

As Reported by the House Primary and Secondary Education Committee

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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

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
<u>learning and includes noncomputer-based learning opportunities.</u>	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;	576 577 578 579
(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.	580 581 582 583 584 585 586 587 588 589 590 591
(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;	592 593 594
(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;	595 596 597
(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;	598 599 600 601 602
(g) The results of the college and career-ready assessments administered under division (B) (1) of section	603 604

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 ~~2020-2021-2022-2023~~ 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	2019
ADM X the multiple specified in division (D) of section 3317.013	2020
of the Revised Code X the statewide average base cost per pupil	2021
for that fiscal year X if the funding unit is a city, local, or	2022
exempted village school district, the district's state share	2023
percentage;	2024
(v) The funding unit's category five special education ADM	2025
X the multiple specified in division (E) of section 3317.013 of	2026
the Revised Code X the statewide average base cost per pupil for	2027
that fiscal year X if the funding unit is a city, local, or	2028
exempted village school district, the district's state share	2029
percentage;	2030
(vi) The funding unit's category six special education ADM	2031
X the multiple specified in division (F) of section 3317.013 of	2032
the Revised Code X the statewide average base cost per pupil for	2033
that fiscal year X if the funding unit is a city, local, or	2034
exempted village school district, the district's state share	2035
percentage.	2036
(b) For fiscal year 2024 and each fiscal year thereafter,	2037
the sum of the following:	2038
(i) An amount calculated in a manner determined by the	2039
general assembly times the funding unit's category one special	2040
education ADM;	2041
(ii) An amount calculated in a manner determined by the	2042
general assembly times the funding unit's category two special	2043
education ADM;	2044
(iii) An amount calculated in a manner determined by the	2045
general assembly times the funding unit's category three special	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,	2330
calculated as follows:	2331
(i) For fiscal years 2022 and 2023:	2332
The aggregate base cost calculated for the school for that	2333
fiscal year under section 3317.0110 of the Revised Code / the	2334
number of students enrolled in the school for that fiscal year	2335
(ii) For fiscal year 2024 and each fiscal year thereafter,	2336
an amount determined by the general assembly under division (A)	2337
(1) (b) (ii) of this section divided by the number of students	2338
enrolled in the school for that fiscal year.	2339
(b) If the student is a special education student:	2340
(i) For fiscal years 2022 and 2023, the multiple specified	2341
for the student's special education category under section	2342
3317.013 of the Revised Code times the statewide average base	2343
cost per pupil;	2344
(ii) For fiscal year 2024 and each fiscal year thereafter,	2345
the amount calculated for the student's special education	2346
category in a manner determined by the general assembly under	2347
division (A) (3) (b) of this section.	2348
(c) If the school is not an internet- or computer-based	2349
community school and the student is economically disadvantaged:	2350
(i) For fiscal years 2022 and 2023, the amount calculated	2351
for the student under division (A) (4) (b) (i) (I) of this section;	2352
(ii) For fiscal year 2024 and each fiscal year thereafter,	2353
an amount calculated for the student in the manner determined by	2354
the general assembly under division (A) (4) (b) (ii) (I) of this	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	2930
regarding student progress;	2931
(7) Develop a statement describing the school's approach	2932
to addressing nonattendance and its compliance with truancy	2933
procedures and requirements;	2934
(8) Report to the Department of Education both of the	2935
following:	2936
(a) The total number of students engaged in remote	2937
learning by grade level;	2938
(b) The total number of students with disabilities engaged	2939
in remote learning.	2940
(E) Each school or district that continues to offer remote	2941
instruction under this section shall make its remote learning	2942
plan publicly available on its web site and submit a copy to the	2943
Department.	2944
(F) A community school or STEM school that continues to	2945
provide instruction under the remote learning plan shall be	2946
considered as having met any requirements to receive state funds	2947
prescribed under Chapter 3314., 3317., or 3326. of the Revised	2948
Code.	2949
Section 5. Not later than September 15, 2022, the	2950
Department of Education shall calculate and publish the four-	2951
year adjusted cohort graduation rate described in division (D)	2952
(2) (j) (ii) of section 3302.03 of the Revised Code and the total	2953
number of students in each cohort for all districts and	2954
buildings for the 2016-2017, 2017-2018, 2018-2019, 2019-2020,	2955
and 2020-2021 school years as reported-only data on the report	2956
card issued for the 2021-2022 school year.	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 guardian, agree that the student is reading below grade level and is not prepared to be promoted to the fourth grade, a student in the third grade may be retained.

If a third-grade student's academic performance in reading in the 2021-2022 school year is below grade level but the principal of the school building in which the student is enrolled and the student's reading teacher agree the student is prepared to be promoted to the fourth grade, the student shall be promoted.

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

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

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

act shall go into immediate effect.

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