

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

134th General Assembly

**Regular Session
2021-2022**

Sub. S. B. No. 229

Senator Blessing

Cosponsor: Senator Brenner

A BILL

To amend sections 3301.079, 3302.03, 3302.039, 1
3313.6412, 3314.262, and 5502.262 and to enact 2
section 3313.174 of the Revised Code with regard 3
to the use of blended or remote learning during 4
the 2021-2022 school year, the state report 5
card, the sale of real property leased to 6
certain schools, emergency management plans, the 7
withdrawal of untested students from internet- 8
or computer-based schools, and to declare an 9
emergency. 10

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

Section 1. That sections 3301.079, 3302.03, 3302.039, 11
3313.6412, 3314.262, and 5502.262 be amended and section 12
3313.174 of the Revised Code be enacted to read as follows: 13

Sec. 3301.079. (A) (1) The state board of education 14
periodically shall adopt statewide academic standards with 15
emphasis on coherence, focus, and essential knowledge and that 16
are more challenging and demanding when compared to 17
international standards for each of grades kindergarten through 18

twelve in English language arts, mathematics, science, and	19
social studies.	20
(a) The state board shall ensure that the standards do all	21
of the following:	22
(i) Include the essential academic content and skills that	23
students are expected to know and be able to do at each grade	24
level that will allow each student to be prepared for	25
postsecondary instruction and the workplace for success in the	26
twenty-first century;	27
(ii) Include the development of skill sets that promote	28
information, media, and technological literacy;	29
(iii) Include interdisciplinary, project-based, real-world	30
learning opportunities;	31
(iv) Instill life-long learning by providing essential	32
knowledge and skills based in the liberal arts tradition, as	33
well as science, technology, engineering, mathematics, and	34
career-technical education;	35
(v) Be clearly written, transparent, and understandable by	36
parents, educators, and the general public.	37
(b) Not later than July 1, 2012, the state board shall	38
incorporate into the social studies standards for grades four to	39
twelve academic content regarding the original texts of the	40
Declaration of Independence, the Northwest Ordinance, the	41
Constitution of the United States and its amendments, with	42
emphasis on the Bill of Rights, and the Ohio Constitution, and	43
their original context. The state board shall revise the model	44
curricula and achievement assessments adopted under divisions	45
(B) and (C) of this section as necessary to reflect the	46
additional American history and American government content. The	47

state board shall make available a list of suggested grade- 48
appropriate supplemental readings that place the documents 49
prescribed by this division in their historical context, which 50
teachers may use as a resource to assist students in reading the 51
documents within that context. 52

(c) When the state board adopts or revises academic 53
content standards in social studies, American history, American 54
government, or science under division (A) (1) of this section, 55
the state board shall develop such standards independently and 56
not as part of a multistate consortium. 57

(2) After completing the standards required by division 58
(A) (1) of this section, the state board shall adopt standards 59
and model curricula for instruction in technology, financial 60
literacy and entrepreneurship, fine arts, and foreign language 61
for grades kindergarten through twelve. The standards shall meet 62
the same requirements prescribed in division (A) (1) (a) of this 63
section. 64

(3) The state board shall adopt the most recent standards 65
developed by the national association for sport and physical 66
education for physical education in grades kindergarten through 67
twelve or shall adopt its own standards for physical education 68
in those grades and revise and update them periodically. 69

The department of education shall employ a full-time 70
physical education coordinator to provide guidance and technical 71
assistance to districts, community schools, and STEM schools in 72
implementing the physical education standards adopted under this 73
division. The superintendent of public instruction shall 74
determine that the person employed as coordinator is qualified 75
for the position, as demonstrated by possessing an adequate 76
combination of education, license, and experience. 77

(4) Not later than one year after ~~the effective date of~~ 78
~~this amendment~~ September 30, 2021, the state board shall update 79
the standards and model curriculum for instruction in computer 80
science in grades kindergarten through twelve, which shall 81
include standards for introductory and advanced computer science 82
courses in grades nine through twelve. When developing the 83
standards and curriculum, the state board shall consider 84
recommendations from computer science education stakeholder 85
groups, including teachers and representatives from higher 86
education, industry, computer science organizations in Ohio, and 87
national computer science organizations. 88

Any district or school may utilize the computer science 89
standards or model curriculum or any part thereof adopted 90
pursuant to division (A) (4) of this section. However, no 91
district or school shall be required to utilize all or any part 92
of the standards or curriculum. 93

(5) When academic standards have been completed for any 94
subject area required by this section, the state board shall 95
inform all school districts, all community schools established 96
under Chapter 3314. of the Revised Code, all STEM schools 97
established under Chapter 3326. of the Revised Code, and all 98
nonpublic schools required to administer the assessments 99
prescribed by sections 3301.0710 and 3301.0712 of the Revised 100
Code of the content of those standards. Additionally, upon 101
completion of any academic standards under this section, the 102
department shall post those standards on the department's web 103
site. 104

(B) (1) The state board shall adopt a model curriculum for 105
instruction in each subject area for which updated academic 106
standards are required by division (A) (1) of this section and 107

for each of grades kindergarten through twelve that is 108
sufficient to meet the needs of students in every community. The 109
model curriculum shall be aligned with the standards, to ensure 110
that the academic content and skills specified for each grade 111
level are taught to students, and shall demonstrate vertical 112
articulation and emphasize coherence, focus, and rigor. When any 113
model curriculum has been completed, the state board shall 114
inform all school districts, community schools, and STEM schools 115
of the content of that model curriculum. 116

(2) Not later than June 30, 2013, the state board, in 117
consultation with any office housed in the governor's office 118
that deals with workforce development, shall adopt model 119
curricula for grades kindergarten through twelve that embed 120
career connection learning strategies into regular classroom 121
instruction. 122

(3) All school districts, community schools, and STEM 123
schools may utilize the state standards and the model curriculum 124
established by the state board, together with other relevant 125
resources, examples, or models to ensure that students have the 126
opportunity to attain the academic standards. Upon request, the 127
department shall provide technical assistance to any district, 128
community school, or STEM school in implementing the model 129
curriculum. 130

Nothing in this section requires any school district to 131
utilize all or any part of a model curriculum developed under 132
this section. 133

(C) The state board shall develop achievement assessments 134
aligned with the academic standards and model curriculum for 135
each of the subject areas and grade levels required by divisions 136
(A) (1) and (B) (1) of section 3301.0710 of the Revised Code. 137

When any achievement assessment has been completed, the 138
state board shall inform all school districts, community 139
schools, STEM schools, and nonpublic schools required to 140
administer the assessment of its completion, and the department 141
shall make the achievement assessment available to the districts 142
and schools. 143

(D) (1) The state board shall adopt a diagnostic assessment 144
aligned with the academic standards and model curriculum for 145
each of grades kindergarten through two in reading, writing, and 146
mathematics and for grade three in reading and writing. The 147
diagnostic assessment shall be designed to measure student 148
comprehension of academic content and mastery of related skills 149
for the relevant subject area and grade level. Any diagnostic 150
assessment shall not include components to identify gifted 151
students. Blank copies of diagnostic assessments shall be public 152
records. 153

(2) When each diagnostic assessment has been completed, 154
the state board shall inform all school districts of its 155
completion and the department shall make the diagnostic 156
assessment available to the districts at no cost to the 157
district. 158

(3) School districts shall administer the diagnostic 159
assessment pursuant to section 3301.0715 of the Revised Code 160
beginning the first school year following the development of the 161
assessment. 162

However, beginning with the 2017-2018 school year, both of 163
the following shall apply: 164

(a) In the case of the diagnostic assessments for grades 165
one or two in writing or mathematics or for grade three in 166

writing, a school district shall not be required to administer 167
any such assessment, but may do so at the discretion of the 168
district board; 169

(b) In the case of any diagnostic assessment that is not 170
for the grade levels and subject areas specified in division (D) 171
(3) (a) of this section, each school district shall administer 172
the assessment in the manner prescribed by section 3301.0715 of 173
the Revised Code. 174

(E) The state board shall not adopt a diagnostic or 175
achievement assessment for any grade level or subject area other 176
than those specified in this section. 177

(F) Whenever the state board or the department consults 178
with persons for the purpose of drafting or reviewing any 179
standards, diagnostic assessments, achievement assessments, or 180
model curriculum required under this section, the state board or 181
the department shall first consult with parents of students in 182
kindergarten through twelfth grade and with active Ohio 183
classroom teachers, other school personnel, and administrators 184
with expertise in the appropriate subject area. Whenever 185
practicable, the state board and department shall consult with 186
teachers recognized as outstanding in their fields. 187

If the department contracts with more than one outside 188
entity for the development of the achievement assessments 189
required by this section, the department shall ensure the 190
interchangeability of those assessments. 191

(G) Whenever the state board adopts standards or model 192
curricula under this section, the department also shall provide 193
information on the use of blended, online, or digital learning 194
in the delivery of the standards or curricula to students in 195

accordance with division (A) (5) of this section.	196
(H) The fairness sensitivity review committee, established	197
by rule of the state board of education, shall not allow any	198
question on any achievement or diagnostic assessment developed	199
under this section or any proficiency test prescribed by former	200
section 3301.0710 of the Revised Code, as it existed prior to	201
September 11, 2001, to include, be written to promote, or	202
inquire as to individual moral or social values or beliefs. The	203
decision of the committee shall be final. This section does not	204
create a private cause of action.	205
(I) Not later than sixty days prior to the adoption by the	206
state board of updated academic standards under division (A) (1)	207
of this section or updated model curricula under division (B) (1)	208
of this section, the superintendent of public instruction shall	209
present the academic standards or model curricula, as	210
applicable, in person at a public hearing of the respective	211
committees of the house of representatives and senate that	212
consider education legislation.	213
(J) As used in this section:	214
(1) "Blended learning" means the delivery of instruction	215
in a combination of time primarily in a supervised physical	216
location away from home and online delivery whereby the student	217
has some element of control over time, place, path, or pace of	218
<u>learning and includes noncomputer-based learning opportunities.</u>	219
(2) "Online learning" means students work primarily from	220
their residences on assignments delivered via an internet- or	221
other computer-based instructional method.	222
(3) "Coherence" means a reflection of the structure of the	223
discipline being taught.	224

