
Revised Code than other students in the four- or five-year 844  
adjusted cohort graduation rate. 845

The department may disaggregate the data prescribed under 846  
division (D) (2) (d) of this section according to other categories 847  
that the department determines are appropriate. 848

(e) The results of the kindergarten diagnostic assessment 849  
prescribed under division (D) of section 3301.079 of the Revised 850  
Code; 851

(f) Post-graduate outcomes for students who were enrolled 852  
in a district or building and received a high school diploma 853  
under section 3313.61 or 3325.08 of the Revised Code in the 854  
school year prior to the school year for which the report card 855  
is issued, including the percentage of students who: 856

(i) Enrolled in a post-secondary educational institution. 857  
To the extent possible, the department shall disaggregate that 858  
data according to whether the student enrolled in a four-year 859  
institution of higher education, a two-year institution of 860  
higher education, an Ohio technical center that provides adult 861  
technical education services and is recognized by the chancellor 862  
of higher education, or another type of post-secondary 863  
educational institution. 864

(ii) Entered an apprenticeship program registered with the 865

apprenticeship council established under Chapter 4139. of the 866  
Revised Code. The department may include other job training 867  
programs with similar rigor and outcomes. 868

(iii) Attained gainful employment, as determined by the 869  
department; 870

(iv) Enlisted in a branch of the armed forces of the 871  
United States, as defined in section 5910.01 of the Revised 872  
Code. 873

(g) Whether the school district or building has 874  
implemented a positive behavior intervention and supports 875  
framework in compliance with the requirements of section 3319.46 876  
of the Revised Code, notated with a "yes" or "no"; 877

(h) The number and percentage of high school seniors in 878  
each school year who completed the free application for federal 879  
student aid; 880

(i) Beginning with the report card issued under this 881  
section for the 2022-2023 school year, a student opportunity 882  
profile measure that reports data regarding the opportunities 883  
provided to students by a district or building. To the extent 884  
possible, and when appropriate, the data shall be disaggregated 885  
by grade level and subgroup. The measure also shall include data 886  
regarding the statewide average, the average for similar school 887  
districts, and, for a building, the average for the district in 888  
which the building is located. The measure shall include all of 889  
the following data for the district or building: 890

(i) The average ratio of teachers of record to students in 891  
each grade level in a district or building; 892

(ii) The average ratio of school counselors to students in 893  
a district or building; 894

(iii) The average ratio of nurses to students in a district or building;	895 896
(iv) The average ratio of licensed librarians and library media specialists to students in a district or building;	897 898
(v) The average ratio of social workers to students in a district or building;	899 900
(vi) The average ratio of mental health professionals to students in a district or building;	901 902
(vii) The average ratio of paraprofessionals to students in a district or building;	903 904
(viii) The percentage of teachers with fewer than three years of experience teaching in any school;	905 906
(ix) The percentage of principals with fewer than three years of experience as a principal in any school;	907 908
(x) The percentage of teachers who are not teaching in the subject or field for which they are certified or licensed;	909 910
(xi) The percentage of kindergarten students who are enrolled in all-day kindergarten, as defined in section 3321.05 of the Revised Code;	911 912 913
(xii) The percentage of students enrolled in a performing or visual arts course;	914 915
(xiii) The percentage of students enrolled in a physical education or wellness course;	916 917
(xiv) The percentage of students enrolled in a world language course;	918 919
(xv) The percentage of students in grades seven through twelve who are enrolled in a career-technical education course;	920 921



(xvi) The percentage of students participating in one or more cocurricular activities;	922 923
(xvii) The percentage of students participating in advance placement courses, international baccalaureate courses, honors courses, or courses offered through the college credit plus program established under Chapter 3365. of the Revised Code;	924 925 926 927
(xviii) The percentage of students identified as gifted in superior cognitive ability and specific academic ability fields under Chapter 3324. of the Revised Code and receiving gifted services pursuant to that chapter;	928 929 930 931
(xix) The percentage of students participating in enrichment or support programs offered by the district or building outside of the normal school day;	932 933 934
(xx) The percentage of eligible students participating each school day in school breakfast programs offered by the district or building in accordance with section 3313.813 or 3313.818 of the Revised Code;	935 936 937 938
(xxi) The percentage of students who are transported by a school bus each school day;	939 940
(xxii) The ratio of portable technology devices that students may take home to the number of students.	941 942
The department shall include only opportunity measures at the building level for which data for buildings is available, as determined by a school district.	943 944 945
(j)(i) The percentage of students included in the four- and five-year adjusted cohort graduation rates of the district or building who completed all of grades nine through twelve while enrolled in the district or building;	946 947 948 949

(ii) The four-year adjusted cohort graduation rate for 950  
only those students who were continuously enrolled in the same 951  
district or building for grades nine through twelve. 952

(k) The percentage of students in the district or building 953  
to whom both of the following apply: 954

(i) The students are promoted to fourth grade and not 955  
subject to retention under division (A) (2) of section 3313.608 956  
of the Revised Code. 957

(ii) The students completed all of the grade levels 958  
offered prior to the fourth grade in the district or building. 959

(3) Except as provided in division (D) (3) (f) of this 960  
section, the department shall use the state board's method 961  
prescribed under rules adopted under division (D) (4) of this 962  
section to assign performance ratings of "one star," "two 963  
stars," "three stars," "four stars," or "five stars," as 964  
described in division (F) of this section, for a district or 965  
building for the individual components prescribed under division 966  
(D) (3) of this section. The department also shall assign an 967  
overall performance rating for a district or building in 968  
accordance with division (D) (3) (g) of this section. The method 969  
shall use the performance measures prescribed under division (D) 970  
(1) of this section to calculate performance ratings for 971  
components. The method may report data under division (D) (2) of 972  
this section with corresponding components, but shall not use 973  
the data to calculate performance ratings for that component. 974  
The performance measures and reported data shall be grouped 975  
together into components as follows: 976

(a) Gap closing. In addition to other criteria determined 977  
appropriate by the department, performance ratings for the gap 978

closing component shall reflect whether each of the following	979
performance measures are met or not met:	980
(i) The gifted performance indicator as described in	981
division (D) (1) (a) of this section;	982
(ii) The chronic absenteeism indicator as described in	983
division (D) (1) (b) of this section;	984
(iii) For English learners, an English language	985
proficiency improvement indicator established by the department;	986
(iv) The subgroup graduation targets;	987
(v) The subgroup achievement targets in both mathematics	988
and English language arts;	989
(vi) The subgroup progress targets in both mathematics and	990
English language arts.	991
Achievement and progress targets under division (D) (3) (a)	992
of this section shall be calculated individually, and districts	993
and buildings shall receive a status of met or not met on each	994
measure. The department shall not require a subgroup of a	995
district or building to meet both the achievement and progress	996
targets at the same time to receive a status of met.	997
The department shall not include any subgroup data in this	998
measure that includes data from fewer than fifteen students. Any	999
penalty for failing to meet the required assessment	1000
participation rate must be partially in proportion to how close	1001
the district or building was to meeting the rate requirement.	1002
(b) Achievement, which shall include the performance	1003
measure in division (D) (1) (c) of this section and the reported	1004
data in division (D) (2) (a) of this section. Performance ratings	1005
for the achievement component shall be awarded as a percentage	1006

of the maximum performance index score described in division (D) 1007  
(1) (c) of this section. 1008

(c) Progress, which shall include the performance measure 1009  
in division (D) (1) (d) of this section and the reported data in 1010  
divisions (D) (2) (b) and (c) of this ~~amendment~~section; 1011

(d) Graduation, which shall include the performance 1012  
measures in divisions (D) (1) (e) and (f) of this section and the 1013  
reported data in divisions (D) (2) (d) and (j) of this section. 1014  
The four-year adjusted cohort graduation rate shall be assigned 1015  
a weight of sixty per cent and the five-year adjusted cohort 1016  
graduation rate shall be assigned a weight of forty per cent; 1017

(e) Early literacy, which shall include the performance 1018  
measures in divisions (D) (1) (g), (h), and (i) of this section 1019  
and the reported data in divisions (D) (2) (e) and (k) of this 1020  
section. 1021

If the measure prescribed under division (D) (1) (h) of this 1022  
section is included in a report card, performance ratings for 1023  
the early literacy component shall give a weight of forty per 1024  
cent to the measure prescribed under division (D) (1) (g) of this 1025  
section, a weight of thirty-five per cent to the measure 1026  
prescribed under division (D) (1) (i) of this section, and a 1027  
weight of twenty-five per cent to the measure prescribed under 1028  
division (D) (1) (h) of this section. 1029

If the measure prescribed under division (D) (1) (h) of this 1030  
section is not included in a report card of a district or 1031  
building, performance ratings for the early literacy component 1032  
shall give a weight of sixty per cent to the measure prescribed 1033  
under division (D) (1) (g) of this section and a weight of forty 1034  
per cent to the measure prescribed under division (D) (1) (i) of 1035

this section. 1036

(f) College, career, workforce, and military readiness, 1037  
which shall include the performance measure in division (D) (1) 1038  
(j) of this section and the reported data in division (D) (2) (f) 1039  
of this section. 1040

For the 2021-2022, 2022-2023, and 2023-2024 school years, 1041  
the department only shall report the data for, and not assign a 1042  
performance rating to, the college, career, workforce, and 1043  
military readiness component. The reported data shall include 1044  
the percentage of students who demonstrate post-secondary 1045  
readiness using any of the options described in division (D) (1) 1046  
(j) of this section. 1047

The department shall analyze the data included in the 1048  
performance measure prescribed in division (D) (1) (j) of this 1049  
section for the 2021-2022, 2022-2023, and 2023-2024 school 1050  
years. Using that data, the department shall develop and propose 1051  
rules for a method to assign a performance rating to the 1052  
college, career, workforce, and military readiness component 1053  
based on that measure. The method to assign a performance rating 1054  
shall not include a tiered structure or per student bonuses. The 1055  
rules shall specify that a district or building shall not 1056  
receive lower than a performance rating of three stars for the 1057  
component if the district's or building's performance on the 1058  
component meets or exceeds a level of improvement set by the 1059  
department. Notwithstanding division (D) (4) (b) of this section, 1060  
more than half of the total districts and buildings may earn a 1061  
performance rating of three stars on this component to account 1062  
for the districts and buildings that earned a performance rating 1063  
of three stars because they met or exceeded the level of 1064  
improvement set by the department. 1065

The department shall submit the rules to the joint 1066  
committee on agency rule review. The committee shall conduct at 1067  
least one public hearing on the proposed rules and approve or 1068  
disapprove the rules. If the committee approves the rules, the 1069  
state board shall adopt the rules in accordance with Chapter 1070  
119. of the Revised Code. If the rules are adopted, the 1071  
department shall assign a performance rating to the college, 1072  
career, workforce, and military readiness component under the 1073  
rules beginning with the 2024-2025 school year, and for each 1074  
school year thereafter. If the committee disapproves the rules, 1075  
the component shall be included in the report card only as 1076  
reported data for the 2024-2025 school year, and each school 1077  
year thereafter. 1078

(g) (i) Except as provided for in division (D) (3) (g) (ii) of 1079  
this section, beginning with the 2022-2023 school year, under 1080  
the state board's method prescribed under rules adopted in 1081  
division (D) (4) of this section, the department shall use the 1082  
performance ratings assigned for the components prescribed in 1083  
divisions (D) (3) (a) to (e) of this section to determine and 1084  
assign an overall performance rating of "one star," "one and 1085  
one-half stars," "two stars," "two and one-half stars," "three 1086  
stars," "three and one-half stars," "four stars," "four and one- 1087  
half stars," or "five stars" for a district or building. The 1088  
method shall give equal weight to the components in divisions 1089  
(D) (3) (b) and (c) of this section. The method shall give equal 1090  
weight to the components in divisions (D) (3) (a), (d), and (e) of 1091  
this section. The individual weights of each of the components 1092  
prescribed in divisions (D) (3) (a), (d), and (e) of this section 1093  
shall be equal to one-half of the weight given to the component 1094  
prescribed in division (D) (3) (b) of this section. 1095

(ii) If the joint committee on agency rule review approves 1096

the department's rules regarding the college, career, workforce, 1097  
and military readiness component as described in division (D) (3) 1098  
(f) of this section, for the 2024-2025 school year, and each 1099  
school year thereafter, the state board's method shall use the 1100  
components in divisions (D) (3) (a), (b), (c), (d), (e), and (f) 1101  
of this section to calculate the overall performance rating. The 1102  
method shall give equal weight to the components in divisions 1103  
(D) (3) (b) and (c) of this section. The method shall give equal 1104  
weight to the components prescribed in divisions (D) (3) (a), (d), 1105  
(e), and (f) of this section. The individual weights of each of 1106  
the components prescribed in divisions (D) (3) (a), (d), (e), and 1107  
(f) of this section shall be equal to one-half the weight given 1108  
to the component prescribed in division (D) (3) (b) of this 1109  
section. 1110