(4) "Digital learning" means learning facilitated by 225
technology that gives students some element of control over 226
time, place, path, or pace of learning. 227

(5) "Focus" means limiting the number of items included in 228
a curriculum to allow for deeper exploration of the subject 229
matter. 230

(6) "Vertical articulation" means key academic concepts 231
and skills associated with mastery in particular content areas 232
should be articulated and reinforced in a developmentally 233
appropriate manner at each grade level so that over time 234
students acquire a depth of knowledge and understanding in the 235
core academic disciplines. 236

Sec. 3302.03. Not later than the thirty-first day of July 237
of each year, the department of education shall submit 238
preliminary report card data for overall academic performance 239
and for each separate performance measure for each school 240
district, and each school building, in accordance with this 241
section. 242

Annually, not later than the fifteenth day of September or 243
the preceding Friday when that day falls on a Saturday or 244
Sunday, the department shall assign a letter grade or 245
performance rating for overall academic performance and for each 246
separate performance measure for each school district, and each 247
school building in a district, in accordance with this section. 248
The state board of education shall adopt rules pursuant to 249
Chapter 119. of the Revised Code to implement this section. The 250
state board's rules shall establish performance criteria for 251
each letter grade or performance rating and prescribe a method 252
by which the department assigns each letter grade or performance 253
rating. For a school building to which any of the performance 254

measures do not apply, due to grade levels served by the building, the department shall designate the performance measures that are applicable to the building and that must be calculated separately and used to calculate the building's overall grade or performance rating. The department shall issue annual report cards reflecting the performance of each school district, each building within each district, and for the state as a whole using the performance measures and letter grade or performance rating system described in this section. The department shall include on the report card for each district and each building within each district the most recent two-year trend data in student achievement for each subject and each grade.

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

(a) Annual measurable objectives;

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

(c) The extent to which the school district or building meets each of the applicable performance indicators established by the state board under section 3302.02 of the Revised Code and the percentage of applicable performance indicators that have been achieved. In adopting benchmarks for assigning letter

grades under division (A) (1) (c) of this section, the state board	285
shall designate ninety per cent or higher for an "A."	286
(d) The four- and five-year adjusted cohort graduation	287
rates.	288
In adopting benchmarks for assigning letter grades under	289
division (A) (1) (d), (B) (1) (d), or (C) (1) (d) of this section, the	290
department shall designate a four-year adjusted cohort	291
graduation rate of ninety-three per cent or higher for an "A"	292
and a five-year cohort graduation rate of ninety-five per cent	293
or higher for an "A."	294
(e) The overall score under the value-added progress	295
dimension of a school district or building, for which the	296
department shall use up to three years of value-added data as	297
available. The letter grade assigned for this growth measure	298
shall be as follows:	299
(i) A score that is at least one standard error of measure	300
above the mean score shall be designated as an "A."	301
(ii) A score that is less than one standard error of	302
measure above but greater than one standard error of measure	303
below the mean score shall be designated as a "B."	304
(iii) A score that is less than or equal to one standard	305
error of measure below the mean score but greater than two	306
standard errors of measure below the mean score shall be	307
designated as a "C."	308
(iv) A score that is less than or equal to two standard	309
errors of measure below the mean score but is greater than three	310
standard errors of measure below the mean score shall be	311
designated as a "D."	312

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

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

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

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

At least forty-five days prior to the state board's adoption of rules to prescribe the methods by which the performance measures under division (A) (1) of this section shall be assessed and assigned a letter grade, the department shall conduct a public presentation before the standing committees of the house of representatives and the senate that consider

education legislation describing such methods, including 343
performance benchmarks. 344

(3) There shall not be an overall letter grade for a 345
school district or building for the 2012-2013 school year. 346

(B) (1) For the 2013-2014 school year, the department shall 347
issue grades as described in division (F) of this section for 348
each of the following performance measures: 349

(a) Annual measurable objectives; 350

(b) Performance index score for a school district or 351
building. Grades shall be awarded as a percentage of the total 352
possible points on the performance index system as created by 353
the department. In adopting benchmarks for assigning letter 354
grades under division (B) (1) (b) of this section, the state board 355
shall designate ninety per cent or higher for an "A," at least 356
seventy per cent but not more than eighty per cent for a "C," 357
and less than fifty per cent for an "F." 358

(c) The extent to which the school district or building 359
meets each of the applicable performance indicators established 360
by the state board under section 3302.03 of the Revised Code and 361
the percentage of applicable performance indicators that have 362
been achieved. In adopting benchmarks for assigning letter 363
grades under division (B) (1) (c) of this section, the state board 364
shall designate ninety per cent or higher for an "A." 365

(d) The four- and five-year adjusted cohort graduation 366
rates; 367

(e) The overall score under the value-added progress 368
dimension of a school district or building, for which the 369
department shall use up to three years of value-added data as 370
available. 371

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

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

(h) For a high mobility school district or building, an additional value-added progress dimension score. For this

measure, the department shall use value-added data from the most 403
recent school year available and shall use assessment scores for 404
only those students to whom the district or building has 405
administered the assessments prescribed by section 3301.0710 of 406
the Revised Code for each of the two most recent consecutive 407
school years. 408

As used in this division, "high mobility school district 409
or building" means a school district or building where at least 410
twenty-five per cent of its total enrollment is made up of 411
students who have attended that school district or building for 412
less than one year. 413

(2) In addition to the graded measures in division (B) (1) 414
of this section, the department shall include on a school 415
district's or building's report card all of the following 416
without an assigned letter grade: 417

(a) The percentage of students enrolled in a district or 418
building participating in advanced placement classes and the 419
percentage of those students who received a score of three or 420
better on advanced placement examinations; 421

(b) The number of a district's or building's students who 422
have earned at least three college credits through dual 423
enrollment or advanced standing programs, such as the post- 424
secondary enrollment options program under Chapter 3365. of the 425
Revised Code and state-approved career-technical courses offered 426
through dual enrollment or statewide articulation, that appear 427
on a student's transcript or other official document, either of 428
which is issued by the institution of higher education from 429
which the student earned the college credit. The credits earned 430
that are reported under divisions (B) (2) (b) and (C) (2) (c) of 431
this section shall not include any that are remedial or 432

developmental and shall include those that count toward the 433
curriculum requirements established for completion of a degree. 434

(c) The percentage of students enrolled in a district or 435
building who have taken a national standardized test used for 436
college admission determinations and the percentage of those 437
students who are determined to be remediation-free in accordance 438
with standards adopted under division (F) of section 3345.061 of 439
the Revised Code; 440

(d) The percentage of the district's or the building's 441
students who receive industry-recognized credentials as approved 442
under section 3313.6113 of the Revised Code. 443

(e) The percentage of students enrolled in a district or 444
building who are participating in an international baccalaureate 445
program and the percentage of those students who receive a score 446
of four or better on the international baccalaureate 447
examinations. 448

(f) The percentage of the district's or building's 449
students who receive an honors diploma under division (B) of 450
section 3313.61 of the Revised Code. 451

(3) Not later than December 31, 2013, the state board 452
shall adopt rules in accordance with Chapter 119. of the Revised 453
Code that prescribe the methods by which the performance 454
measures under divisions (B) (1) (f) and (B) (1) (g) of this section 455
will be assessed and assigned a letter grade, including 456
performance benchmarks for each grade. 457

At least forty-five days prior to the state board's 458
adoption of rules to prescribe the methods by which the 459
performance measures under division (B) (1) of this section shall 460
be assessed and assigned a letter grade, the department shall 461

conduct a public presentation before the standing committees of 462
the house of representatives and the senate that consider 463
education legislation describing such methods, including 464
performance benchmarks. 465

(4) There shall not be an overall letter grade for a 466
school district or building for the 2013-2014, 2014-2015, 2015- 467
2016, and 2016-2017 school years. 468

(C) (1) For the 2014-2015, 2015-2016, 2016-2017, 2017-2018, 469
2018-2019, 2019-2020, and 2020-2021 school years, the department 470
shall issue grades as described in division (F) of this section 471
for each of the performance measures prescribed in division (C) 472
(1) of this section. The graded measures are as follows: 473

(a) Annual measurable objectives. For the 2017-2018 school 474
year, the department shall not include any subgroup data in the 475
annual measurable objectives that includes data from fewer than 476
twenty-five students. For the 2018-2019 school year, the 477
department shall not include any subgroup data in the annual 478
measurable objectives that includes data from fewer than twenty 479
students. Beginning with the 2019-2020 school year, the 480
department shall not include any subgroup data in the annual 481
measurable objectives that includes data from fewer than fifteen 482
students. 483

(b) Performance index score for a school district or 484
building. Grades shall be awarded as a percentage of the total 485
possible points on the performance index system as created by 486
the department. In adopting benchmarks for assigning letter 487
grades under division (C) (1) (b) of this section, the state board 488
shall designate ninety per cent or higher for an "A," at least 489
seventy per cent but not more than eighty per cent for a "C," 490
and less than fifty per cent for an "F." 491

(c) The extent to which the school district or building 492
meets each of the applicable performance indicators established 493
by the state board under section 3302.03 of the Revised Code and 494
the percentage of applicable performance indicators that have 495
been achieved. In adopting benchmarks for assigning letter 496
grades under division (C) (1) (c) of this section, the state board 497
shall designate ninety per cent or higher for an "A." 498

(d) The four- and five-year adjusted cohort graduation 499
rates; 500

(e) The overall score under the value-added progress 501
dimension, or another measure of student academic progress if 502
adopted by the state board, of a school district or building, 503
for which the department shall use up to three years of value- 504
added data as available. 505

In adopting benchmarks for assigning letter grades for 506
overall score on value-added progress dimension under division 507
(C) (1) (e) of this section, the state board shall prohibit the 508
assigning of a grade of "A" for that measure unless the 509
district's or building's grade assigned for value-added progress 510
dimension for all subgroups under division (C) (1) (f) of this 511
section is a "C" or higher. 512

For the metric prescribed by division (C) (1) (e) of this 513
section, the state board may adopt a student academic progress 514
measure to be used instead of the value-added progress 515
dimension. If the state board adopts such a measure, it also 516
shall prescribe a method for assigning letter grades for the new 517
measure that is comparable to the method prescribed in division 518
(A) (1) (e) of this section. 519

(f) The value-added progress dimension score of a school 520

district or building disaggregated for each of the following 521
subgroups: students identified as gifted in superior cognitive 522
ability and specific academic ability fields under Chapter 3324. 523
of the Revised Code, students with disabilities, and students 524
whose performance places them in the lowest quintile for 525
achievement on a statewide basis, as determined by a method 526
prescribed by the state board. Each subgroup shall be a separate 527
graded measure. 528

The state board may adopt student academic progress 529
measures to be used instead of the value-added progress 530
dimension. If the state board adopts such measures, it also 531
shall prescribe a method for assigning letter grades for the new 532
measures that is comparable to the method prescribed in division 533
(A) (1) (e) of this section. 534

(g) Whether a school district or building is making 535
progress in improving literacy in grades kindergarten through 536
three, as determined using a method prescribed by the state 537
board. The state board shall adopt rules to prescribe benchmarks 538
and standards for assigning grades to a district or building for 539
purposes of division (C) (1) (g) of this section. The state board 540
shall designate for a "C" grade a value that is not lower than 541
the statewide average value for this measure. No grade shall be 542
issued under division (C) (1) (g) of this section for a district 543
or building in which less than five per cent of students have 544
scored below grade level on the kindergarten diagnostic 545
assessment under division (B) (1) of section 3313.608 of the 546
Revised Code. 547

(h) For a high mobility school district or building, an 548
additional value-added progress dimension score. For this 549
measure, the department shall use value-added data from the most 550

recent school year available and shall use assessment scores for 551
only those students to whom the district or building has 552
administered the assessments prescribed by section 3301.0710 of 553
the Revised Code for each of the two most recent consecutive 554
school years. 555

As used in this division, "high mobility school district 556
or building" means a school district or building where at least 557
twenty-five per cent of its total enrollment is made up of 558
students who have attended that school district or building for 559
less than one year. 560

(2) In addition to the graded measures in division (C) (1) 561
of this section, the department shall include on a school 562
district's or building's report card all of the following 563
without an assigned letter grade: 564

(a) The percentage of students enrolled in a district or 565
building who have taken a national standardized test used for 566
college admission determinations and the percentage of those 567
students who are determined to be remediation-free in accordance 568
with the standards adopted under division (F) of section 569
3345.061 of the Revised Code; 570

(b) The percentage of students enrolled in a district or 571
building participating in advanced placement classes and the 572
percentage of those students who received a score of three or 573
better on advanced placement examinations; 574

(c) The percentage of a district's or building's students 575
who have earned at least three college credits through advanced 576
standing programs, such as the college credit plus program under 577
Chapter 3365. of the Revised Code and state-approved career- 578
technical courses offered through dual enrollment or statewide 579

articulation, that appear on a student's college transcript 580
issued by the institution of higher education from which the 581
student earned the college credit. The credits earned that are 582
reported under divisions (B) (2) (b) and (C) (2) (c) of this section 583
shall not include any that are remedial or developmental and 584
shall include those that count toward the curriculum 585
requirements established for completion of a degree. 586

(d) The percentage of the district's or building's 587
students who receive an honor's diploma under division (B) of 588
section 3313.61 of the Revised Code; 589

(e) The percentage of the district's or building's 590
students who receive industry-recognized credentials as approved 591
under section 3313.6113 of the Revised Code; 592

(f) The percentage of students enrolled in a district or 593
building who are participating in an international baccalaureate 594
program and the percentage of those students who receive a score 595
of four or better on the international baccalaureate 596
examinations; 597

(g) The results of the college and career-ready 598
assessments administered under division (B) (1) of section 599
3301.0712 of the Revised Code; 600

(h) Whether the school district or building has 601
implemented a positive behavior intervention and supports 602
framework in compliance with the requirements of section 3319.46 603
of the Revised Code, notated as a "yes" or "no" answer. 604

(3) The state board shall adopt rules pursuant to Chapter 605
119. of the Revised Code that establish a method to assign an 606
overall grade for a school district or school building for the 607
2017-2018 school year and each school year thereafter. The rules 608

shall group the performance measures in divisions (C) (1) and (2) 609
of this section into the following components: 610

(a) Gap closing, which shall include the performance 611
measure in division (C) (1) (a) of this section; 612

(b) Achievement, which shall include the performance 613
measures in divisions (C) (1) (b) and (c) of this section; 614

(c) Progress, which shall include the performance measures 615
in divisions (C) (1) (e) and (f) of this section; 616

(d) Graduation, which shall include the performance 617
measure in division (C) (1) (d) of this section; 618

(e) Kindergarten through third-grade literacy, which shall 619
include the performance measure in division (C) (1) (g) of this 620
section; 621

(f) Prepared for success, which shall include the 622
performance measures in divisions (C) (2) (a), (b), (c), (d), (e), 623
and (f) of this section. The state board shall develop a method 624
to determine a grade for the component in division (C) (3) (f) of 625
this section using the performance measures in divisions (C) (2) 626
(a), (b), (c), (d), (e), and (f) of this section. When 627
available, the state board may incorporate the performance 628
measure under division (C) (2) (g) of this section into the 629
component under division (C) (3) (f) of this section. When 630
determining the overall grade for the prepared for success 631
component prescribed by division (C) (3) (f) of this section, no 632
individual student shall be counted in more than one performance 633
measure. However, if a student qualifies for more than one 634
performance measure in the component, the state board may, in 635
its method to determine a grade for the component, specify an 636
additional weight for such a student that is not greater than or 637

equal to 1.0. In determining the overall score under division 638
(C) (3) (f) of this section, the state board shall ensure that the 639
pool of students included in the performance measures aggregated 640
under that division are all of the students included in the 641
four- and five-year adjusted graduation cohort. 642

In the rules adopted under division (C) (3) of this 643
section, the state board shall adopt a method for determining a 644
grade for each component in divisions (C) (3) (a) to (f) of this 645
section. The state board also shall establish a method to assign 646
an overall grade of "A," "B," "C," "D," or "F" using the grades 647
assigned for each component. The method the state board adopts 648
for assigning an overall grade shall give equal weight to the 649
components in divisions (C) (3) (b) and (c) of this section. 650

At least forty-five days prior to the state board's 651
adoption of rules to prescribe the methods for calculating the 652
overall grade for the report card, as required by this division, 653
the department shall conduct a public presentation before the 654
standing committees of the house of representatives and the 655
senate that consider education legislation describing the format 656
for the report card, weights that will be assigned to the 657
components of the overall grade, and the method for calculating 658
the overall grade. 659

(D) For the 2021-2022 school year and each school year 660
thereafter, all of the following apply: 661

(1) The department shall include on a school district's or 662
building's report card all of the following performance measures 663
without an assigned performance rating: 664

(a) Whether the district or building meets the gifted 665
performance indicator under division (A) (2) of section 3302.02 666

of the Revised Code and the extent to which the district or 667
building meets gifted indicator performance benchmarks; 668

(b) The extent to which the district or building meets the 669
chronic absenteeism indicator under division (A) (3) of section 670
3302.02 of the Revised Code; 671

(c) Performance index score percentage for a district or 672
building, which shall be calculated by dividing the district's 673
or building's performance index score according to the 674
performance index system created by the department by the 675
maximum performance index score for a district or building. The 676
maximum performance index score shall be as follows: 677

(i) For a building, the average of the highest two per 678
cent of performance index scores achieved by a building for the 679
school year for which a report card is issued; 680

(ii) For a district, the average of the highest two per 681
cent of performance index scores achieved by a district for the 682
school year for which a report card is issued. 683

(d) The overall score under the value-added progress 684
dimension of a district or building, for which the department 685
shall use three consecutive years of value-added data. In using 686
three years of value-added data to calculate the measure 687
prescribed under division (D) (1) (d) of this section, the 688
department shall assign a weight of fifty per cent to the most 689
recent year's data and a weight of twenty-five per cent to the 690
data of each of the other years. However, if three consecutive 691
years of value-added data is not available, the department shall 692
use prior years of value-added data to calculate the measure, as 693
follows: 694

(i) If two consecutive years of value-added data is not 695

available, the department shall use one year of value-added data 696
to calculate the measure. 697