If the joint committee on agency rule review disapproves 1111  
the department's rules regarding the college, career, workforce, 1112  
and military readiness component as described in division (D) (3) 1113  
(f) of this section, division (D) (3) (g) (ii) of this section does 1114  
not apply. 1115

(4) (a) The state board shall adopt rules in accordance 1116  
with Chapter 119. of the Revised Code to establish the 1117  
performance criteria, benchmarks, and rating system necessary to 1118  
implement divisions (D) and (F) of this section, including the 1119  
method for the department to assign performance ratings under 1120  
division (D) (3) of this section. 1121

(b) In establishing the performance criteria, benchmarks, 1122  
and rating system, the state board shall consult with 1123  
stakeholder groups and advocates that represent parents, 1124  
community members, students, business leaders, and educators 1125  
from different school typology regions. The state board shall 1126

use data from prior school years and simulations to ensure that 1127  
there is meaningful differentiation among districts and 1128  
buildings across all performance ratings and that, except as 1129  
permitted in division (D) (3) (f) of this section, more than half 1130  
of all districts or buildings do not earn the same performance 1131  
rating in any component or overall performance rating. 1132

(c) The state board shall adopt the rules prescribed by 1133  
division (D) (4) of this section not later than March 31, 2022. 1134  
However, the department shall notify districts and buildings of 1135  
the changes to the report card prescribed in law not later than 1136  
one week after the effective date of this amendment. 1137

(d) Prior to adopting or updating rules under division (D) 1138  
(4) of this section, the president of the state board and the 1139  
department shall conduct a public presentation before the 1140  
standing committees of the house of representatives and the 1141  
senate that consider primary and secondary education legislation 1142  
describing the format for the report card and the performance 1143  
criteria, benchmarks, and rating system, including the method to 1144  
assign performance ratings under division (D) (3) of this 1145  
section. 1146

(E) On or after July 1, 2015, the state board may develop 1147  
a measure of student academic progress for high school students 1148  
using only data from assessments in English language arts and 1149  
mathematics. If the state board develops this measure, each 1150  
school district and applicable school building shall be assigned 1151  
a separate letter grade for it not sooner than the 2017-2018 1152  
school year. The district's or building's grade for that measure 1153  
shall not be included in determining the district's or 1154  
building's overall letter grade. 1155

(F) (1) The letter grades assigned to a school district or 1156



building under this section shall be as follows:	1157
(a) "A" for a district or school making excellent progress;	1158 1159
(b) "B" for a district or school making above average progress;	1160 1161
(c) "C" for a district or school making average progress;	1162
(d) "D" for a district or school making below average progress;	1163 1164
(e) "F" for a district or school failing to meet minimum progress.	1165 1166
(2) For the overall performance rating under division (D)	1167
(3) of this section, the department shall include a descriptor for each performance rating as follows:	1168 1169
(a) "Significantly exceeds state standards" for a performance rating of five stars;	1170 1171
(b) "Exceeds state standards" for a performance rating of four stars or four and one-half stars;	1172 1173
(c) "Meets state standards" for a performance rating of three stars or three and one-half stars;	1174 1175
(d) "Needs support to meet state standards" for a performance rating of two stars or two and one-half stars;	1176 1177
(e) "Needs significant support to meet state standards" for a performance rating of one star or one and one-half stars.	1178 1179
(3) For performance ratings for each component under divisions (D) (3) (a) to (f) of this section, the state board shall include a description of each component and performance rating. The description shall include component-specific context	1180 1181 1182 1183

to each performance rating earned, estimated comparisons to 1184  
other school districts and buildings if appropriate, and any 1185  
other information determined by the state board. The 1186  
descriptions shall be not longer than twenty-five words in 1187  
length when possible. In addition to such descriptions, the 1188  
state board shall include the descriptors in division (F) (2) of 1189  
this section for component performance ratings. 1190

(4) Each report card issued under this section shall 1191  
include all of the following: 1192

(a) A graphic that depicts the performance ratings of a 1193  
district or school on a color scale. The color associated with a 1194  
performance rating of three stars shall be green and the color 1195  
associated with a performance rating of one star shall be red. 1196

(b) An arrow graphic that shows data trends for 1197  
performance ratings for school districts or buildings. The state 1198  
board shall determine the data to be used for this graphic, 1199  
which shall include at least the three most recent years of 1200  
data. 1201

(c) A description regarding the weights that are assigned 1202  
to each component and used to determine an overall performance 1203  
rating, as prescribed under division (D) (3) (g) of this section, 1204  
which shall be included in the presentation of the overall 1205  
performance rating on each report card. 1206

(G) When reporting data on student achievement and 1207  
progress, the department shall disaggregate that data according 1208  
to the following categories: 1209

(1) Performance of students by grade-level; 1210

(2) Performance of students by race and ethnic group; 1211

(3) Performance of students by gender;	1212
(4) Performance of students grouped by those who have been enrolled in a district or school for three or more years;	1213 1214
(5) Performance of students grouped by those who have been enrolled in a district or school for more than one year and less than three years;	1215 1216 1217
(6) Performance of students grouped by those who have been enrolled in a district or school for one year or less;	1218 1219
(7) Performance of students grouped by those who are economically disadvantaged;	1220 1221
(8) Performance of students grouped by those who are enrolled in a conversion community school established under Chapter 3314. of the Revised Code;	1222 1223 1224
(9) Performance of students grouped by those who are classified as English learners;	1225 1226
(10) Performance of students grouped by those who have disabilities;	1227 1228
(11) Performance of students grouped by those who are classified as migrants;	1229 1230
(12) Performance of students grouped by those who are identified as gifted in superior cognitive ability and the specific academic ability fields of reading and math pursuant to Chapter 3324. of the Revised Code. In disaggregating specific academic ability fields for gifted students, the department shall use data for those students with specific academic ability in math and reading. If any other academic field is assessed, the department shall also include data for students with specific academic ability in that field as well.	1231 1232 1233 1234 1235 1236 1237 1238 1239

(13) Performance of students grouped by those who perform 1240  
in the lowest quintile for achievement on a statewide basis, as 1241  
determined by a method prescribed by the state board. 1242

The department may disaggregate data on student 1243  
performance according to other categories that the department 1244  
determines are appropriate. To the extent possible, the 1245  
department shall disaggregate data on student performance 1246  
according to any combinations of two or more of the categories 1247  
listed in divisions (G) (1) to (13) of this section that it deems 1248  
relevant. 1249

In reporting data pursuant to division (G) of this 1250  
section, the department shall not include in the report cards 1251  
any data statistical in nature that is statistically unreliable 1252  
or that could result in the identification of individual 1253  
students. For this purpose, the department shall not report 1254  
student performance data for any group identified in division 1255  
(G) of this section that contains less than ten students. If the 1256  
department does not report student performance data for a group 1257  
because it contains less than ten students, the department shall 1258  
indicate on the report card that is why data was not reported. 1259

(H) The department may include with the report cards any 1260  
additional education and fiscal performance data it deems 1261  
valuable. 1262

(I) The department shall include on each report card a 1263  
list of additional information collected by the department that 1264  
is available regarding the district or building for which the 1265  
report card is issued. When available, such additional 1266  
information shall include student mobility data disaggregated by 1267  
race and socioeconomic status, college enrollment data, and the 1268  
reports prepared under section 3302.031 of the Revised Code. 1269

The department shall maintain a site on the world wide 1270  
web. The report card shall include the address of the site and 1271  
shall specify that such additional information is available to 1272  
the public at that site. The department shall also provide a 1273  
copy of each item on the list to the superintendent of each 1274  
school district. The district superintendent shall provide a 1275  
copy of any item on the list to anyone who requests it. 1276

(J) (1) (a) Except as provided in division (J) (1) (b) of this 1277  
section, for any district that sponsors a conversion community 1278  
school under Chapter 3314. of the Revised Code, the department 1279  
shall combine data regarding the academic performance of 1280  
students enrolled in the community school with comparable data 1281  
from the schools of the district for the purpose of determining 1282  
the performance of the district as a whole on the report card 1283  
issued for the district under this section or section 3302.033 1284  
of the Revised Code. 1285

(b) The department shall not combine data from any 1286  
conversion community school that a district sponsors if a 1287  
majority of the students enrolled in the conversion community 1288  
school are enrolled in a dropout prevention and recovery program 1289  
that is operated by the school, as described in division (A) (4) 1290  
(a) of section 3314.35 of the Revised Code. The department shall 1291  
include as an addendum to the district's report card the ratings 1292  
and performance measures that are required under section 1293  
3314.017 of the Revised Code for any community school to which 1294  
division (J) (1) (b) of this section applies. This addendum shall 1295  
include, at a minimum, the data specified in divisions (C) (1) 1296  
(a), (C) (2), and (C) (3) of section 3314.017 of the Revised Code. 1297

(2) Any district that leases a building to a community 1298  
school located in the district or that enters into an agreement 1299

with a community school located in the district whereby the 1300  
district and the school endorse each other's programs may elect 1301  
to have data regarding the academic performance of students 1302  
enrolled in the community school combined with comparable data 1303  
from the schools of the district for the purpose of determining 1304  
the performance of the district as a whole on the district 1305  
report card. Any district that so elects shall annually file a 1306  
copy of the lease or agreement with the department. 1307

(3) Any municipal school district, as defined in section 1308  
3311.71 of the Revised Code, that sponsors a community school 1309  
located within the district's territory, or that enters into an 1310  
agreement with a community school located within the district's 1311  
territory whereby the district and the community school endorse 1312  
each other's programs, may exercise either or both of the 1313  
following elections: 1314

(a) To have data regarding the academic performance of 1315  
students enrolled in that community school combined with 1316  
comparable data from the schools of the district for the purpose 1317  
of determining the performance of the district as a whole on the 1318  
district's report card; 1319

(b) To have the number of students attending that 1320  
community school noted separately on the district's report card. 1321

The election authorized under division (J) (3) (a) of this 1322  
section is subject to approval by the governing authority of the 1323  
community school. 1324

Any municipal school district that exercises an election 1325  
to combine or include data under division (J) (3) of this 1326  
section, by the first day of October of each year, shall file 1327  
with the department documentation indicating eligibility for 1328

that election, as required by the department. 1329

(K) The department shall include on each report card the 1330  
percentage of teachers in the district or building who are 1331  
properly certified or licensed teachers, as defined in section 1332  
3319.074 of the Revised Code, and a comparison of that 1333  
percentage with the percentages of such teachers in similar 1334  
districts and buildings. 1335

(L) (1) In calculating English language arts, mathematics, 1336  
science, American history, or American government assessment 1337  
passage rates used to determine school district or building 1338  
performance under this section, the department shall include all 1339  
students taking an assessment with accommodation or to whom an 1340  
alternate assessment is administered pursuant to division (C) (1) 1341  
or (3) of section 3301.0711 of the Revised Code and all students 1342  
who take substitute examinations approved under division (B) (4) 1343  
of section 3301.0712 of the Revised Code in the subject areas of 1344  
science, American history and American government. 1345

(2) In calculating performance index scores, rates of 1346  
achievement on the performance indicators established by the 1347  
state board under section 3302.02 of the Revised Code, and 1348  
annual measurable objectives for determining adequate yearly 1349  
progress for school districts and buildings under this section, 1350  
the department shall do all of the following: 1351

(a) Include for each district or building only those 1352  
students who are included in the ADM certified for the first 1353  
full school week of October and are continuously enrolled in the 1354  
district or building through the time of the spring 1355  
administration of any assessment prescribed by division (A) (1) 1356  
or (B) (1) of section 3301.0710 or division (B) of section 1357  
3301.0712 of the Revised Code that is administered to the 1358

student's grade level; 1359

(b) Include cumulative totals from both the fall and 1360  
spring administrations of the third grade English language arts 1361  
achievement assessment and, to the extent possible, the summer 1362  
administration of that assessment; 1363

(c) Except as required by the No Child Left Behind Act of 1364  
2001, exclude for each district or building any English learner 1365  
who has been enrolled in United States schools for less than one 1366  
full school year. 1367

(M) Beginning with the 2015-2016 school year and at least 1368  
once every three years thereafter, the state board of education 1369  
shall review and may adjust the benchmarks for assigning letter 1370  
grades or performance ratings to the performance measures and 1371  
components prescribed under divisions (C)(3), (D), and (E) of 1372  
this section. 1373

**Sec. 3302.039.** (A) The state report card review committee 1374  
is hereby established on July 1, 2023. 1375

(B) The committee established under this section shall 1376  
consist of the following members: 1377

(1) Two members of the house of representatives, both of 1378  
whom shall not be members of the same political party, appointed 1379  
by the speaker of the house of representatives. The minority 1380  
leader of the house of representatives may recommend to the 1381  
speaker of the house of representatives a member of the minority 1382  
leader's political party to serve on the committee. 1383

(2) Two members of the senate, both of whom shall not be 1384  
members of the same political party, appointed by the president 1385  
of the senate. The minority leader of the senate may recommend 1386  
to the president of the senate a member of the minority leader's 1387



political party to serve on the committee.	1388
(3) The superintendent of public instruction, or the state superintendent's designee;	1389 1390
(4) The following members appointed by the state superintendent:	1391 1392
(a) A classroom teacher who provides instruction in an elementary school;	1393 1394
(b) A classroom teacher who provides instruction in a high school;	1395 1396
(c) An individual with experience in providing services to students identified as gifted in superior cognitive ability and specific academic ability fields under Chapter 3324. of the Revised Code;	1397 1398 1399 1400
(d) An individual with experience in providing special education or related services to children with disabilities under Chapter 3323. of the Revised Code;	1401 1402 1403
(e) An individual representing a chartered nonpublic school;	1404 1405
(f) A representative of the business community;	1406
(g) The parent of a child enrolled in any of grades kindergarten through twelve;	1407 1408
<u>(h) A representative of community schools established under Chapter 3314. of the Revised Code;</u>	1409 1410
<u>(i) Two school district superintendents and one school principal. The state superintendent shall ensure that the representatives appointed under division (B) (4) (i) of this section represent urban, suburban, and rural school districts.</u>	1411 1412 1413 1414

(5) The member of the house of representatives appointed 1415  
under division (B) (1) of this section, who is of the majority 1416  
party, and the member of the senate appointed under division (B) 1417  
(2) of this section, who is of the majority party, shall serve 1418  
as co-chairpersons of the committee. 1419

(C) The committee established under this section shall 1420  
conduct a study of the state report cards issued under section 1421  
3302.03 of the Revised Code for the 2022-2023 school year and 1422  
prior school years. Based on that study, the committee shall 1423  
make recommendations for improvements, corrections, and 1424  
clarifications to the state report card. 1425

Not later than June 30, 2024, the chairpersons of the 1426  
committee shall submit a report of its findings to the state 1427  
board of education and the chairpersons of the standing 1428  
committees of the house of representatives and the senate that 1429  
consider primary and secondary education legislation. 1430

**Sec. 3310.033.** (A) As used in this section: 1431

(1) "Foster child" means a child placed with a foster 1432  
caregiver, as defined in section 5103.02 of the Revised Code. 1433

(2) "Qualifying student" means a student who is not 1434  
entitled to attend school under section 3313.64 or 3313.65 of 1435  
the Revised Code in a school district in which the pilot project 1436  
scholarship program is operating under sections 3313.974 to 1437  
3313.979 of the Revised Code. 1438

(3) "Kinship caregiver" has the same meaning as in section 1439  
5101.85 of the Revised Code. 1440

(4) "Sibling" means any of the following: 1441

(a) A brother, half-brother, sister, or half-sister by 1442

birth, marriage, or adoption;	1443
(b) A cousin by birth, marriage, or adoption who is	1444
residing in the same household;	1445
(c) A foster child who is residing in the same household,	1446
including a child who is subsequently adopted by the child's	1447
foster family;	1448
(d) A child residing in the same household who is placed	1449
with a guardian or legal custodian;	1450
(e) A child who is residing in the same household and is	1451
being cared for by a kinship caregiver;	1452
(f) Any other child under eighteen years of age who has	1453
resided in the same household for at least forty-five	1454
consecutive days within the last calendar year.	1455
(5) "Caretaker" means the parent of a minor child or a	1456
relative acting in the parent's place. <u>"Caretaker" also means</u>	1457
<u>another responsible adult who has care of the child and in whose</u>	1458
<u>household the child resides and, if not for residing in that</u>	1459
<u>household, the child would be homeless or likely to be homeless.</u>	1460
(B) Notwithstanding anything in the Revised Code to the	1461
contrary, a qualifying student shall be eligible for an	1462
educational choice scholarship under section 3310.03 of the	1463
Revised Code, regardless of whether the student is enrolled in a	1464
school building described in division (A)(1) or (C) of that	1465
section, if any of the following apply:	1466
(1) The student's sibling received an educational choice	1467
scholarship under section 3310.03 of the Revised Code for the	1468
school year immediately prior to the school year for which the	1469
student is seeking a scholarship;	1470

(2) The student is a foster child;	1471
(3) The student is a child placed with a guardian, legal custodian, or kinship caregiver;	1472 1473
(4) The student is not a child placed with a guardian, legal custodian, or kinship caregiver, but has resided in the same household as such a child for at least forty-five consecutive days within the last calendar year;	1474 1475 1476 1477
(5) The student is not a foster child, but resides in a home that has received certification under section 5103.03 of the Revised Code;	1478 1479 1480
(6) The student satisfies all of the following conditions:	1481
(a) The student is not a foster child or a student described in division (B)(4) of this section.	1482 1483
(b) The student has resided in the household of an individual who is not the student's parent or guardian for at least forty-five consecutive days within the last calendar year and, if not for residing in that household, the student would have been homeless.	1484 1485 1486 1487 1488
(c) The student's parent or guardian resides in this state.	1489 1490
(7) The student is not a child described in division (B) (6) of this section, but has resided in the same household as a child described in that division for at least forty-five consecutive days within the last calendar year.	1491 1492 1493 1494
(C) A student who receives an educational choice scholarship under this section remains eligible for that scholarship and may continue to receive a scholarship in subsequent school years until the student completes grade	1495 1496 1497 1498

twelve, so long as the student satisfies the conditions 1499  
specified in divisions (D) (2) and (3) of section 3310.03 of the 1500  
Revised Code. 1501

(D) The department of education may request any individual 1502  
applying for a scholarship under this section on behalf of a 1503  
qualifying student to provide appropriate documentation, as 1504  
defined by the department, that the student meets the 1505  
eligibility qualifications prescribed under this section. In the 1506  
case of a student who qualifies under division (B) (6) of this 1507  
section, such documentation shall be provided by the student's 1508  
parent, guardian, or caretaker. 1509

Sec. 3313.6027. Subject to divisions (D) to (F) of section 1510  
3313.603 of the Revised Code, this section applies to students 1511  
who enter ninth grade for the first time on or after July 1, 1512  
2010, but prior to July 1, 2022. 1513

For students to whom this section applies, each school 1514  
district and chartered nonpublic school shall integrate the 1515  
study of economics and financial literacy, as expressed in the 1516  
social studies academic content standards adopted by the state 1517  
board of education under division (A) (1) of section 3301.079 of 1518  
the Revised Code and the academic content standards for 1519  
financial literacy and entrepreneurship adopted under division 1520  
(A) (2) of that section, into one or more existing social studies 1521  
credits required under division (C) (7) of section 3313.603 of 1522  
the Revised Code, or into the content of another class, so that 1523  
every high school student receives instruction in those 1524  
concepts. 1525

**Sec. 3313.6412.** Notwithstanding anything to the contrary 1526  
in section 3313.6410 of the Revised Code, no student enrolled in 1527  
an internet- or computer-based school shall be subject to 1528

automatic withdrawal who, in any school year prior to the ~~2020-~~ 1529  
~~2021-2021-2022~~ school year, failed to participate in the spring 1530  
administration of any assessment prescribed under section 1531  
3301.0710 or 3301.0712 of the Revised Code for the student's 1532  
grade level and was not excused from the assessment pursuant to 1533  
division (C) (1) or (3) of section 3301.0711 of the Revised Code, 1534  
regardless of whether a waiver was granted for the student under 1535  
division (E) of section 3317.03 of the Revised Code. 1536

**Sec. 3314.03.** A copy of every contract entered into under 1537  
this section shall be filed with the superintendent of public 1538  
instruction. The department of education shall make available on 1539  
its web site a copy of every approved, executed contract filed 1540  
with the superintendent under this section. 1541

(A) Each contract entered into between a sponsor and the 1542  
governing authority of a community school shall specify the 1543  
following: 1544

(1) That the school shall be established as either of the 1545  
following: 1546

(a) A nonprofit corporation established under Chapter 1547  
1702. of the Revised Code, if established prior to April 8, 1548  
2003; 1549

(b) A public benefit corporation established under Chapter 1550  
1702. of the Revised Code, if established after April 8, 2003. 1551

(2) The education program of the school, including the 1552  
school's mission, the characteristics of the students the school 1553  
is expected to attract, the ages and grades of students, and the 1554  
focus of the curriculum; 1555

(3) The academic goals to be achieved and the method of 1556  
measurement that will be used to determine progress toward those 1557

goals, which shall include the statewide achievement 1558  
assessments; 1559

(4) Performance standards, including but not limited to 1560  
all applicable report card measures set forth in section 3302.03 1561  
or 3314.017 of the Revised Code, by which the success of the 1562  
school will be evaluated by the sponsor; 1563

(5) The admission standards of section 3314.06 of the 1564  
Revised Code and, if applicable, section 3314.061 of the Revised 1565  
Code; 1566

(6) (a) Dismissal procedures; 1567

(b) A requirement that the governing authority adopt an 1568  
attendance policy that includes a procedure for automatically 1569  
withdrawing a student from the school if the student without a 1570  
legitimate excuse fails to participate in seventy-two 1571  
consecutive hours of the learning opportunities offered to the 1572  
student. 1573

(7) The ways by which the school will achieve racial and 1574  
ethnic balance reflective of the community it serves; 1575

(8) Requirements for financial audits by the auditor of 1576  
state. The contract shall require financial records of the 1577  
school to be maintained in the same manner as are financial 1578  
records of school districts, pursuant to rules of the auditor of 1579  
state. Audits shall be conducted in accordance with section 1580  
117.10 of the Revised Code. 1581

(9) An addendum to the contract outlining the facilities 1582  
to be used that contains at least the following information: 1583

(a) A detailed description of each facility used for 1584  
instructional purposes; 1585

(b) The annual costs associated with leasing each facility	1586
that are paid by or on behalf of the school;	1587
(c) The annual mortgage principal and interest payments	1588
that are paid by the school;	1589
(d) The name of the lender or landlord, identified as	1590
such, and the lender's or landlord's relationship to the	1591
operator, if any.	1592
(10) Qualifications of teachers, including a requirement	1593
that the school's classroom teachers be licensed in accordance	1594
with sections 3319.22 to 3319.31 of the Revised Code, except	1595
that a community school may engage noncertificated persons to	1596
teach up to twelve hours or forty hours per week pursuant to	1597
section 3319.301 of the Revised Code.	1598
(11) That the school will comply with the following	1599
requirements:	1600
(a) The school will provide learning opportunities to a	1601
minimum of twenty-five students for a minimum of nine hundred	1602
twenty hours per school year.	1603
(b) The governing authority will purchase liability	1604
insurance, or otherwise provide for the potential liability of	1605
the school.	1606
(c) The school will be nonsectarian in its programs,	1607
admission policies, employment practices, and all other	1608
operations, and will not be operated by a sectarian school or	1609
religious institution.	1610
(d) The school will comply with sections 9.90, 9.91,	1611
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710,	1612
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037,	1613



3313.472, 3313.50, 3313.539, 3313.5310, 3313.608, 3313.609, 1614  
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 1615  
3313.6024, 3313.6025, 3313.6026, 3313.643, 3313.648, 3313.6411, 1616  
3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 1617  
3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 1618  
3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 1619  
3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 1620  
3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 1621  
3319.238, 3319.318, 3319.321, 3319.39, 3319.391, 3319.393, 1622  
3319.41, 3319.46, 3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 1623  
3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3323.251, 1624  
3327.10, 4111.17, 4113.52, 5502.262, and 5705.391 and Chapters 1625  
117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. 1626  
of the Revised Code as if it were a school district and will 1627  
comply with section 3301.0714 of the Revised Code in the manner 1628  
specified in section 3314.17 of the Revised Code. 1629

(e) The school shall comply with Chapter 102. and section 1630  
2921.42 of the Revised Code. 1631

(f) The school will comply with sections 3313.61, 1632  
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 1633  
Revised Code, except that for students who enter ninth grade for 1634  
the first time before July 1, 2010, the requirement in sections 1635  
3313.61 and 3313.611 of the Revised Code that a person must 1636  
successfully complete the curriculum in any high school prior to 1637  
receiving a high school diploma may be met by completing the 1638  
curriculum adopted by the governing authority of the community 1639  
school rather than the curriculum specified in Title XXXIII of 1640  
the Revised Code or any rules of the state board of education. 1641  
Beginning with students who enter ninth grade for the first time 1642  
on or after July 1, 2010, the requirement in sections 3313.61 1643  
and 3313.611 of the Revised Code that a person must successfully 1644

complete the curriculum of a high school prior to receiving a 1645  
high school diploma shall be met by completing the requirements 1646  
prescribed in section 3313.6027 and division (C) of section 1647  
3313.603 of the Revised Code, unless the person qualifies under 1648  
division (D) or (F) of that section. Each school shall comply 1649  
with the plan for awarding high school credit based on 1650  
demonstration of subject area competency, and beginning with the 1651  
2017-2018 school year, with the updated plan that permits 1652  
students enrolled in seventh and eighth grade to meet curriculum 1653  
requirements based on subject area competency adopted by the 1654  
state board of education under divisions (J) (1) and (2) of 1655  
section 3313.603 of the Revised Code. Beginning with the 2018- 1656  
2019 school year, the school shall comply with the framework for 1657  
granting units of high school credit to students who demonstrate 1658  
subject area competency through work-based learning experiences, 1659  
internships, or cooperative education developed by the 1660  
department under division (J) (3) of section 3313.603 of the 1661  
Revised Code. 1662