(ii) If two consecutive years of value-added data is 698
available, the department shall use two consecutive years of 699
value-added data to calculate the measure. In using two years of 700
value-added data to calculate the measure, the department shall 701
assign a weight of sixty-seven per cent to the most recent 702
year's data and a weight of thirty-three per cent to the data of 703
the other year. 704

(e) The four-year adjusted cohort graduation rate. 705

(f) The five-year adjusted cohort graduation rate. 706

(g) The percentage of students in the district or building 707
who score proficient or higher on the reading segment of the 708
third grade English language arts assessment under section 709
3301.0710 of the Revised Code. 710

To the extent possible, the department shall include the 711
results of the summer administration of the third grade reading 712
assessment under section 3301.0710 of the Revised Code in the 713
performance measures prescribed under divisions (D) (1) (g) and 714
(h) of this section. 715

(h) Whether a district or building is making progress in 716
improving literacy in grades kindergarten through three, as 717
determined using a method prescribed by the department. The 718
method shall determine progress made based on the reduction in 719
the total percentage of students scoring below grade level, or 720
below proficient, compared from year to year on the reading 721
segments of the diagnostic assessments administered under 722
section 3301.0715 of the Revised Code, including the 723
kindergarten readiness assessment, and the third grade English 724

language arts assessment under section 3301.0710 of the Revised Code, as applicable. The method shall not include a deduction for students who did not pass the third grade English language arts assessment under section 3301.0710 of the Revised Code and were not on a reading improvement and monitoring plan.

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

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

(j) A post-secondary readiness measure. This measure shall be calculated by dividing the number of students included in the four-year adjusted graduation rate cohort who demonstrate post-secondary readiness by the total number of students included in the denominator of the four-year adjusted graduation rate cohort. Demonstration of post-secondary readiness shall include a student doing any of the following:

(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;

(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 754
baccalaureate examination shall be a four or better. A student 755
may satisfy this condition with any combination of advanced 756
placement or international baccalaureate examinations. 757

(iii) Earning at least twelve college credits through 758
advanced standing programs, such as the college credit plus 759
program under Chapter 3365. of the Revised Code, an early 760
college high school program under section 3313.6013 of the 761
Revised Code, and state-approved career-technical courses 762
offered through dual enrollment or statewide articulation, that 763
appear on a student's college transcript issued by the 764
institution of higher education from which the student earned 765
the college credit. Earned credits reported under division (D) 766
(1) (j) (iii) of this section shall include credits that count 767
toward the curriculum requirements established for completion of 768
a degree, but shall not include any remedial or developmental 769
credits. 770

(iv) Meeting the additional criteria for an honors diploma 771
under division (B) of section 3313.61 of the Revised Code; 772

(v) Earning an industry-recognized credential or license 773
issued by a state agency or board for practice in a vocation 774
that requires an examination for issuance of that license 775
approved under section 3313.6113 of the Revised Code; 776

(vi) Satisfying any of the following conditions: 777

(I) Completing a pre-apprenticeship aligned with options 778
established under section 3313.904 of the Revised Code in the 779
student's chosen career field; 780

(II) Completing an apprenticeship registered with the 781
apprenticeship council established under section 4139.02 of the 782

Revised Code in the student's chosen career field;	783
(III) Providing evidence of acceptance into an	784
apprenticeship program after high school that is restricted to	785
participants eighteen years of age or older.	786
(vii) Earning a cumulative score of proficient or higher	787
on three or more state technical assessments aligned with	788
section 3313.903 of the Revised Code in a single career pathway;	789
(viii) Earning an OhioMeansJobs-readiness seal established	790
under section 3313.6112 of the Revised Code and completing two	791
hundred fifty hours of an internship or other work-based	792
learning experience approved by the business advisory council	793
established under section 3313.82 of the Revised Code that	794
represents the student's district;	795
(ix) Providing evidence that the student has enlisted in a	796
branch of the armed services of the United States as defined in	797
section 5910.01 of the Revised Code.	798
A student who satisfies more than one of the conditions	799
prescribed under this division shall be counted as one student	800
for the purposes of calculating the measure prescribed under	801
division (D) (1) (j) of this section.	802
(2) In addition to the performance measures under division	803
(D) (1) of this section, the department shall report on a	804
district's or building's report card all of the following data	805
without an assigned performance rating:	806
(a) The applicable performance indicators established by	807
the state board under division (A) (1) of section 3302.02 of the	808
Revised Code;	809
(b) The overall score under the value-added progress	810

dimension of a district or building for the most recent school year; 811
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(c) A composite of the overall scores under the value-added progress dimension of a district or building for the previous three school years or, if only two years of value-added data are available, for the previous two years; 813
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(d) The percentage of students included in the four- and five-year adjusted cohort graduation rates of a district or building who did not receive a high school diploma under section 3313.61 or 3325.08 of the Revised Code. To the extent possible, the department shall disaggregate that data according to the following categories: 817
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(i) Students who are still enrolled in the district or building and receiving general education services; 823
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(ii) Students with an individualized education program, as defined in section 3323.01 of the Revised Code, who satisfied the conditions for a high school diploma under section 3313.61 or 3325.08 of the Revised Code, but opted not to receive a diploma and are still receiving education services; 825
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(iii) Students with an individualized education program who have not yet satisfied conditions for a high school diploma under section 3313.61 or 3325.08 of the Revised Code and who are still receiving education services; 830
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833

(iv) Students who are no longer enrolled in any district or building; 834
835

(v) Students who, upon enrollment in the district or building for the first time, had completed fewer units of high school instruction required under section 3313.603 of the Revised Code than other students in the four- or five-year 836
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adjusted cohort graduation rate.	840
The department may disaggregate the data prescribed under	841
division (D) (2) (d) of this section according to other categories	842
that the department determines are appropriate.	843
(e) The results of the kindergarten diagnostic assessment	844
prescribed under division (D) of section 3301.079 of the Revised	845
Code;	846
(f) Post-graduate outcomes for students who were enrolled	847
in a district or building and received a high school diploma	848
under section 3313.61 or 3325.08 of the Revised Code in the	849
school year prior to the school year for which the report card	850
is issued, including the percentage of students who:	851
(i) Enrolled in a post-secondary educational institution.	852
To the extent possible, the department shall disaggregate that	853
data according to whether the student enrolled in a four-year	854
institution of higher education, a two-year institution of	855
higher education, an Ohio technical center that provides adult	856
technical education services and is recognized by the chancellor	857
of higher education, or another type of post-secondary	858
educational institution.	859
(ii) Entered an apprenticeship program registered with the	860
apprenticeship council established under Chapter 4139. of the	861
Revised Code. The department may include other job training	862
programs with similar rigor and outcomes.	863
(iii) Attained gainful employment, as determined by the	864
department;	865
(iv) Enlisted in a branch of the armed forces of the	866
United States, as defined in section 5910.01 of the Revised	867
Code.	868

(g) Whether the school district or building has	869
implemented a positive behavior intervention and supports	870
framework in compliance with the requirements of section 3319.46	871
of the Revised Code, notated with a "yes" or "no";	872
(h) The number and percentage of high school seniors in	873
each school year who completed the free application for federal	874
student aid;	875
(i) Beginning with the report card issued under this	876
section for the 2022-2023 school year, a student opportunity	877
profile measure that reports data regarding the opportunities	878
provided to students by a district or building. To the extent	879
possible, and when appropriate, the data shall be disaggregated	880
by grade level and subgroup. The measure also shall include data	881
regarding the statewide average, the average for similar school	882
districts, and, for a building, the average for the district in	883
which the building is located. The measure shall include all of	884
the following data for the district or building:	885
(i) The average ratio of teachers of record to students in	886
each grade level in a district or building;	887
(ii) The average ratio of school counselors to students in	888
a district or building;	889
(iii) The average ratio of nurses to students in a	890
district or building;	891
(iv) The average ratio of licensed librarians and library	892
media specialists to students in a district or building;	893
(v) The average ratio of social workers to students in a	894
district or building;	895
(vi) The average ratio of mental health professionals to	896

students in a district or building;	897
(vii) The average ratio of paraprofessionals to students in a district or building;	898 899
(viii) The percentage of teachers with fewer than three years of experience teaching in any school;	900 901
(ix) The percentage of principals with fewer than three years of experience as a principal in any school;	902 903
(x) The percentage of teachers who are not teaching in the subject or field for which they are certified or licensed;	904 905
(xi) The percentage of kindergarten students who are enrolled in all-day kindergarten, as defined in section 3321.05 of the Revised Code;	906 907 908
(xii) The percentage of students enrolled in a performing or visual arts course;	909 910
(xiii) The percentage of students enrolled in a physical education or wellness course;	911 912
(xiv) The percentage of students enrolled in a world language course;	913 914
(xv) The percentage of students in grades seven through twelve who are enrolled in a career-technical education course;	915 916
(xvi) The percentage of students participating in one or more cocurricular activities;	917 918
(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;	919 920 921 922
(xviii) The percentage of students identified as gifted in	923

superior cognitive ability and specific academic ability fields 924
under Chapter 3324. of the Revised Code and receiving gifted 925
services pursuant to that chapter; 926

(xix) The percentage of students participating in 927
enrichment or support programs offered by the district or 928
building outside of the normal school day; 929

(xx) The percentage of eligible students participating 930
each school day in school breakfast programs offered by the 931
district or building in accordance with section 3313.813 or 932
3313.818 of the Revised Code; 933

(xxi) The percentage of students who are transported by a 934
school bus each school day; 935

(xxii) The ratio of portable technology devices that 936
students may take home to the number of students. 937

The department shall include only opportunity measures at 938
the building level for which data for buildings is available, as 939
determined by a school district. 940

(j) (i) The percentage of students included in the four- 941
and five-year adjusted cohort graduation rates of the district 942
or building who completed all of grades nine through twelve 943
while enrolled in the district or building; 944

(ii) The four-year adjusted cohort graduation rate for 945
only those students who were continuously enrolled in the same 946
district or building for grades nine through twelve. 947

(k) The percentage of students in the district or building 948
to whom both of the following apply: 949

(i) The students are promoted to fourth grade and not 950
subject to retention under division (A) (2) of section 3313.608 951

of the Revised Code.	952
(ii) The students completed all of the grade levels offered prior to the fourth grade in the district or building.	953 954
(3) Except as provided in division (D) (3) (f) of this section, the department shall use the state board's method prescribed under rules adopted under division (D) (4) of this section to assign performance ratings of "one star," "two stars," "three stars," "four stars," or "five stars," as described in division (F) of this section, for a district or building for the individual components prescribed under division (D) (3) of this section. The department also shall assign an overall performance rating for a district or building in accordance with division (D) (3) (g) of this section. The method shall use the performance measures prescribed under division (D) (1) of this section to calculate performance ratings for components. The method may report data under division (D) (2) of this section with corresponding components, but shall not use the data to calculate performance ratings for that component. The performance measures and reported data shall be grouped together into components as follows:	955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971
(a) Gap closing. In addition to other criteria determined appropriate by the department, performance ratings for the gap closing component shall reflect whether each of the following performance measures are met or not met:	972 973 974 975
(i) The gifted performance indicator as described in division (D) (1) (a) of this section;	976 977
(ii) The chronic absenteeism indicator as described in division (D) (1) (b) of this section;	978 979
(iii) For English learners, an English language	980

proficiency improvement indicator established by the department;	981
(iv) The subgroup graduation targets;	982
(v) The subgroup achievement targets in both mathematics and English language arts;	983 984
(vi) The subgroup progress targets in both mathematics and English language arts.	985 986
Achievement and progress targets under division (D) (3) (a) of this section shall be calculated individually, and districts and buildings shall receive a status of met or not met on each measure. The department shall not require a subgroup of a district or building to meet both the achievement and progress targets at the same time to receive a status of met.	987 988 989 990 991 992
The department shall not include any subgroup data in this measure that includes data from fewer than fifteen students. Any penalty for failing to meet the required assessment participation rate must be partially in proportion to how close the district or building was to meeting the rate requirement.	993 994 995 996 997
(b) Achievement, which shall include the performance measure in division (D) (1) (c) of this section and the reported data in division (D) (2) (a) of this section. Performance ratings for the achievement component shall be awarded as a percentage of the maximum performance index score described in division (D) (1) (c) of this section.	998 999 1000 1001 1002 1003
(c) Progress, which shall include the performance measure in division (D) (1) (d) of this section and the reported data in divisions (D) (2) (b) and (c) of this amendment <u>section</u> ;	1004 1005 1006
(d) Graduation, which shall include the performance measures in divisions (D) (1) (e) and (f) of this section and the	1007 1008

reported data in divisions (D) (2) (d) and (j) of this section. 1009
The four-year adjusted cohort graduation rate shall be assigned 1010
a weight of sixty per cent and the five-year adjusted cohort 1011
graduation rate shall be assigned a weight of forty per cent; 1012

(e) Early literacy, which shall include the performance 1013
measures in divisions (D) (1) (g), (h), and (i) of this section 1014
and the reported data in divisions (D) (2) (e) and (k) of this 1015
section. 1016

If the measure prescribed under division (D) (1) (h) of this 1017
section is included in a report card, performance ratings for 1018
the early literacy component shall give a weight of forty per 1019
cent to the measure prescribed under division (D) (1) (g) of this 1020
section, a weight of thirty-five per cent to the measure 1021
prescribed under division (D) (1) (i) of this section, and a 1022
weight of twenty-five per cent to the measure prescribed under 1023
division (D) (1) (h) of this section. 1024

If the measure prescribed under division (D) (1) (h) of this 1025
section is not included in a report card of a district or 1026
building, performance ratings for the early literacy component 1027
shall give a weight of sixty per cent to the measure prescribed 1028
under division (D) (1) (g) of this section and a weight of forty 1029
per cent to the measure prescribed under division (D) (1) (i) of 1030
this section. 1031

(f) College, career, workforce, and military readiness, 1032
which shall include the performance measure in division (D) (1) 1033
(j) of this section and the reported data in division (D) (2) (f) 1034
of this section. 1035

For the 2021-2022, 2022-2023, and 2023-2024 school years, 1036
the department only shall report the data for, and not assign a 1037

performance rating to, the college, career, workforce, and 1038
military readiness component. The reported data shall include 1039
the percentage of students who demonstrate post-secondary 1040
readiness using any of the options described in division (D)(1) 1041
(j) of this section. 1042

The department shall analyze the data included in the 1043
performance measure prescribed in division (D)(1)(j) of this 1044
section for the 2021-2022, 2022-2023, and 2023-2024 school 1045
years. Using that data, the department shall develop and propose 1046
rules for a method to assign a performance rating to the 1047
college, career, workforce, and military readiness component 1048
based on that measure. The method to assign a performance rating 1049
shall not include a tiered structure or per student bonuses. The 1050
rules shall specify that a district or building shall not 1051
receive lower than a performance rating of three stars for the 1052
component if the district's or building's performance on the 1053
component meets or exceeds a level of improvement set by the 1054
department. Notwithstanding division (D)(4)(b) of this section, 1055
more than half of the total districts and buildings may earn a 1056
performance rating of three stars on this component to account 1057
for the districts and buildings that earned a performance rating 1058
of three stars because they met or exceeded the level of 1059
improvement set by the department. 1060

The department shall submit the rules to the joint 1061
committee on agency rule review. The committee shall conduct at 1062
least one public hearing on the proposed rules and approve or 1063
disapprove the rules. If the committee approves the rules, the 1064
state board shall adopt the rules in accordance with Chapter 1065
119. of the Revised Code. If the rules are adopted, the 1066
department shall assign a performance rating to the college, 1067
career, workforce, and military readiness component under the 1068

rules beginning with the 2024-2025 school year, and for each 1069
school year thereafter. If the committee disapproves the rules, 1070
the component shall be included in the report card only as 1071
reported data for the 2024-2025 school year, and each school 1072
year thereafter. 1073

(g) (i) Except as provided for in division (D) (3) (g) (ii) of 1074
this section, beginning with the 2022-2023 school year, under 1075
the state board's method prescribed under rules adopted in 1076
division (D) (4) of this section, the department shall use the 1077
performance ratings assigned for the components prescribed in 1078
divisions (D) (3) (a) to (e) of this section to determine and 1079
assign an overall performance rating of "one star," "one and 1080
one-half stars," "two stars," "two and one-half stars," "three 1081
stars," "three and one-half stars," "four stars," "four and one- 1082
half stars," or "five stars" for a district or building. The 1083
method shall give equal weight to the components in divisions 1084
(D) (3) (b) and (c) of this section. The method shall give equal 1085
weight to the components in divisions (D) (3) (a), (d), and (e) of 1086
this section. The individual weights of each of the components 1087
prescribed in divisions (D) (3) (a), (d), and (e) of this section 1088
shall be equal to one-half of the weight given to the component 1089
prescribed in division (D) (3) (b) of this section. 1090

(ii) If the joint committee on agency rule review approves 1091
the department's rules regarding the college, career, workforce, 1092
and military readiness component as described in division (D) (3) 1093
(f) of this section, for the 2024-2025 school year, and each 1094
school year thereafter, the state board's method shall use the 1095
components in divisions (D) (3) (a), (b), (c), (d), (e), and (f) 1096
of this section to calculate the overall performance rating. The 1097
method shall give equal weight to the components in divisions 1098
(D) (3) (b) and (c) of this section. The method shall give equal 1099

weight to the components prescribed in divisions (D) (3) (a), (d), 1100
(e), and (f) of this section. The individual weights of each of 1101
the components prescribed in divisions (D) (3) (a), (d), (e), and 1102
(f) of this section shall be equal to one-half the weight given 1103
to the component prescribed in division (D) (3) (b) of this 1104
section. 1105

If the joint committee on agency rule review disapproves 1106
the department's rules regarding the college, career, workforce, 1107
and military readiness component as described in division (D) (3) 1108
(f) of this section, division (D) (3) (g) (ii) of this section does 1109
not apply. 1110

(4) (a) The state board shall adopt rules in accordance 1111
with Chapter 119. of the Revised Code to establish the 1112
performance criteria, benchmarks, and rating system necessary to 1113
implement divisions (D) and (F) of this section, including the 1114
method for the department to assign performance ratings under 1115
division (D) (3) of this section. 1116

(b) In establishing the performance criteria, benchmarks, 1117
and rating system, the state board shall consult with 1118
stakeholder groups and advocates that represent parents, 1119
community members, students, business leaders, and educators 1120
from different school typology regions. The state board shall 1121
use data from prior school years and simulations to ensure that 1122
there is meaningful differentiation among districts and 1123
buildings across all performance ratings and that, except as 1124
permitted in division (D) (3) (f) of this section, more than half 1125
of all districts or buildings do not earn the same performance 1126
rating in any component or overall performance rating. 1127

(c) The state board shall adopt the rules prescribed by 1128
division (D) (4) of this section not later than March 31, 2022. 1129