(g) The school governing authority will submit within four 1663  
months after the end of each school year a report of its 1664  
activities and progress in meeting the goals and standards of 1665  
divisions (A) (3) and (4) of this section and its financial 1666  
status to the sponsor and the parents of all students enrolled 1667  
in the school. 1668

(h) The school, unless it is an internet- or computer- 1669  
based community school, will comply with section 3313.801 of the 1670  
Revised Code as if it were a school district. 1671

(i) If the school is the recipient of moneys from a grant 1672  
awarded under the federal race to the top program, Division (A), 1673  
Title XIV, Sections 14005 and 14006 of the "American Recovery 1674

and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 1675  
the school will pay teachers based upon performance in 1676  
accordance with section 3317.141 and will comply with section 1677  
3319.111 of the Revised Code as if it were a school district. 1678

(j) If the school operates a preschool program that is 1679  
licensed by the department of education under sections 3301.52 1680  
to 3301.59 of the Revised Code, the school shall comply with 1681  
sections 3301.50 to 3301.59 of the Revised Code and the minimum 1682  
standards for preschool programs prescribed in rules adopted by 1683  
the state board under section 3301.53 of the Revised Code. 1684

(k) The school will comply with sections 3313.6021 and 1685  
3313.6023 of the Revised Code as if it were a school district 1686  
unless it is either of the following: 1687

(i) An internet- or computer-based community school; 1688

(ii) A community school in which a majority of the 1689  
enrolled students are children with disabilities as described in 1690  
division (A) (4) (b) of section 3314.35 of the Revised Code. 1691

(l) The school will comply with section 3321.191 of the 1692  
Revised Code, unless it is an internet- or computer-based 1693  
community school that is subject to section 3314.261 of the 1694  
Revised Code. 1695

(12) Arrangements for providing health and other benefits 1696  
to employees; 1697

(13) The length of the contract, which shall begin at the 1698  
beginning of an academic year. No contract shall exceed five 1699  
years unless such contract has been renewed pursuant to division 1700  
(E) of this section. 1701

(14) The governing authority of the school, which shall be 1702

responsible for carrying out the provisions of the contract; 1703

(15) A financial plan detailing an estimated school budget 1704  
for each year of the period of the contract and specifying the 1705  
total estimated per pupil expenditure amount for each such year. 1706

(16) Requirements and procedures regarding the disposition 1707  
of employees of the school in the event the contract is 1708  
terminated or not renewed pursuant to section 3314.07 of the 1709  
Revised Code; 1710

(17) Whether the school is to be created by converting all 1711  
or part of an existing public school or educational service 1712  
center building or is to be a new start-up school, and if it is 1713  
a converted public school or service center building, 1714  
specification of any duties or responsibilities of an employer 1715  
that the board of education or service center governing board 1716  
that operated the school or building before conversion is 1717  
delegating to the governing authority of the community school 1718  
with respect to all or any specified group of employees provided 1719  
the delegation is not prohibited by a collective bargaining 1720  
agreement applicable to such employees; 1721

(18) Provisions establishing procedures for resolving 1722  
disputes or differences of opinion between the sponsor and the 1723  
governing authority of the community school; 1724

(19) A provision requiring the governing authority to 1725  
adopt a policy regarding the admission of students who reside 1726  
outside the district in which the school is located. That policy 1727  
shall comply with the admissions procedures specified in 1728  
sections 3314.06 and 3314.061 of the Revised Code and, at the 1729  
sole discretion of the authority, shall do one of the following: 1730

(a) Prohibit the enrollment of students who reside outside 1731

the district in which the school is located;	1732
(b) Permit the enrollment of students who reside in	1733
districts adjacent to the district in which the school is	1734
located;	1735
(c) Permit the enrollment of students who reside in any	1736
other district in the state.	1737
(20) A provision recognizing the authority of the	1738
department of education to take over the sponsorship of the	1739
school in accordance with the provisions of division (C) of	1740
section 3314.015 of the Revised Code;	1741
(21) A provision recognizing the sponsor's authority to	1742
assume the operation of a school under the conditions specified	1743
in division (B) of section 3314.073 of the Revised Code;	1744
(22) A provision recognizing both of the following:	1745
(a) The authority of public health and safety officials to	1746
inspect the facilities of the school and to order the facilities	1747
closed if those officials find that the facilities are not in	1748
compliance with health and safety laws and regulations;	1749
(b) The authority of the department of education as the	1750
community school oversight body to suspend the operation of the	1751
school under section 3314.072 of the Revised Code if the	1752
department has evidence of conditions or violations of law at	1753
the school that pose an imminent danger to the health and safety	1754
of the school's students and employees and the sponsor refuses	1755
to take such action.	1756
(23) A description of the learning opportunities that will	1757
be offered to students including both classroom-based and non-	1758
classroom-based learning opportunities that is in compliance	1759

with criteria for student participation established by the 1760  
department under division (H) (2) of section 3314.08 of the 1761  
Revised Code; 1762

(24) The school will comply with sections 3302.04 and 1763  
3302.041 of the Revised Code, except that any action required to 1764  
be taken by a school district pursuant to those sections shall 1765  
be taken by the sponsor of the school. However, the sponsor 1766  
shall not be required to take any action described in division 1767  
(F) of section 3302.04 of the Revised Code. 1768

(25) Beginning in the 2006-2007 school year, the school 1769  
will open for operation not later than the thirtieth day of 1770  
September each school year, unless the mission of the school as 1771  
specified under division (A) (2) of this section is solely to 1772  
serve dropouts. In its initial year of operation, if the school 1773  
fails to open by the thirtieth day of September, or within one 1774  
year after the adoption of the contract pursuant to division (D) 1775  
of section 3314.02 of the Revised Code if the mission of the 1776  
school is solely to serve dropouts, the contract shall be void. 1777

(26) Whether the school's governing authority is planning 1778  
to seek designation for the school as a STEM school equivalent 1779  
under section 3326.032 of the Revised Code; 1780

(27) That the school's attendance and participation 1781  
policies will be available for public inspection; 1782

(28) That the school's attendance and participation 1783  
records shall be made available to the department of education, 1784  
auditor of state, and school's sponsor to the extent permitted 1785  
under and in accordance with the "Family Educational Rights and 1786  
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, 1787  
and any regulations promulgated under that act, and section 1788

3319.321 of the Revised Code;	1789
(29) If a school operates using the blended learning model, as defined in section 3301.079 of the Revised Code, all of the following information:	1790 1791 1792
(a) An indication of what blended learning model or models will be used;	1793 1794
(b) A description of how student instructional needs will be determined and documented;	1795 1796
(c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level;	1797 1798
(d) The school's attendance requirements, including how the school will document participation in learning opportunities;	1799 1800 1801
(e) A statement describing how student progress will be monitored;	1802 1803
(f) A statement describing how private student data will be protected;	1804 1805
(g) A description of the professional development activities that will be offered to teachers.	1806 1807
(30) A provision requiring that all moneys the school's operator loans to the school, including facilities loans or cash flow assistance, must be accounted for, documented, and bear interest at a fair market rate;	1808 1809 1810 1811
(31) A provision requiring that, if the governing authority contracts with an attorney, accountant, or entity specializing in audits, the attorney, accountant, or entity shall be independent from the operator with which the school has	1812 1813 1814 1815

contracted. 1816

(32) A provision requiring the governing authority to 1817  
adopt an enrollment and attendance policy that requires a 1818  
student's parent to notify the community school in which the 1819  
student is enrolled when there is a change in the location of 1820  
the parent's or student's primary residence. 1821

(33) A provision requiring the governing authority to 1822  
adopt a student residence and address verification policy for 1823  
students enrolling in or attending the school. 1824

(B) The community school shall also submit to the sponsor 1825  
a comprehensive plan for the school. The plan shall specify the 1826  
following: 1827

(1) The process by which the governing authority of the 1828  
school will be selected in the future; 1829

(2) The management and administration of the school; 1830

(3) If the community school is a currently existing public 1831  
school or educational service center building, alternative 1832  
arrangements for current public school students who choose not 1833  
to attend the converted school and for teachers who choose not 1834  
to teach in the school or building after conversion; 1835

(4) The instructional program and educational philosophy 1836  
of the school; 1837

(5) Internal financial controls. 1838

When submitting the plan under this division, the school 1839  
shall also submit copies of all policies and procedures 1840  
regarding internal financial controls adopted by the governing 1841  
authority of the school. 1842



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

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

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

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

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

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

(5) Take steps to intervene in the school's operation to

correct problems in the school's overall performance, declare 1872  
the school to be on probationary status pursuant to section 1873  
3314.073 of the Revised Code, suspend the operation of the 1874  
school pursuant to section 3314.072 of the Revised Code, or 1875  
terminate the contract of the school pursuant to section 3314.07 1876  
of the Revised Code as determined necessary by the sponsor; 1877

(6) Have in place a plan of action to be undertaken in the 1878  
event the community school experiences financial difficulties or 1879  
closes prior to the end of a school year. 1880

(E) Upon the expiration of a contract entered into under 1881  
this section, the sponsor of a community school may, with the 1882  
approval of the governing authority of the school, renew that 1883  
contract for a period of time determined by the sponsor, but not 1884  
ending earlier than the end of any school year, if the sponsor 1885  
finds that the school's compliance with applicable laws and 1886  
terms of the contract and the school's progress in meeting the 1887  
academic goals prescribed in the contract have been 1888  
satisfactory. Any contract that is renewed under this division 1889  
remains subject to the provisions of sections 3314.07, 3314.072, 1890  
and 3314.073 of the Revised Code. 1891

(F) If a community school fails to open for operation 1892  
within one year after the contract entered into under this 1893  
section is adopted pursuant to division (D) of section 3314.02 1894  
of the Revised Code or permanently closes prior to the 1895  
expiration of the contract, the contract shall be void and the 1896  
school shall not enter into a contract with any other sponsor. A 1897  
school shall not be considered permanently closed because the 1898  
operations of the school have been suspended pursuant to section 1899  
3314.072 of the Revised Code. 1900

**Sec. 3314.262.** Notwithstanding anything to the contrary in 1901

section 3314.26 of the Revised Code, no student enrolled in an internet- or computer-based community school shall be subject to automatic withdrawal who, in any school year prior to the ~~2020-2021-2021-2022~~ school year, failed to participate in the spring administration of any assessment prescribed under section 3301.0710 or 3301.0712 of the Revised Code for the student's grade level and was not excused from the assessment pursuant to division (C)(1) or (3) of section 3301.0711 of the Revised Code, regardless of whether a waiver was granted for the student under division (E) of section 3317.03 of the Revised Code. Accordingly, the ~~2020-2021-2021-2022~~ school year shall ~~begin a new starting point for automatic withdrawal of~~ constitute the first year of the two consecutive years of enrollment for students enrolled in internet- or computer-based schools under section 3314.26 of the Revised Code.