However, the department shall notify districts and buildings of 1130
the changes to the report card prescribed in law not later than 1131
one week after the effective date of this amendment. 1132

(d) Prior to adopting or updating rules under division (D) 1133
(4) of this section, the president of the state board and the 1134
department shall conduct a public presentation before the 1135
standing committees of the house of representatives and the 1136
senate that consider primary and secondary education legislation 1137
describing the format for the report card and the performance 1138
criteria, benchmarks, and rating system, including the method to 1139
assign performance ratings under division (D) (3) of this 1140
section. 1141

(E) On or after July 1, 2015, the state board may develop 1142
a measure of student academic progress for high school students 1143
using only data from assessments in English language arts and 1144
mathematics. If the state board develops this measure, each 1145
school district and applicable school building shall be assigned 1146
a separate letter grade for it not sooner than the 2017-2018 1147
school year. The district's or building's grade for that measure 1148
shall not be included in determining the district's or 1149
building's overall letter grade. 1150

(F) (1) The letter grades assigned to a school district or 1151
building under this section shall be as follows: 1152

(a) "A" for a district or school making excellent 1153
progress; 1154

(b) "B" for a district or school making above average 1155
progress; 1156

(c) "C" for a district or school making average progress; 1157

(d) "D" for a district or school making below average 1158

progress; 1159

(e) "F" for a district or school failing to meet minimum 1160
progress. 1161

(2) For the overall performance rating under division (D) 1162
(3) of this section, the department shall include a descriptor 1163
for each performance rating as follows: 1164

(a) "Significantly exceeds state standards" for a 1165
performance rating of five stars; 1166

(b) "Exceeds state standards" for a performance rating of 1167
four stars or four and one-half stars; 1168

(c) "Meets state standards" for a performance rating of 1169
three stars or three and one-half stars; 1170

(d) "Needs support to meet state standards" for a 1171
performance rating of two stars or two and one-half stars; 1172

(e) "Needs significant support to meet state standards" 1173
for a performance rating of one star or one and one-half stars. 1174

(3) For performance ratings for each component under 1175
divisions (D) (3) (a) to (f) of this section, the state board 1176
shall include a description of each component and performance 1177
rating. The description shall include component-specific context 1178
to each performance rating earned, estimated comparisons to 1179
other school districts and buildings if appropriate, and any 1180
other information determined by the state board. The 1181
descriptions shall be not longer than twenty-five words in 1182
length when possible. In addition to such descriptions, the 1183
state board shall include the descriptors in division (F) (2) of 1184
this section for component performance ratings. 1185

(4) Each report card issued under this section shall 1186

include all of the following: 1187

(a) A graphic that depicts the performance ratings of a 1188
district or school on a color scale. The color associated with a 1189
performance rating of three stars shall be green and the color 1190
associated with a performance rating of one star shall be red. 1191

(b) An arrow graphic that shows data trends for 1192
performance ratings for school districts or buildings. The state 1193
board shall determine the data to be used for this graphic, 1194
which shall include at least the three most recent years of 1195
data. 1196

(c) A description regarding the weights that are assigned 1197
to each component and used to determine an overall performance 1198
rating, as prescribed under division (D) (3) (g) of this section, 1199
which shall be included in the presentation of the overall 1200
performance rating on each report card. 1201

(G) When reporting data on student achievement and 1202
progress, the department shall disaggregate that data according 1203
to the following categories: 1204

(1) Performance of students by grade-level; 1205

(2) Performance of students by race and ethnic group; 1206

(3) Performance of students by gender; 1207

(4) Performance of students grouped by those who have been 1208
enrolled in a district or school for three or more years; 1209

(5) Performance of students grouped by those who have been 1210
enrolled in a district or school for more than one year and less 1211
than three years; 1212

(6) Performance of students grouped by those who have been 1213

enrolled in a district or school for one year or less;	1214
(7) Performance of students grouped by those who are	1215
economically disadvantaged;	1216
(8) Performance of students grouped by those who are	1217
enrolled in a conversion community school established under	1218
Chapter 3314. of the Revised Code;	1219
(9) Performance of students grouped by those who are	1220
classified as English learners;	1221
(10) Performance of students grouped by those who have	1222
disabilities;	1223
(11) Performance of students grouped by those who are	1224
classified as migrants;	1225
(12) Performance of students grouped by those who are	1226
identified as gifted in superior cognitive ability and the	1227
specific academic ability fields of reading and math pursuant to	1228
Chapter 3324. of the Revised Code. In disaggregating specific	1229
academic ability fields for gifted students, the department	1230
shall use data for those students with specific academic ability	1231
in math and reading. If any other academic field is assessed,	1232
the department shall also include data for students with	1233
specific academic ability in that field as well.	1234
(13) Performance of students grouped by those who perform	1235
in the lowest quintile for achievement on a statewide basis, as	1236
determined by a method prescribed by the state board.	1237
The department may disaggregate data on student	1238
performance according to other categories that the department	1239
determines are appropriate. To the extent possible, the	1240
department shall disaggregate data on student performance	1241

according to any combinations of two or more of the categories 1242
listed in divisions (G) (1) to (13) of this section that it deems 1243
relevant. 1244

In reporting data pursuant to division (G) of this 1245
section, the department shall not include in the report cards 1246
any data statistical in nature that is statistically unreliable 1247
or that could result in the identification of individual 1248
students. For this purpose, the department shall not report 1249
student performance data for any group identified in division 1250
(G) of this section that contains less than ten students. If the 1251
department does not report student performance data for a group 1252
because it contains less than ten students, the department shall 1253
indicate on the report card that is why data was not reported. 1254

(H) The department may include with the report cards any 1255
additional education and fiscal performance data it deems 1256
valuable. 1257

(I) The department shall include on each report card a 1258
list of additional information collected by the department that 1259
is available regarding the district or building for which the 1260
report card is issued. When available, such additional 1261
information shall include student mobility data disaggregated by 1262
race and socioeconomic status, college enrollment data, and the 1263
reports prepared under section 3302.031 of the Revised Code. 1264

The department shall maintain a site on the world wide 1265
web. The report card shall include the address of the site and 1266
shall specify that such additional information is available to 1267
the public at that site. The department shall also provide a 1268
copy of each item on the list to the superintendent of each 1269
school district. The district superintendent shall provide a 1270
copy of any item on the list to anyone who requests it. 1271

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

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

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

(3) Any municipal school district, as defined in section 1303
3311.71 of the Revised Code, that sponsors a community school 1304
located within the district's territory, or that enters into an 1305
agreement with a community school located within the district's 1306
territory whereby the district and the community school endorse 1307
each other's programs, may exercise either or both of the 1308
following elections: 1309

(a) To have data regarding the academic performance of 1310
students enrolled in that community school combined with 1311
comparable data from the schools of the district for the purpose 1312
of determining the performance of the district as a whole on the 1313
district's report card; 1314

(b) To have the number of students attending that 1315
community school noted separately on the district's report card. 1316

The election authorized under division (J) (3) (a) of this 1317
section is subject to approval by the governing authority of the 1318
community school. 1319

Any municipal school district that exercises an election 1320
to combine or include data under division (J) (3) of this 1321
section, by the first day of October of each year, shall file 1322
with the department documentation indicating eligibility for 1323
that election, as required by the department. 1324

(K) The department shall include on each report card the 1325
percentage of teachers in the district or building who are 1326
properly certified or licensed teachers, as defined in section 1327
3319.074 of the Revised Code, and a comparison of that 1328
percentage with the percentages of such teachers in similar 1329
districts and buildings. 1330

(L) (1) In calculating English language arts, mathematics, 1331

science, American history, or American government assessment 1332
passage rates used to determine school district or building 1333
performance under this section, the department shall include all 1334
students taking an assessment with accommodation or to whom an 1335
alternate assessment is administered pursuant to division (C) (1) 1336
or (3) of section 3301.0711 of the Revised Code and all students 1337
who take substitute examinations approved under division (B) (4) 1338
of section 3301.0712 of the Revised Code in the subject areas of 1339
science, American history and American government. 1340

(2) In calculating performance index scores, rates of 1341
achievement on the performance indicators established by the 1342
state board under section 3302.02 of the Revised Code, and 1343
annual measurable objectives for determining adequate yearly 1344
progress for school districts and buildings under this section, 1345
the department shall do all of the following: 1346

(a) Include for each district or building only those 1347
students who are included in the ADM certified for the first 1348
full school week of October and are continuously enrolled in the 1349
district or building through the time of the spring 1350
administration of any assessment prescribed by division (A) (1) 1351
or (B) (1) of section 3301.0710 or division (B) of section 1352
3301.0712 of the Revised Code that is administered to the 1353
student's grade level; 1354

(b) Include cumulative totals from both the fall and 1355
spring administrations of the third grade English language arts 1356
achievement assessment and, to the extent possible, the summer 1357
administration of that assessment; 1358

(c) Except as required by the No Child Left Behind Act of 1359
2001, exclude for each district or building any English learner 1360
who has been enrolled in United States schools for less than one 1361

full school year. 1362

(M) Beginning with the 2015-2016 school year and at least 1363
once every three years thereafter, the state board of education 1364
shall review and may adjust the benchmarks for assigning letter 1365
grades or performance ratings to the performance measures and 1366
components prescribed under divisions (C) (3), (D), and (E) of 1367
this section. 1368

Sec. 3302.039. (A) The state report card review committee 1369
is hereby established on July 1, 2023. 1370

(B) The committee established under this section shall 1371
consist of the following members: 1372

(1) Two members of the house of representatives, both of 1373
whom shall not be members of the same political party, appointed 1374
by the speaker of the house of representatives. The minority 1375
leader of the house of representatives may recommend to the 1376
speaker of the house of representatives a member of the minority 1377
leader's political party to serve on the committee. 1378

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

(3) The superintendent of public instruction, or the state 1384
superintendent's designee; 1385

(4) The following members appointed by the state 1386
superintendent: 1387

(a) A classroom teacher who provides instruction in an 1388
elementary school; 1389

(b) A classroom teacher who provides instruction in a high school;	1390 1391
(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;	1392 1393 1394 1395
(d) An individual with experience in providing special education or related services to children with disabilities under Chapter 3323. of the Revised Code;	1396 1397 1398
(e) An individual representing a chartered nonpublic school;	1399 1400
(f) A representative of the business community;	1401
(g) The parent of a child enrolled in any of grades kindergarten through twelve;	1402 1403
<u>(h) A school district superintendent.</u>	1404
(C) The committee established under this section shall conduct a study of the state report cards issued under section 3302.03 of the Revised Code for the 2022-2023 school year and prior school years. Based on that study, the committee shall make recommendations for improvements, corrections, and clarifications to the state report card.	1405 1406 1407 1408 1409 1410
Not later than June 30, 2024, the committee shall submit a report of its findings to the state board of education and the chairpersons of the standing committees of the house of representatives and the senate that consider primary and secondary education legislation.	1411 1412 1413 1414 1415
<u>Sec. 3313.174. (A) As used in this section, "school governing authority" means any of the following:</u>	1416 1417

<u>(1) The governing authority of a community school</u>	1418
<u>established under Chapter 3314. of the Revised Code;</u>	1419
<u>(2) The governing body of a STEM school established under</u>	1420
<u>Chapter 3326. of the Revised Code;</u>	1421
<u>(3) The governing authority of a chartered nonpublic</u>	1422
<u>school;</u>	1423
<u>(4) The governing authority of a nonchartered nonpublic</u>	1424
<u>school.</u>	1425
<u>(B) A school district board of education, prior to</u>	1426
<u>entering into a contract to purchase real property that</u>	1427
<u>currently is partially or fully leased to a school governing</u>	1428
<u>authority, shall obtain written consent from that governing</u>	1429
<u>authority approving the purchase.</u>	1430
Sec. 3313.6412. Notwithstanding anything to the contrary	1431
in section 3313.6410 of the Revised Code, no student enrolled in	1432
an internet- or computer-based school shall be subject to	1433
automatic withdrawal who, in any school year prior to the 2020-	1434
2021-2022-2023 school year, failed to participate in the spring	1435
administration of any assessment prescribed under section	1436
3301.0710 or 3301.0712 of the Revised Code for the student's	1437
grade level and was not excused from the assessment pursuant to	1438
division (C)(1) or (3) of section 3301.0711 of the Revised Code,	1439
regardless of whether a waiver was granted for the student under	1440
division (E) of section 3317.03 of the Revised Code.	1441
Sec. 3314.262. Notwithstanding anything to the contrary in	1442
section 3314.26 of the Revised Code, no student enrolled in an	1443
internet- or computer-based community school shall be subject to	1444
automatic withdrawal who, in any school year prior to the 2020-	1445
2021-2022-2023 school year, failed to participate in the spring	1446

administration of any assessment prescribed under section 1447
3301.0710 or 3301.0712 of the Revised Code for the student's 1448
grade level and was not excused from the assessment pursuant to 1449
division (C) (1) or (3) of section 3301.0711 of the Revised Code, 1450
regardless of whether a waiver was granted for the student under 1451
division (E) of section 3317.03 of the Revised Code. 1452
Accordingly, the ~~2020-2021-2022-2023~~ school year shall ~~begin a~~ 1453
~~new starting point for automatic withdrawal of~~ constitute the 1454
first year of the two consecutive years of enrollment for 1455
students enrolled in internet- or computer-based schools under 1456
section 3314.26 of the Revised Code. 1457

Sec. 5502.262. (A) As used in this section: 1458

(1) "Administrator" means the superintendent, principal, 1459
chief administrative officer, or other person having supervisory 1460
authority of any of the following: 1461

(a) A city, exempted village, local, or joint vocational 1462
school district; 1463

(b) A community school established under Chapter 3314. of 1464
the Revised Code, as required through reference in division (A) 1465
(11) (d) of section 3314.03 of the Revised Code; 1466

(c) A STEM school established under Chapter 3326. of the 1467
Revised Code, as required through reference in section 3326.11 1468
of the Revised Code; 1469

(d) A college-preparatory boarding school established 1470
under Chapter 3328. of the Revised Code; 1471

(e) A district or school operating a career-technical 1472
education program approved by the department of education under 1473
section 3317.161 of the Revised Code; 1474

(f) A chartered nonpublic school;	1475
(g) An educational service center;	1476
(h) A preschool program or school-age child care program licensed by the department of education;	1477 1478
(i) Any other facility that primarily provides educational services to children subject to regulation by the department of education.	1479 1480 1481
(2) "Emergency management test" means a regularly scheduled drill, exercise, or activity designed to assess and evaluate an emergency management plan under this section.	1482 1483 1484
(3) "Building" means any school, school building, facility, program, or center.	1485 1486
(B) (1) Each administrator shall develop and adopt a comprehensive emergency management plan, in accordance with rules adopted pursuant to division (F) of this section, for each building under the administrator's control. The administrator shall examine the environmental conditions and operations of each building to determine potential hazards to student and staff safety and shall propose operating changes to promote the prevention of potentially dangerous problems and circumstances. In developing the plan for each building, the administrator shall involve community law enforcement and safety officials, parents of students who are assigned to the building, and teachers and nonteaching employees who are assigned to the building. The administrator shall incorporate remediation strategies into the plan for any building where documented safety problems have occurred.	1487 1488 1489 1490 1491 1492 1493 1494 1495 1496 1497 1498 1499 1500 1501
(2) Each administrator shall also incorporate into the emergency management plan adopted under division (B) (1) of this	1502 1503

section all of the following:	1504
(a) A protocol for addressing serious threats to the safety of property, students, employees, or administrators;	1505 1506
(b) A protocol for responding to any emergency events that occur and compromise the safety of property, students, employees, or administrators. This protocol shall include, but not be limited to, all of the following:	1507 1508 1509 1510
(i) A floor plan that is unique to each floor of the building;	1511 1512
(ii) A site plan that includes all building property and surrounding property;	1513 1514
(iii) An emergency contact information sheet.	1515
(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;	1516 1517 1518 1519
(d) A protocol for school threat assessment teams established under section 3313.669 of the Revised Code.	1520 1521
(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.	1522 1523 1524 1525 1526 1527 1528
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	1529 1530 1531

notification procedures included in the protocol. 1532

(4) Each administrator shall keep a copy of the emergency 1533
management plan adopted pursuant to this section in a secure 1534
place. 1535

(C) (1) The administrator shall submit to the director of 1536
public safety, in accordance with rules adopted pursuant to 1537
division (F) of this section, an electronic copy of the 1538
emergency management plan prescribed by division (B) of this 1539
section not less than once every three years, whenever a major 1540
modification to the building requires changes in the procedures 1541
outlined in the plan, and whenever information on the emergency 1542
contact information sheet changes. 1543

(2) The administrator also shall file a copy of the plan 1544
with each law enforcement agency that has jurisdiction over the 1545
school building and, upon request, to any of the following: 1546

(a) The fire department that serves the political 1547
subdivision in which the building is located; 1548

(b) The emergency medical service organization that serves 1549
the political subdivision in which the building is located; 1550

(c) The county emergency management agency for the county 1551
in which the building is located. 1552

(3) Upon receipt of an emergency management plan, the 1553
director shall post the information on the contact and 1554
information management system and submit the information in 1555
accordance with rules adopted pursuant to division (F) of this 1556
section, to the attorney general, who shall post that 1557
information on the Ohio law enforcement gateway or its 1558
successor. 1559

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

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

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

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

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

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

(F) The director of public safety, in consultation with representatives from the education community and in accordance

with Chapter 119. of the Revised Code, shall adopt rules 1589
regarding emergency management plans under this section, 1590
including the content of the plans and procedures for filing the 1591
plans. The rules shall specify that plans and information 1592
required under division (B) of this section be submitted on 1593
standardized forms developed by the director for such purpose. 1594
The rules shall also specify the requirements and procedures for 1595
emergency management tests conducted pursuant to division (E) (1) 1596
of this section. Failure to comply with the rules may result in 1597
discipline pursuant to section 3319.31 of the Revised Code or 1598
any other action against the administrator as prescribed by 1599
rule. 1600

(G) Division (B) of section 3319.31 of the Revised Code 1601
applies to any administrator who is subject to the requirements 1602
of this section and is not exempt under division (H) of this 1603
section and who is an applicant for a license or holds a license 1604
from the state board pursuant to section 3319.22 of the Revised 1605
Code. 1606

(H) (1) The director may exempt any administrator from the 1607
requirements of this section, if the director determines that 1608
the requirements do not otherwise apply to a building or 1609
buildings under the control of that administrator. 1610

(2) The director shall exempt from the requirements of 1611
this section the administrator of an online learning school, 1612
established under section 3302.42 of the Revised Code, unless 1613
students of that school participate in in-person activities at a 1614
location that is not covered by an existing emergency management 1615
plan, developed under this section as of the effective date of 1616
this amendment. 1617