**Sec. 3317.022.** The department of education shall compute and distribute state core foundation funding to each eligible funding unit that is a city, local, or exempted village school district, the community and STEM school unit, the educational choice scholarship unit, the pilot project scholarship unit, the autism scholarship unit, and the Jon Peterson special needs scholarship unit for the fiscal year, using the information obtained under section 3317.021 of the Revised Code in the calendar year in which the fiscal year begins in accordance with the following:

For fiscal years 2022 and 2023, for a funding unit that is a city, local, or exempted village school district:

The district's funding base + [(the district's state core foundation funding components for that fiscal year calculated under divisions (A)(1), (2), (3), (5), (6), (7), and (8) of this

section - the district's general funding base calculated in 1932  
accordance with division (N) (1) of section 3317.02 of the 1933  
Revised Code) X the district's general phase-in percentage for 1934  
that fiscal year] + [(the district's disadvantaged pupil impact 1935  
aid for that fiscal year calculated under division (A) (4) of 1936  
this section - the district's disadvantaged pupil impact aid 1937  
funding base calculated in accordance with division (N) (2) of 1938  
section 3317.02 of the Revised Code) X the district's phase-in 1939  
percentage for disadvantaged pupil impact aid for that fiscal 1940  
year] + the district's supplemental targeted assistance funds 1941  
calculated under section 3317.0218 of the Revised Code 1942

For fiscal year 2024 and each fiscal year thereafter, for 1943  
a funding unit that is a city, local, or exempted village school 1944  
district, the sum of the district's state core foundation 1945  
funding components for that fiscal year calculated under 1946  
divisions (A) (1), (2), (3), (4), (5), (6), (7), and (8) of this 1947  
section and the district's supplemental targeted assistance 1948  
funds calculated under section 3317.0218 of the Revised Code, if 1949  
the general assembly authorizes such payments to these funding 1950  
units. 1951

For fiscal years 2022 and 2023, for the community and STEM 1952  
school unit, an amount calculated in accordance with section 1953  
3317.026 of the Revised Code. 1954

For fiscal years 2024 and each fiscal year thereafter, for 1955  
the community and STEM school unit, an amount calculated in 1956  
accordance with divisions (A) (1), (3), (4), (5), (7), (8), and 1957  
(9) of this section, if the general assembly authorizes such 1958  
payments to these funding units. 1959

For the educational choice scholarship unit, the amount 1960  
calculated under division (A) (10) of this section. 1961

For the pilot project scholarship unit, the amount 1962  
calculated under division (A) (11) of this section. 1963

For the autism scholarship unit, the amount calculated 1964  
under division (A) (12) of this section. 1965

For the Jon Peterson special needs scholarship unit, the 1966  
amount calculated under division (A) (13) of this section. 1967

(A) A funding unit's state core foundation funding 1968  
components shall be the following: 1969

(1) (a) If the funding unit is a city, local, or exempted 1970  
village school district, the district's state share, which is 1971  
equal to the following: 1972

(i) For fiscal years 2022 and 2023, the amount calculated 1973  
under division (B) of section 3317.017 of the Revised Code; 1974

(ii) For fiscal year 2024 and each fiscal year thereafter, 1975  
an amount calculated in a manner determined by the general 1976  
assembly. 1977

(b) If the funding unit is the community and STEM school 1978  
unit, the aggregate base cost for all schools in that unit, 1979  
which is equal to the following: 1980

(i) For fiscal years 2022 and 2023, the amount calculated 1981  
under section 3317.0110 of the Revised Code; 1982

(ii) For fiscal year 2024 and each fiscal year thereafter, 1983  
an amount calculated in a manner determined by the general 1984  
assembly. 1985

(2) If the funding unit is a city, local, or exempted 1986  
village school district, targeted assistance funds equal to the 1987  
following: 1988

(a) For fiscal years 2022 and 2023, an amount calculated under section 3317.0217 of the Revised Code;	1989 1990
(b) For fiscal year 2024 and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly.	1991 1992 1993
(3) If the funding unit is a city, local, or exempted village school district or the community and STEM school unit, additional state aid for special education and related services provided under Chapter 3323. of the Revised Code calculated as follows:	1994 1995 1996 1997 1998
(a) For fiscal years 2022 and 2023, the sum of the following:	1999 2000
(i) The funding unit's category one special education ADM X the multiple specified in division (A) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X if the funding unit is a city, local, or exempted village school district, the district's state share percentage;	2001 2002 2003 2004 2005 2006
(ii) The funding unit's category two special education ADM X the multiple specified in division (B) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X if the funding unit is a city, local, or exempted village school district, the district's state share percentage;	2007 2008 2009 2010 2011 2012
(iii) The funding unit's category three special education ADM X the multiple specified in division (C) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X if the funding unit is a city, local, or exempted village school district, the district's state share	2013 2014 2015 2016 2017

percentage;	2018
(iv) The funding unit's category four special education ADM X the multiple specified in division (D) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X if the funding unit is a city, local, or exempted village school district, the district's state share percentage;	2019 2020 2021 2022 2023 2024
(v) The funding unit's category five special education ADM X the multiple specified in division (E) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X if the funding unit is a city, local, or exempted village school district, the district's state share percentage;	2025 2026 2027 2028 2029 2030
(vi) The funding unit's category six special education ADM X the multiple specified in division (F) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X if the funding unit is a city, local, or exempted village school district, the district's state share percentage.	2031 2032 2033 2034 2035 2036
(b) For fiscal year 2024 and each fiscal year thereafter, the sum of the following:	2037 2038
(i) An amount calculated in a manner determined by the general assembly times the funding unit's category one special education ADM;	2039 2040 2041
(ii) An amount calculated in a manner determined by the general assembly times the funding unit's category two special education ADM;	2042 2043 2044
(iii) An amount calculated in a manner determined by the general assembly times the funding unit's category three special	2045 2046

education ADM;	2047
(iv) An amount calculated in a manner determined by the	2048
general assembly times the funding unit's category four special	2049
education ADM;	2050
(v) An amount calculated in a manner determined by the	2051
general assembly times the funding unit's category five special	2052
education ADM;	2053
(vi) An amount calculated in a manner determined by the	2054
general assembly times the funding unit's category six special	2055
education ADM.	2056
(4) If the funding unit is a city, local, or exempted	2057
village school district or the community and STEM school unit,	2058
disadvantaged pupil impact aid calculated according to the	2059
following formula:	2060
(a) If the funding unit is a city, local, or exempted	2061
village school district, an amount equal to the following:	2062
(i) For fiscal years 2022 and 2023, the following product:	2063
\$422 X (the district's economically disadvantaged index) X the	2064
number of students who are economically disadvantaged as	2065
certified under division (B) (21) of section 3317.03 of the	2066
Revised Code	2067
(ii) For fiscal year 2024 and each fiscal year thereafter,	2068
an amount calculated in a manner determined by the general	2069
assembly.	2070
(b) If the funding unit is the community and STEM school	2071
unit, an amount equal to the following:	2072
(i) For fiscal years 2022 and 2023, an amount calculated	2073



as follows: 2074

(I) For each student in the funding unit's enrolled ADM 2075  
who is economically disadvantaged and is not enrolled in an 2076  
internet- or computer-based community school, multiply \$422 by 2077  
the economically disadvantaged index of the school in which the 2078  
student is enrolled; 2079

(II) Compute the funding unit's disadvantaged pupil impact 2080  
aid by calculating the sum of the amounts determined under 2081  
division (A) (4) (b) (i) (I) of this section. 2082

(ii) For fiscal year 2024 and each fiscal year thereafter, 2083  
an amount calculated as follows: 2084

(I) For each student in the funding unit's enrolled ADM 2085  
who is economically disadvantaged and is not enrolled in an 2086  
internet- or computer-based community school, calculate an 2087  
amount in the manner determined by the general assembly; 2088

(II) Compute the funding unit's disadvantaged pupil impact 2089  
aid by calculating the sum of the amounts determined under 2090  
division (A) (4) (b) (ii) (I) of this section. 2091

(5) If the funding unit is a city, local, or exempted 2092  
village school district or the community and STEM school unit, 2093  
English learner funds calculated as follows: 2094

(a) For fiscal years 2022 and 2023, the sum of the 2095  
following: 2096

(i) The funding unit's category one English learner ADM X 2097  
the multiple specified in division (A) of section 3317.016 of 2098  
the Revised Code X the statewide average base cost per pupil for 2099  
that fiscal year X if the funding unit is a city, local, or 2100  
exempted village school district, the district's state share 2101

percentage;	2102
(ii) The funding unit's category two English learner ADM X	2103
the multiple specified in division (B) of section 3317.016 of	2104
the Revised Code X the statewide average base cost per pupil for	2105
that fiscal year X if the funding unit is a city, local, or	2106
exempted village school district, the district's state share	2107
percentage;	2108
(iii) The funding unit's category three English learner	2109
ADM X the multiple specified in division (C) of section 3317.016	2110
of the Revised Code X the statewide average base cost per pupil	2111
for that fiscal year X if the funding unit is a city, local, or	2112
exempted village school district, the district's state share	2113
percentage.	2114
(b) For fiscal year 2024 and each fiscal year thereafter,	2115
the sum of the following:	2116
(i) An amount calculated in a manner determined by the	2117
general assembly times the funding unit's category one English	2118
learner ADM;	2119
(ii) An amount calculated in a manner determined by the	2120
general assembly times the funding unit's category two English	2121
learner ADM;	2122
(iii) An amount calculated in a manner determined by the	2123
general assembly times the funding unit's category three English	2124
learner ADM.	2125
(6) (a) For fiscal years 2022 and 2023, if the funding unit	2126
is a city, local, or exempted village school district, all of	2127
the following:	2128
(i) Gifted identification funds calculated according to	2129

the following formula:	2130
\$24 X the district's enrolled ADM for grades kindergarten	2131
through six X the district's state share percentage	2132
(ii) Gifted referral funds calculated according to the	2133
following formula:	2134
\$2.50 X the district's enrolled ADM X the district's state share	2135
percentage	2136
(iii) Gifted professional development funds calculated	2137
according to the following formula:	2138
(The greater of the number of gifted students enrolled in the	2139
district as certified under division (B) (22) of section 3317.03	2140
of the Revised Code and ten per cent of the district's enrolled	2141
ADM) X the district's state share percentage X \$7, for fiscal	2142
year 2022, or \$14, for fiscal year 2023	2143
(iv) Gifted unit funding calculated under section 3317.051	2144
of the Revised Code.	2145
(b) For fiscal year 2024 and each fiscal year thereafter,	2146
all of the following:	2147
(i) Gifted identification funds calculated in a manner	2148
determined by the general assembly;	2149
(ii) Gifted referral funds calculated in a manner	2150
determined by the general assembly, if the general assembly	2151
authorizes such a payment;	2152
(iii) Gifted professional development funds calculated in	2153
a manner determined by the general assembly, if the general	2154
assembly authorizes such a payment;	2155
(iv) Gifted unit funding calculated in an amount	2156

determined by the general assembly. 2157

(7) If the funding unit is a city, local, or exempted 2158  
village school district or the community and STEM school unit, 2159  
career-technical education funds calculated under division (C) 2160  
of section 3317.014 of the Revised Code. 2161

(8) If the funding unit is a city, local, or exempted 2162  
village school district or the community and STEM school unit, 2163  
career-technical education associated services funds calculated 2164  
under division (D) of section 3317.014 of the Revised Code. 2165

(9) If the funding unit is the community and STEM school 2166  
unit, an amount calculated as follows: 2167

(a) For fiscal years 2022 and 2023, an amount equal to the 2168  
following: 2169

~~[(The number of students in the funding unit's enrolled ADM who 2170  
are reported under division (B) (5) of section 3314.08 of the 2171  
Revised Code X (the aggregate base cost calculated for all 2172  
schools in the funding unit for that fiscal year under section 2173  
3317.0110 of the Revised Code / the funding unit's enrolled ADM) 2174  
X.20] 2175~~

(b) For fiscal year 2024 and each fiscal year thereafter, 2176  
an amount calculated in a manner determined by the general 2177  
assembly. 2178

(10) If the funding unit is the educational choice 2179  
scholarship unit, an amount calculated as follows: 2180

(a) For each student in the funding unit's enrolled ADM, 2181  
determine the lesser of the following: 2182

(i) The base tuition of the chartered nonpublic school in 2183  
which the student is enrolled minus the total amount of any 2184

applicable tuition discounts for which the student qualifies; 2185

(ii) \$5,500, if the student is in grades kindergarten 2186  
through eight, or \$7,500, if the student is in grades nine 2187  
through twelve. 2188

The amounts specified in division (A) (10) (a) (ii) of this 2189  
section shall increase in future fiscal years by the same 2190  
percentage that the statewide average base cost per pupil 2191  
increases in future fiscal years. 2192

(b) Compute the sum of the amounts calculated under 2193  
division (A) (10) (a) of this section. 2194

(11) If the funding unit is the pilot project scholarship 2195  
unit, an amount calculated as follows: 2196

(a) For each student in the funding unit's enrolled ADM, 2197  
determine the lesser of the following: 2198

(i) The net tuition charges of the student's alternative 2199  
school; 2200

(ii) \$5,500, if the student is in grades kindergarten 2201  
through eight, or \$7,500, if the student is in grades nine 2202  
through twelve. 2203

The amounts specified in division (A) (11) (a) (ii) of this 2204  
section shall increase in future fiscal years by the same 2205  
percentage that the statewide average base cost per pupil 2206  
increases in future fiscal years. 2207

For purposes of division (A) (11) (a) of this section, the 2208  
net tuition and fees charged to a student shall be the tuition 2209  
amount specified by the alternative school minus all other 2210  
financial aid, discounts, and adjustments received for the 2211  
student. In cases where discounts are offered for multiple 2212

students from the same family, and not all students in the same 2213  
family are scholarship recipients, the net tuition amount 2214  
attributable to the scholarship recipient shall be the lowest 2215  
net tuition to which the family is entitled. 2216

The department shall provide for an increase in the amount 2217  
determined for any student who is an LRE student with a 2218  
disability and shall further increase such amount in the case of 2219  
any separately educated student with a disability, as that term 2220  
is defined in section 3313.974 of the Revised Code. Such 2221  
increases shall take into account the instruction, related 2222  
services, and transportation costs of educating such students. 2223

(b) Compute the sum of the amounts calculated under 2224  
division (A) (17) (a) of this section. 2225

(12) If the funding unit is the autism scholarship unit, 2226  
an amount calculated as follows: 2227

(a) For each student in the funding unit's enrolled ADM, 2228  
determine the lesser of the following: 2229

(i) The tuition charged for the student's special 2230  
education program, as that term is defined in section 3310.41 of 2231  
the Revised Code; 2232

(ii) \$31,500, for fiscal year 2022, and \$32,445, for 2233  
fiscal year 2023 and each fiscal year thereafter. 2234

(b) Compute the sum of the amounts calculated under 2235  
division (A) (12) (a) of this section. 2236

(13) If the funding unit is the Jon Peterson special needs 2237  
scholarship unit, an amount calculated as follows: 2238

(a) For each student in the funding unit's enrolled ADM, 2239  
determine the least of the following: 2240

(i) The amount of fees charged for that school year by the student's alternative public provider or registered private provider, as those terms are defined in section 3310.51 of the Revised Code; 2241  
2242  
2243  
2244

(ii) \$6,217, for fiscal year 2022, and \$6,414, for fiscal year 2023, plus an amount determined as follows: 2245  
2246

(I) If the student is receiving special education services for a disability specified in division (A) of section 3317.013 of the Revised Code, \$1,514, for fiscal year 2022, and \$1,562, for fiscal year 2023; 2247  
2248  
2249  
2250

(II) If the student is receiving special education services for a disability specified in division (B) of section 3317.013 of the Revised Code, \$3,841, for fiscal year 2022, and \$3,963, for fiscal year 2023; 2251  
2252  
2253  
2254

(III) If the student is receiving special education services for a disability specified in division (C) of section 3317.013 of the Revised Code, \$9,465, for fiscal year 2022, and \$9,522, for fiscal year 2023; 2255  
2256  
2257  
2258

(IV) If the student is receiving special education services for a disability specified in division (D) of section 3317.013 of the Revised Code, \$12,644, for fiscal year 2022, and \$12,707, for fiscal year 2023; 2259  
2260  
2261  
2262

(V) If the student is receiving special education services for a disability specified in division (E) of section 3317.013 of the Revised Code, \$17,193, for fiscal year 2022, and \$17,209, for fiscal year 2023; 2263  
2264  
2265  
2266

(VI) If the student is receiving special education services for a disability specified in division (F) of section 3317.013 of the Revised Code, \$24,591, for fiscal year 2022, and 2267  
2268  
2269

\$25,370, for fiscal year 2023. 2270

(iii) \$27,000. 2271

The amount specified for fiscal year 2023 in division (A) 2272  
(13) (a) (ii) of this section shall increase in future fiscal 2273  
years by the same percentage that the statewide average base 2274  
cost per pupil increases in future fiscal years. 2275

The amounts specified for fiscal year 2023 in divisions 2276  
(A) (13) (a) (ii) (I) to (VI) of this section shall increase in 2277  
future fiscal years by the same percentage that the amounts 2278  
calculated by the general assembly for those categories of 2279  
special education services under division (A) (3) of this section 2280  
increase in future fiscal years. 2281

(b) Compute the sum of the amounts calculated under 2282  
division (A) (13) (a) of this section. 2283

(B) In any fiscal year, a funding unit that is a city, 2284  
local, or exempted village school district shall spend for 2285  
purposes that the department designates as approved for special 2286  
education and related services expenses at least the amount 2287  
calculated as follows: 2288

(The base cost per pupil calculated for the district for that 2289  
fiscal year X the total special education ADM) + (the district's 2290  
category one special education ADM X the multiple specified in 2291  
division (A) of section 3317.013 of the Revised Code X the 2292  
statewide average base cost per pupil) + (the district's 2293  
category two special education ADM X the multiple specified in 2294  
division (B) of section 3317.013 of the Revised Code X the 2295  
statewide average base cost per pupil) + (the district's 2296  
category three special education ADM X the multiple specified in 2297  
division (C) of section 3317.013 of the Revised Code X the 2298



statewide average base cost per pupil) + (the district's 2299  
category four special education ADM X the multiple specified in 2300  
division (D) of section 3317.013 of the Revised Code X the 2301  
statewide average base cost per pupil) + (the district's 2302  
category five special education ADM X the multiple specified in 2303  
division (E) of section 3317.013 of the Revised Code X the 2304  
statewide average base cost per pupil) + (the district's 2305  
category six special education ADM X the multiple specified in 2306  
division (F) of section 3317.013 of the Revised Code X the 2307  
statewide average base cost per pupil) 2308

The purposes approved by the department for special 2309  
education expenses shall include, but shall not be limited to, 2310  
identification of children with disabilities, compliance with 2311  
state rules governing the education of children with 2312  
disabilities and prescribing the continuum of program options 2313  
for children with disabilities, provision of speech language 2314  
pathology services, and the portion of the school district's 2315  
overall administrative and overhead costs that are attributable 2316  
to the district's special education student population. 2317

(C) A funding unit that is a city, local, or exempted 2318  
village school district shall spend the funds it receives under 2319  
division (A) (4) of this section in accordance with section 2320  
3317.25 of the Revised Code. 2321

(D) (1) Except as provided in division (B) of section 2322  
3317.026 of the Revised Code, the department shall distribute to 2323  
each community school established under Chapter 3314. of the 2324  
Revised Code and to each STEM school established under Chapter 2325  
3326. of the Revised Code, from the funds paid to the community 2326  
and STEM school unit under this section, an amount for each 2327  
student enrolled in the school equal to the sum of the 2328

following:	2329
(a) The school's base cost per pupil for that fiscal year, calculated as follows:	2330 2331
(i) For fiscal years 2022 and 2023:	2332
The aggregate base cost calculated for the school for that fiscal year under section 3317.0110 of the Revised Code / the number of students enrolled in the school for that fiscal year	2333 2334 2335
(ii) For fiscal year 2024 and each fiscal year thereafter, an amount determined by the general assembly under division (A) (1) (b) (ii) of this section divided by the number of students enrolled in the school for that fiscal year.	2336 2337 2338 2339
(b) If the student is a special education student:	2340
(i) For fiscal years 2022 and 2023, the multiple specified for the student's special education category under section 3317.013 of the Revised Code times the statewide average base cost per pupil;	2341 2342 2343 2344
(ii) For fiscal year 2024 and each fiscal year thereafter, the amount calculated for the student's special education category in a manner determined by the general assembly under division (A) (3) (b) of this section.	2345 2346 2347 2348
(c) If the school is not an internet- or computer-based community school and the student is economically disadvantaged:	2349 2350
(i) For fiscal years 2022 and 2023, the amount calculated for the student under division (A) (4) (b) (i) (I) of this section;	2351 2352
(ii) For fiscal year 2024 and each fiscal year thereafter, an amount calculated for the student in the manner determined by the general assembly under division (A) (4) (b) (ii) (I) of this	2353 2354 2355

section.	2356
(d) If the school is not an internet- or computer-based community school and the student is an English learner:	2357 2358
(i) For fiscal years 2022 and 2023, the multiple specified for the student's English learner category under section 3317.016 of the Revised Code times the statewide average base cost per pupil;	2359 2360 2361 2362
(ii) For fiscal year 2024 and each fiscal year thereafter, the amount calculated for the student's special education category in a manner determined by the general assembly under division (A) (5) (b) of this section.	2363 2364 2365 2366
(e) If the student is a career-technical education student:	2367 2368
(i) For fiscal years 2022 and 2023, the multiple specified for the student's career-technical education category under section 3317.014 of the Revised Code times the statewide average career-technical base cost per pupil;	2369 2370 2371 2372
(ii) For fiscal year 2024 and each fiscal year thereafter, the amount calculated for the student's career-technical education category in a manner determined by the general assembly under section 3317.014 of the Revised Code.	2373 2374 2375 2376
(f) If the student is a career-technical education student:	2377 2378
(i) For fiscal years 2022 and 2023, the multiple for career-technical associated services specified under section 3317.014 of the Revised Code times the statewide average career- technical base cost per pupil;	2379 2380 2381 2382
(ii) For fiscal year 2024 and each fiscal year thereafter,	2383

the amount calculated for career-technical associated services 2384  
in a manner determined by the general assembly under section 2385  
3317.014 of the Revised Code. 2386

(2) The department shall distribute to each community 2387  
school established under Chapter 3314. of the Revised Code and 2388  
to each STEM school established under Chapter 3326. of the 2389  
Revised Code, from the funds paid to the community and STEM 2390  
school unit under this section, an amount equal to the amount 2391  
calculated for the school under division (A) (9) of this section. 2392

(E) The department shall distribute to the parent of each 2393  
student for whom an educational choice scholarship is awarded 2394  
under section 3310.03 or 3310.032 of the Revised Code, or to the 2395  
student if at least eighteen years of age, from the funds paid 2396  
to the educational choice scholarship unit under this section, a 2397  
scholarship equal to the amount calculated for the student under 2398  
division (A) (10) (a) of this section. The scholarship shall be 2399  
distributed in monthly partial payments, and the department 2400  
shall proportionately reduce or terminate the payments for any 2401  
student who withdraws from a chartered nonpublic school prior to 2402  
the end of the school year. 2403

For purposes of divisions (E) and (F) of this section, in 2404  
the case of a student who is not living with the student's 2405  
parent, the department shall distribute the scholarship payments 2406  
to the student's guardian, legal custodian, kinship caregiver, 2407  
foster caregiver, or caretaker. For the purposes of this 2408  
division, "caretaker" has the same meaning as in section 2409  
3310.033 of the Revised Code, "kinship caregiver" has the same 2410  
meaning as in section 5101.85 of the Revised Code, and "foster 2411  
caregiver" has the same meaning as in section 5103.02 of the 2412  
Revised Code. 2413

(F) If a student is awarded a pilot project scholarship 2414  
under sections 3313.974 to 3313.979 of the Revised Code, the 2415  
department shall distribute to the parent of the student, if the 2416  
student is attending a registered private school as defined in 2417  
section 3313.974 of the Revised Code, or the student's school 2418  
district of attendance, if the scholarship is to be used for 2419  
payments to a public school in a school district adjacent to the 2420  
pilot project school district pursuant to section 3327.06 of the 2421  
Revised Code, a scholarship from the funds paid to the pilot 2422  
project scholarship unit under this section that is equal to the 2423  
amount calculated for the student under division (A) (11) (a) of 2424  
this section. 2425

In the case of a scholarship distributed to a student's 2426  
parent, the scholarship shall be distributed ~~from time to time~~ 2427  
~~in in monthly~~ partial payments. The scholarship amount shall be 2428  
proportionately reduced in the case of any such student who is 2429  
not enrolled in a registered private school, as that term is 2430  
defined in section 3313.974 of the Revised Code, for the entire 2431  
school year. ~~The first payment shall be made by the last day of~~ 2432  
~~November and shall equal one third of the estimated total amount~~ 2433  
~~that will be due to the parent for the school year.~~ 2434

In the case of a scholarship distributed to a student's 2435  
school district of attendance, the department shall, on behalf 2436  
of the student's parents, use the scholarship to make the 2437  
tuition payments required by section 3327.06 of the Revised Code 2438  
to the student's school district of attendance, except that, 2439  
notwithstanding sections 3323.13, 3323.14, and 3327.06 of the 2440  
Revised Code, the total payments in any school year shall not 2441  
exceed the scholarship amount calculated for the student under 2442  
division (A) (11) (a) of this section. 2443

(G) The department shall distribute to the parent of each student for whom an autism scholarship is awarded under section 3310.41 of the Revised Code, from the funds paid to the autism scholarship unit under this section, a scholarship equal to the amount calculated for the student under division (A) (12) (a) of this section. The scholarship shall be distributed from time to time in partial payments. The scholarship amount shall be proportionately reduced in the case of any student who is not enrolled in the special education program for which a scholarship was awarded under section 3310.41 of the Revised Code for the entire school year. The department shall make no payments to the parent of a student while any administrative or judicial mediation or proceedings with respect to the content of the student's individualized education program are pending.

(H) The department shall distribute to the parent of each student for whom a Jon Peterson special needs scholarship is awarded under sections 3310.51 to 3310.64 of the Revised Code, from the funds paid to the Jon Peterson special needs scholarship unit under this section, a scholarship equal to the amount calculated for the student under division (A) (13) (a) of this section. The scholarship shall be distributed in periodic payments, and the department shall proportionately reduce or terminate the payments for any student who is not enrolled in the special education program of an alternative public provider or a registered private provider, as those terms are defined in section 3310.51 of the Revised Code, for the entire school year.

(I) For fiscal years 2022 and 2023, a school district shall spend the funds it receives under division (A) (5) of this section only for services for English learners.

(J) For fiscal years 2022 and 2023, a school district

shall spend the funds it receives under division (A) (6) of this 2474  
section only for the identification of gifted students, gifted 2475  
coordinator services, gifted intervention specialist services, 2476  
other service providers approved by the department of education, 2477  
and gifted professional development. For fiscal years 2022 and 2478  
2023, if the department determines that a district is not in 2479  
compliance with this division, it shall reduce the district's 2480  
payments for that fiscal year under this chapter by an amount 2481  
equal to the amount paid to the district for that fiscal year 2482  
under division (A) (6) of this section that was not spent in 2483  
accordance with this division. 2484

**Sec. 3317.11.** (A) As used in this section: 2485

(1) For fiscal years 2022 and 2023, "base amount" is equal 2486  
to \$356,250. 2487

(2) For fiscal years 2022 and 2023, "funding base" means 2488  
the an amount paid to calculated by the department of education 2489  
that is equal to the amount an educational service center would 2490  
have received under Section 265.360 of H.B. 166 of the 133rd 2491  
general assembly for fiscal year 2020 using the student counts 2492  
of the school districts with which the service center has 2493  
service agreements for the fiscal year for which payments under 2494  
this section are being made. 2495

(3) For fiscal years 2022 and 2023, "general phase-in 2496  
percentage" for an educational service center means the "general 2497  
phase-in percentage" for school districts as defined in section 2498  
3317.02 of the Revised Code. 2499

(4) For fiscal years 2022 and 2023, "student count" means 2500  
the count calculated under division (G) (1) of section 3313.843 2501  
of the Revised Code. 2502

(B) (1) For fiscal years 2022 and 2023, the department of  
education shall pay the governing board of each educational  
service center an amount equal to the following:

The educational service center's funding base + [(the amount  
calculated for the educational service center for that fiscal  
year under division (C) of this section - the educational  
service center's funding base) X the educational service  
center's general phase-in percentage for that fiscal year]

(2) For fiscal year 2024 and each fiscal year thereafter,  
the department shall pay the governing board of each educational  
service center an amount calculated in a manner determined by  
the general assembly.

(C) For fiscal years 2022 and 2023, the department shall  
calculate an amount for each educational service center as  
follows:

(1) If the educational service center has a student count  
of 5,000 students or less, the base amount.

(2) If the educational service center has a student count  
greater than 5,000 students but less than or equal to 35,000  
students, the following sum:

The base amount + [(the educational service center's student  
count - 5,000) X \$24.72]

(3) If the educational service center has a student count  
greater than 35,000 students, the following sum:

The base amount + (30,000 X \$24.72) + [(the educational service  
center's student count - 35,000) X \$30.90]

**Sec. 3326.15.** Each science, technology, engineering, and  
mathematics school and its governing body shall comply with



~~section~~sections 3313.603 and 3313.6027 of the Revised Code as 2531  
if it were a school district. However, a STEM school may permit 2532  
a student to earn units of high school credit based on a 2533  
demonstration of subject area competency instead of or in 2534  
combination with completing hours of classroom instruction prior 2535  
to the adoption by the state board of education of the plan for 2536  
granting high school credit based on competency, as required by 2537  
division (J) of that section. Upon adoption of the plan, each 2538  
STEM school shall comply with that plan and award units of high 2539  
school credit in accordance with the plan. 2540

**Sec. 3328.22.** The educational program of a college- 2541  
preparatory boarding school established under this chapter shall 2542  
include at least all of the following: 2543

(A) A remedial curriculum for students in grades lower 2544  
than grade nine; 2545

(B) A college-preparatory curriculum for high school 2546  
students that, at a minimum, shall comply with ~~section~~sections 2547  
3313.603 and 3313.6027 of the Revised Code as that section 2548  
applies to school districts; 2549

(C) Extracurricular activities, including athletic and 2550  
cultural activities; 2551

(D) College admission counseling; 2552

(E) Health and mental health services; 2553

(F) Tutoring services; 2554

(G) Community services opportunities; 2555

(H) A residential student life program. 2556

**Sec. 5502.262.** (A) As used in this section: 2557

(1) "Administrator" means the superintendent, principal,	2558
chief administrative officer, or other person having supervisory	2559
authority of any of the following:	2560
(a) A city, exempted village, local, or joint vocational	2561
school district;	2562
(b) A community school established under Chapter 3314. of	2563
the Revised Code, as required through reference in division (A)	2564
(11) (d) of section 3314.03 of the Revised Code;	2565
(c) A STEM school established under Chapter 3326. of the	2566
Revised Code, as required through reference in section 3326.11	2567
of the Revised Code;	2568
(d) A college-preparatory boarding school established	2569
under Chapter 3328. of the Revised Code;	2570
(e) A district or school operating a career-technical	2571
education program approved by the department of education under	2572
section 3317.161 of the Revised Code;	2573
(f) A chartered nonpublic school;	2574
(g) An educational service center;	2575
(h) A preschool program or school-age child care program	2576
licensed by the department of education;	2577
(i) Any other facility that primarily provides educational	2578
services to children subject to regulation by the department of	2579
education.	2580
(2) "Emergency management test" means a regularly	2581
scheduled drill, exercise, or activity designed to assess and	2582
evaluate an emergency management plan under this section.	2583
(3) "Building" means any school, school building,	2584

facility, program, or center. 2585

(B) (1) Each administrator shall develop and adopt a 2586  
comprehensive emergency management plan, in accordance with 2587  
rules adopted pursuant to division (F) of this section, for each 2588  
building under the administrator's control. The administrator 2589  
shall examine the environmental conditions and operations of 2590  
each building to determine potential hazards to student and 2591  
staff safety and shall propose operating changes to promote the 2592  
prevention of potentially dangerous problems and circumstances. 2593  
In developing the plan for each building, the administrator 2594  
shall involve community law enforcement and safety officials, 2595  
parents of students who are assigned to the building, and 2596  
teachers and nonteaching employees who are assigned to the 2597  
building. The administrator shall incorporate remediation 2598  
strategies into the plan for any building where documented 2599  
safety problems have occurred. 2600

(2) Each administrator shall also incorporate into the 2601  
emergency management plan adopted under division (B) (1) of this 2602  
section all of the following: 2603

(a) A protocol for addressing serious threats to the 2604  
safety of property, students, employees, or administrators; 2605

(b) A protocol for responding to any emergency events that 2606  
occur and compromise the safety of property, students, 2607  
employees, or administrators. This protocol shall include, but 2608  
not be limited to, all of the following: 2609

(i) A floor plan that is unique to each floor of the 2610  
building; 2611

(ii) A site plan that includes all building property and 2612  
surrounding property; 2613

(iii) An emergency contact information sheet.	2614
(c) A threat assessment plan developed as prescribed in section 5502.263 of the Revised Code. A building may use the model plan developed by the department of public safety under that section;	2615 2616 2617 2618
(d) A protocol for school threat assessment teams established under section 3313.669 of the Revised Code.	2619 2620
(3) Each protocol described in division (B) of this section shall include procedures determined to be appropriate by the administrator for responding to threats and emergency events, respectively, including such things as notification of appropriate law enforcement personnel, calling upon specified emergency response personnel for assistance, and informing parents of affected students.	2621 2622 2623 2624 2625 2626 2627
Prior to the opening day of each school year, the administrator shall inform each student or child enrolled in the school and the student's or child's parent of the parental notification procedures included in the protocol.	2628 2629 2630 2631
(4) Each administrator shall keep a copy of the emergency management plan adopted pursuant to this section in a secure place.	2632 2633 2634
(C) (1) The administrator shall submit to the director of public safety, in accordance with rules adopted pursuant to division (F) of this section, an electronic copy of the emergency management plan prescribed by division (B) of this section not less than once every three years, whenever a major modification to the building requires changes in the procedures outlined in the plan, and whenever information on the emergency contact information sheet changes.	2635 2636 2637 2638 2639 2640 2641 2642

(2) The administrator also shall file a copy of the plan 2643  
with each law enforcement agency that has jurisdiction over the 2644  
school building and, upon request, to any of the following: 2645

(a) The fire department that serves the political 2646  
subdivision in which the building is located; 2647

(b) The emergency medical service organization that serves 2648  
the political subdivision in which the building is located; 2649

(c) The county emergency management agency for the county 2650  
in which the building is located. 2651

(3) Upon receipt of an emergency management plan, the 2652  
director shall post the information on the contact and 2653  
information management system and submit the information in 2654  
accordance with rules adopted pursuant to division (F) of this 2655  
section, to the attorney general, who shall post that 2656  
information on the Ohio law enforcement gateway or its 2657  
successor. 2658

(4) Any department or entity to which copies of an 2659  
emergency management plan are filed under this section shall 2660  
keep the copies in a secure place. 2661

(D) (1) Not later than the first day of July of each year, 2662  
each administrator shall review the emergency management plan 2663  
and certify to the director that the plan is current and 2664  
accurate. 2665

(2) Anytime that an administrator updates the emergency 2666  
management plan pursuant to division (C) (1) of this section, the 2667  
administrator shall file copies, not later than the tenth day 2668  
after the revision is adopted and in accordance with rules 2669  
adopted pursuant to division (F) of this section, to the 2670  
director and to any entity with which the administrator filed a 2671

copy under division (C) (2) of this section. 2672

(E) Each administrator shall do both of the following: 2673

(1) Prepare and conduct at least one annual emergency 2674  
management test, as defined in division (A) (2) of this section, 2675  
in accordance with rules adopted pursuant to division (F) of 2676  
this section; 2677

(2) Grant access to each building under the control of the 2678  
administrator to law enforcement personnel and to entities 2679  
described in division (C) (2) of this section, to enable the 2680  
personnel and entities to hold training sessions for responding 2681  
to threats and emergency events affecting the building, provided 2682  
that the access occurs outside of student instructional hours 2683  
and the administrator, or the administrator's designee, is 2684  
present in the building during the training sessions. 2685

(F) The director of public safety, in consultation with 2686  
representatives from the education community and in accordance 2687  
with Chapter 119. of the Revised Code, shall adopt rules 2688  
regarding emergency management plans under this section, 2689  
including the content of the plans and procedures for filing the 2690  
plans. The rules shall specify that plans and information 2691  
required under division (B) of this section be submitted on 2692  
standardized forms developed by the director for such purpose. 2693  
The rules shall also specify the requirements and procedures for 2694  
emergency management tests conducted pursuant to division (E) (1) 2695  
of this section. Failure to comply with the rules may result in 2696  
discipline pursuant to section 3319.31 of the Revised Code or 2697  
any other action against the administrator as prescribed by 2698  
rule. 2699

(G) Division (B) of section 3319.31 of the Revised Code 2700

applies to any administrator who is subject to the requirements 2701  
of this section and is not exempt under division (H) of this 2702  
section and who is an applicant for a license or holds a license 2703  
from the state board pursuant to section 3319.22 of the Revised 2704  
Code. 2705

(H) (1) The director may exempt any administrator from the 2706  
requirements of this section, if the director determines that 2707  
the requirements do not otherwise apply to a building or 2708  
buildings under the control of that administrator. 2709

(2) The director shall exempt from the requirements of 2710  
this section the administrator of an online learning school, 2711  
established under section 3302.42 of the Revised Code, unless 2712  
students of that school participate in in-person instruction or 2713  
assessments at a location that is not covered by an existing 2714  
emergency management plan, developed under this section as of 2715  
the effective date of this amendment. 2716

(I) Copies of the emergency management plan and 2717  
information required under division (B) of this section are 2718  
security records and are not public records pursuant to section 2719  
149.433 of the Revised Code. In addition, the information posted 2720  
to the contact and information management system, pursuant to 2721  
division (C) (3) (b) of this section, is exempt from public 2722  
disclosure or release in accordance with sections 149.43, 2723  
149.433, and 5502.03 of the Revised Code. 2724

Notwithstanding section 149.433 of the Revised Code, a 2725  
floor plan filed with the attorney general pursuant to this 2726  
section is not a public record to the extent it is a record kept 2727  
by the attorney general. 2728

**Section 2.** That existing sections 3301.079, 3302.03, 2729

3302.039, 3310.033, 3313.6412, 3314.03, 3314.262, 3317.022, 2730  
3317.11, 3326.15, 3328.22, and 5502.262 of the Revised Code are 2731  
hereby repealed. 2732

**Section 3.** (A) As used in this section: 2733

(1) "Chartered nonpublic school" means a nonpublic school 2734  
that holds a valid charter issued by the State Board of 2735  
Education under section 3301.16 of the Revised Code and meets 2736  
the standards established for such schools in rules adopted by 2737  
the State Board. 2738

(2) "Community school" means a community school 2739  
established under Chapter 3314. of the Revised Code that is not 2740  
an internet- or computer-based community school, as defined in 2741  
section 3314.02 of the Revised Code. 2742

(3) "School district" means a city, local, exempted 2743  
village, or joint vocational school district. 2744

(4) "STEM school" means a STEM school established under 2745  
Chapter 3326. of the Revised Code. 2746

(5) "Blended learning" has the same meaning as under 2747  
section 3301.079 of the Revised Code. 2748

(B) Notwithstanding any provision of the Revised Code to 2749  
the contrary, a school district board of education, a community 2750  
school governing authority with approval of the school's 2751  
sponsor, a STEM school governing body, or a chartered nonpublic 2752  
school governing authority may submit to the Department of 2753  
Education, not later than April 30, 2022, a declaration to 2754  
implement or discontinue use of a blended learning model during 2755  
the 2021-2022 school year. 2756

The decision to implement or rescind use of a blended 2757



learning model shall not be subject to approval by the 2758  
Department. 2759

(C) The Department shall post a list of districts, STEM, 2760  
community, and chartered nonpublic schools that have submitted 2761  
blended learning model declarations to the Department during the 2762  
2021-2022 school year on its web site. 2763

(D) For the 2021-2022 school year, a district or school 2764  
that implements a blended learning model for any portion of the 2765  
2021-2022 school year shall do all of the following: 2766

(1) Ensure that students have access to the internet and 2767  
to devices students may use to participate in online learning. 2768  
If a district or school determines that a student does not have 2769  
appropriate access to the internet or a device, the district or 2770  
school shall provide it at no cost to the student. Districts and 2771  
schools shall provide a filtering device or install filtering 2772  
software that protects against internet access to materials that 2773  
are obscene or harmful to juveniles on each computer provided to 2774  
students for instructional use. 2775

(2) Monitor and assess student achievement and progress 2776  
and provide additional services if necessary to improve student 2777  
achievement; 2778

(3) Periodically communicate with parents or guardians 2779  
regarding student progress; 2780

(4) Report quarterly to the Department, in a manner 2781  
determined by the Department the number of students 2782  
participating in blended learning and the duration of such 2783  
participation; 2784

(5) By May 15, 2022, report to the Department both of the 2785  
following: 2786

(a) The total number of students engaged in blended learning during the 2021-2022 school year by grade level;	2787 2788
(b) The total number of students with disabilities engaged in blended learning during the 2021-2022 school year.	2789 2790
(6) Comply with division (B) of section 3302.41 of the Revised Code.	2791 2792
(E) Notwithstanding anything to the contrary in the Revised Code, a community school that implements a blended learning model during the 2021-2022 school year shall:	2793 2794 2795
(1) Be considered as having met any requirements to receive state funds prescribed under Chapter 3314. or 3317. of the Revised Code;	2796 2797 2798
(2) Not later than June 30, 2022, complete any revisions or amendments due to the implementation or discontinuation of blended learning to the school's contract with its sponsor prescribed by section 3314.03 of the Revised Code;	2799 2800 2801 2802
(3) Not later than April 30, 2022, adopt or make any necessary revisions to school policies.	2803 2804
(F) (1) The Department shall do both of the following:	2805
(a) Not later than thirty days after the effective date of this section, develop standards and a template for district and school remediation plans. The standards for the plan shall require at least all of the following:	2806 2807 2808 2809
(i) Timelines and programs that the district or school is implementing to address loss of learning;	2810 2811
(ii) The length of time programs implemented under division (F) (1) (a) (i) of this section will be offered;	2812 2813

(iii) The method by which the district or school intends 2814  
to pay for the programs implemented under division (F) (1) (a) (i) 2815  
of this section. 2816

(b) Not later than one hundred sixty-five days after the 2817  
effective date of this section, compile the remediation plans 2818  
submitted under division (F) (2) of this section and submit a 2819  
report on the plans to the General Assembly in accordance with 2820  
section 101.68 of the Revised Code. 2821

(2) Not later than ninety days after the effective date of 2822  
this section, each school district, STEM school, and community 2823  
school shall complete and submit to the Department, in a manner 2824  
as determined by the Department, a remediation plan to address 2825  
the loss of learning students experienced as a result of the 2826  
COVID-19 pandemic and post the remediation plan on its web site. 2827

A school district, STEM school, or community school that 2828  
submitted to the Department an Extended Learning Plan prior to 2829  
April 1, 2021, as requested by the Governor or a Local Use of 2830  
Funds Plan prior to August 21, 2021, as a condition of receiving 2831  
American Rescue Plan Elementary and Secondary School Emergency 2832  
Relief Funds shall have satisfied the requirement of division 2833  
(F) (2) of this section. 2834

(G) For the 2021-2022 school year, the Department shall 2835  
not consider performance on the chronic absenteeism indicator 2836  
prescribed in section 3302.03 of the Revised Code in determining 2837  
whether a district or school is subject to any penalty or 2838  
sanction prescribed by state law for that school year. In 2839  
assigning performance ratings for the gap closing component for 2840  
districts and schools under division (D) (3) (a) of section 2841  
3302.03 of the Revised Code for the 2021-2022 school year, the 2842  
Department shall not include the chronic absenteeism indicator 2843

and shall reweight the other measures described in that division 2844  
accordingly. 2845

(H) Notwithstanding anything to the contrary in the 2846  
Revised Code or administrative rule, between July 1, 2021, and 2847  
June 30, 2022, an individual who holds a valid license issued by 2848  
a licensing board may, upon request from the student's parent or 2849  
guardian, provide services within the scope of practice 2850  
authorized under the license by electronic delivery method or 2851  
telehealth communication to any student participating in the 2852  
Autism Scholarship Program established under section 3310.41 of 2853  
the Revised Code or the Jon Peterson Special Needs Scholarship 2854  
Program established under section 3310.52 of the Revised Code, 2855  
or to any student who was enrolled in a public or chartered 2856  
nonpublic school and was receiving those services, regardless of 2857  
the method of delivery, prior to the effective date of this 2858  
section. 2859

No licensing board to which this section applies shall 2860  
take any disciplinary action against a license holder who 2861  
provides services to a student in accordance with this section, 2862  
including limiting, suspending, or revoking the person's license 2863  
or refusing to issue a license to the person, solely because the 2864  
license holder provided such services. 2865

**Section 4.** (A) As used in this section: 2866

(1) "Chartered nonpublic school" means a nonpublic school 2867  
that holds a valid charter issued by the state board of 2868  
education under section 3301.16 of the Revised Code and meets 2869  
the standards established for such schools in rules adopted by 2870  
the state board. 2871

(2) "Community school" means a community school 2872

established under Chapter 3314. of the Revised Code that is not 2873  
an internet- or computer-based community school, as defined in 2874  
section 3314.02 of the Revised Code. 2875

(3) "School district" means a city, local, exempted 2876  
village, or joint vocational school district. 2877

(4) "STEM school" means a STEM school established under 2878  
Chapter 3326. of the Revised Code. 2879

(5) "Remote learning" means synchronous and asynchronous 2880  
instruction and educational activities that take place when the 2881  
students and the teachers are not physically present in a 2882  
traditional classroom environment. 2883

(B) (1) Notwithstanding any provision of the Revised Code 2884  
to the contrary, a school district board of education, a 2885  
community school governing authority with approval of the 2886  
school's sponsor, a STEM school governing authority, or a 2887  
chartered nonpublic school governing authority may adopt a 2888  
resolution to continue to provide instruction using the school's 2889  
remote learning plan submitted under Section 16 of H.B. 164 of 2890  
the 133rd General Assembly for the remainder of the 2021-2022 2891  
school year to only those students whose parents or guardians 2892  
submit a written request to the principal of the school building 2893  
to which the student is assigned to specifically request the 2894  
option. 2895

No district or school that has adopted a plan under 2896  
section 3302.42 of the Revised Code prior to the effective date 2897  
of this section may adopt a resolution described under division 2898  
(B) (1) of this section. 2899

(2) A district or school that adopts a resolution in 2900  
accordance with division (B) (1) of this section shall, not later 2901

than December 15, 2021, notify the Department of Education of 2902  
that decision. The decision to continue to offer remote 2903  
instruction shall not be subject to approval by the Department. 2904

(C) The Department shall post a list of districts, STEM, 2905  
community, and chartered nonpublic schools continuing to operate 2906  
a remote learning plan for the 2021-2022 school year on its web 2907  
site. 2908

(D) For the 2021-2022 school year, a school or district 2909  
that continues to offer remote instruction shall update its 2910  
remote learning plan to do all of the following: 2911

(1) Meet all minimum school year requirements under 2912  
section 3314.03 or 3313.48 of the Revised Code; 2913

(2) Ensure that students have access to the internet and 2914  
to devices students may use to participate in online learning. 2915  
If a district or school determines that a student does not have 2916  
appropriate access to the internet or a device, the district or 2917  
school shall provide it at no cost to the student. Districts and 2918  
schools shall provide a filtering device or install filtering 2919  
software that protects against internet access to materials that 2920  
are obscene or harmful to juveniles on each computer provided to 2921  
students for instructional use; 2922

(3) Track and document all student remote learning 2923  
participation including online and offline activities; 2924

(4) Report student attendance based on student 2925  
participation; 2926

(5) Monitor and assess student achievement and progress 2927  
and provide additional services if necessary to improve student 2928  
achievement; 2929

(6) Periodically communicate with parents or guardians regarding student progress;	2930 2931
(7) Develop a statement describing the school's approach to addressing nonattendance and its compliance with truancy procedures and requirements;	2932 2933 2934
(8) Report to the Department of Education both of the following:	2935 2936
(a) The total number of students engaged in remote learning by grade level;	2937 2938
(b) The total number of students with disabilities engaged in remote learning.	2939 2940
(E) Each school or district that continues to offer remote instruction under this section shall make its remote learning plan publicly available on its web site and submit a copy to the Department.	2941 2942 2943 2944
(F) A community school or STEM school that continues to provide instruction under the remote learning plan shall be considered as having met any requirements to receive state funds prescribed under Chapter 3314., 3317., or 3326. of the Revised Code.	2945 2946 2947 2948 2949
<b>Section 5.</b> Not later than September 15, 2022, the Department of Education shall calculate and publish the four-year adjusted cohort graduation rate described in division (D) (2) (j) (ii) of section 3302.03 of the Revised Code and the total number of students in each cohort for all districts and buildings for the 2016-2017, 2017-2018, 2018-2019, 2019-2020, and 2020-2021 school years as reported-only data on the report card issued for the 2021-2022 school year.	2950 2951 2952 2953 2954 2955 2956 2957

**Section 6.** (A) Notwithstanding anything to the contrary in 2958  
the Revised Code, for the 2021-2022 school year only, a school 2959  
district that operates an online learning school under section 2960  
3302.42 of the Revised Code may permit a student who is in 2961  
quarantine due to possible exposure to a contagious disease to 2962  
participate in the online learning school for the duration of 2963  
that student's quarantine period. If permitted to participate in 2964  
the online learning school during that period, the quarantined 2965  
student shall not be considered to be enrolled in the online 2966  
learning school, but rather that student shall be enrolled in 2967  
the school the student would otherwise attend. 2968

(B) Once a student is in quarantine, the district or 2969  
school shall notify the student's parents or guardians of 2970  
available learning options for the duration of the student's 2971  
quarantine. 2972

**Section 7.** For the 2021-2022 school year, a school 2973  
district board of education, a community school governing 2974  
authority, a STEM school governing authority, and a chartered 2975  
nonpublic school governing authority shall report monthly to the 2976  
Department of Education, in the manner determined by the 2977  
Department, the number of students quarantined and the duration 2978  
of the quarantine due to exposure to a contagious disease. 2979

**Section 8.** Notwithstanding anything to the contrary in the 2980  
Revised Code, no school district, community school, or STEM 2981  
school and no chartered nonpublic school that is subject to 2982  
section 3301.163 of the Revised Code shall retain a student in 2983  
the third grade under that section or section 3313.608 of the 2984  
Revised Code based solely on a student's academic performance in 2985  
reading in the 2021-2022 school year. If the principal of the 2986  
school building in which a student is enrolled and the student's 2987



reading teacher, in consultation with the student's parent or 2988  
guardian, agree that the student is reading below grade level 2989  
and is not prepared to be promoted to the fourth grade, a 2990  
student in the third grade may be retained. 2991

If a third-grade student's academic performance in reading 2992  
in the 2021-2022 school year is below grade level but the 2993  
student's building principal and reading teacher, in 2994  
consultation with the student's parent or guardian, agree that 2995  
the student is prepared to be promoted to the fourth grade, the 2996  
student shall be promoted. 2997

Each school district, community school, and STEM school 2998  
and each chartered nonpublic school subject to section 3301.163 2999  
of the Revised Code shall notify the parent or guardian of each 3000  
student who does not meet the level of achievement designated by 3001  
the State Board of Education under division (A) (3) of section 3002  
3301.0710 of the Revised Code and describe the district's or 3003  
school's remediation plan to improve the student's academic 3004  
performance in reading. 3005

**Section 9.** Section 3314.03 of the Revised Code as 3006  
presented in this act takes effect on the later of January 27, 3007  
2022, or the effective date of this section. (January 27, 2022, 3008  
is the effective date of an earlier amendment to that section by 3009  
S.B. 1 of the 134th General Assembly.) 3010

**Section 10.** This act is hereby declared to be an emergency 3011  
measure necessary for the immediate preservation of public 3012  
peace, health, and safety. The reason for such necessity is to 3013  
ensure that flexible blended and remote learning options may be 3014  
offered by schools and the exception to retention under the 3015  
Third Grade Reading Guarantee are effective as soon as possible 3016  
for the remainder of the 2021-2022 school year. Therefore, this 3017

act shall go into immediate effect.

3018