(I) Copies of the emergency management plan and 1618

information required under division (B) of this section are 1619
security records and are not public records pursuant to section 1620
149.433 of the Revised Code. In addition, the information posted 1621
to the contact and information management system, pursuant to 1622
division (C) (3) (b) of this section, is exempt from public 1623
disclosure or release in accordance with sections 149.43, 1624
149.433, and 5502.03 of the Revised Code. 1625

Notwithstanding section 149.433 of the Revised Code, a 1626
floor plan filed with the attorney general pursuant to this 1627
section is not a public record to the extent it is a record kept 1628
by the attorney general. 1629

Section 2. That existing sections 3301.079, 3302.03, 1630
3302.039, 3313.6412, 3314.262, and 5502.262 of the Revised Code 1631
are hereby repealed. 1632

Section 3. (A) As used in this section: 1633

(1) "Chartered nonpublic school" means a nonpublic school 1634
that holds a valid charter issued by the State Board of 1635
Education under section 3301.16 of the Revised Code and meets 1636
the standards established for such schools in rules adopted by 1637
the State Board. 1638

(2) "Community school" means a community school 1639
established under Chapter 3314. of the Revised Code that is not 1640
an internet- or computer-based community school, as defined in 1641
section 3314.02 of the Revised Code. 1642

(3) "School district" means a city, local, exempted 1643
village, or joint vocational school district. 1644

(4) "STEM school" means a STEM school established under 1645
Chapter 3326. of the Revised Code. 1646

(5) "Blended learning" has the same meaning as under 1647
section 3301.079 of the Revised Code. 1648

(B) Notwithstanding any provision of the Revised Code to 1649
the contrary, a school district board of education, a community 1650
school governing authority with approval of the school's 1651
sponsor, a STEM school governing body, or a chartered nonpublic 1652
school governing authority may submit to the Department of 1653
Education, not later than April 30, 2022, a declaration to 1654
implement or discontinue use of a blended learning model during 1655
the 2021-2022 school year. 1656

The decision to implement or rescind use of a blended 1657
learning model shall not be subject to approval by the 1658
Department. 1659

(C) The Department shall post a list of districts, STEM, 1660
community, and chartered nonpublic schools that have submitted 1661
blended learning model declarations to the Department during the 1662
2021-2022 school year on its web site. 1663

(D) For the 2021-2022 school year, a district or school 1664
that implements a blended learning model for any portion of the 1665
2021-2022 school year shall do all of the following: 1666

(1) Ensure that students have access to the internet and 1667
to devices students may use to participate in online learning. 1668
If a district or school determines that a student does not have 1669
appropriate access to the internet or a device, the district or 1670
school shall provide it at no cost to the student. Districts and 1671
schools shall provide a filtering device or install filtering 1672
software that protects against internet access to materials that 1673
are obscene or harmful to juveniles on each computer provided to 1674
students for instructional use. 1675

(2) Monitor and assess student achievement and progress	1676
and provide additional services if necessary to improve student	1677
achievement;	1678
(3) Periodically communicate with parents or guardians	1679
regarding student progress;	1680
(4) Report monthly to the Department, in a manner	1681
determined by the Department the number of students	1682
participating in blended learning and the duration of such	1683
participation;	1684
(5) By May 15, 2022, report to the Department both of the	1685
following:	1686
(a) The total number of students engaged in blended	1687
learning during the 2021-2022 school year by grade level;	1688
(b) The total number of students with disabilities engaged	1689
in blended learning during the 2021-2022 school year.	1690
(6) Comply with division (B) of section 3302.41 of the	1691
Revised Code.	1692
(E) Notwithstanding anything to the contrary in the	1693
Revised Code, a community school that implements a blended	1694
learning model during the 2021-2022 school year shall:	1695
(1) Be considered as having met any requirements to	1696
receive state funds prescribed under Chapter 3314. or 3317. of	1697
the Revised Code;	1698
(2) Not later than June 30, 2022, complete any revisions	1699
or amendments due to the implementation or discontinuation of	1700
blended learning to the school's contract with its sponsor	1701
prescribed by section 3314.03 of the Revised Code;	1702

(3) Not later than April 30, 2022, adopt or make any	1703
necessary revisions to school policies.	1704
(F) (1) The Department shall do both of the following:	1705
(a) Not later than thirty days after the effective date of	1706
this section, develop standards and a template for district and	1707
school remediation plans. The standards for the plan shall	1708
require at least all of the following:	1709
(i) Timelines and programs that the district or school is	1710
implementing to address loss of learning;	1711
(ii) The length of time programs implemented under	1712
division (F) (1) (a) (i) of this section will be offered;	1713
(iii) The method by which the district or school intends	1714
to pay for the programs implemented under division (F) (1) (a) (i)	1715
of this section.	1716
(b) Not later than one hundred sixty-five days after the	1717
effective date of this section, compile the remediation plans	1718
submitted under division (F) (2) of this section and submit a	1719
report on the plans to the General Assembly in accordance with	1720
section 101.68 of the Revised Code.	1721
(2) Not later than ninety days after the effective date of	1722
this section, each school district, STEM school, and community	1723
school shall complete and submit to the Department, in a manner	1724
as determined by the Department, a remediation plan to address	1725
the loss of learning students experienced as a result of the	1726
COVID-19 pandemic and post the remediation plan on its web site.	1727
(G) For the 2021-2022 school year, the Department shall	1728
not consider performance on the chronic absenteeism indicator	1729
prescribed in section 3302.03 of the Revised Code in determining	1730

whether a district or school is subject to any penalty or 1731
sanction prescribed by state law for that school year. In 1732
assigning performance ratings for the gap closing component for 1733
districts and schools under division (D) (3) (a) of section 1734
3302.03 of the Revised Code for the 2021-2022 school year, the 1735
Department shall not include the chronic absenteeism indicator 1736
and shall reweight the other measures described in that division 1737
accordingly. 1738

(H) Notwithstanding anything to the contrary in the 1739
Revised Code or administrative rule, between July 1, 2021, and 1740
June 30, 2022, an individual who holds a valid license issued by 1741
a licensing board may, upon request from the student's parent or 1742
guardian, provide services within the scope of practice 1743
authorized under the license by electronic delivery method or 1744
telehealth communication to any student participating in the 1745
Autism Scholarship Program established under section 3310.41 of 1746
the Revised Code or the Jon Peterson Special Needs Scholarship 1747
Program established under section 3310.52 of the Revised Code, 1748
or to any student who was enrolled in a public or chartered 1749
nonpublic school and was receiving those services, regardless of 1750
the method of delivery, prior to the effective date of this 1751
section. 1752

No licensing board to which this section applies shall 1753
take any disciplinary action against a license holder who 1754
provides services to a student in accordance with this section, 1755
including limiting, suspending, or revoking the person's license 1756
or refusing to issue a license to the person, solely because the 1757
license holder provided such services. 1758

Section 4. (A) As used in this section: 1759

(1) "Chartered nonpublic school" means a nonpublic school 1760

that holds a valid charter issued by the state board of 1761
education under section 3301.16 of the Revised Code and meets 1762
the standards established for such schools in rules adopted by 1763
the state board. 1764

(2) "Community school" means a community school 1765
established under Chapter 3314. of the Revised Code that is not 1766
an internet- or computer-based community school, as defined in 1767
section 3314.02 of the Revised Code. 1768

(3) "School district" means a city, local, exempted 1769
village, or joint vocational school district. 1770

(4) "STEM school" means a STEM school established under 1771
Chapter 3326. of the Revised Code. 1772

(5) "Remote learning" means synchronous and asynchronous 1773
instruction and educational activities that take place when the 1774
students and the teachers are not physically present in a 1775
traditional classroom environment. 1776

(B) (1) Notwithstanding any provision of the Revised Code 1777
to the contrary, a school district board of education, a 1778
community school governing authority with approval of the 1779
school's sponsor, a STEM school governing authority, or a 1780
chartered nonpublic school governing authority may adopt a 1781
resolution to continue to provide instruction using the school's 1782
remote learning plan submitted under Section 16 of H.B. 164 of 1783
the 133rd General Assembly for the remainder of the 2021-2022 1784
school year to only those students whose parents or guardians 1785
submit a written request to the principal of the school building 1786
to which the student is assigned to specifically request the 1787
option. 1788

No district or school that has adopted a plan under 1789

section 3302.42 of the Revised Code prior to the effective date 1790
of this section may adopt a resolution described under division 1791
(B) (1) of this section. 1792

(2) A district or school that adopts a resolution in 1793
accordance with division (B) (1) of this section shall, not later 1794
than December 15, 2021, notify the Department of Education of 1795
that decision. The decision to continue to offer remote 1796
instruction shall not be subject to approval by the Department. 1797

(C) The Department shall post a list of districts, STEM, 1798
community, and chartered nonpublic schools continuing to operate 1799
a remote learning plan for the 2021-2022 school year on its web 1800
site. 1801

(D) For the 2021-2022 school year, a school or district 1802
that continues to offer remote instruction shall update its 1803
remote learning plan to do all of the following: 1804

(1) Meet all minimum school year requirements under 1805
section 3314.03 or 3313.48 of the Revised Code; 1806

(2) Ensure that students have access to the internet and 1807
to devices students may use to participate in online learning. 1808
If a district or school determines that a student does not have 1809
appropriate access to the internet or a device, the district or 1810
school shall provide it at no cost to the student. Districts and 1811
schools shall provide a filtering device or install filtering 1812
software that protects against internet access to materials that 1813
are obscene or harmful to juveniles on each computer provided to 1814
students for instructional use; 1815

(3) Track and document all student remote learning 1816
participation including online and offline activities; 1817

(4) Report student attendance based on student 1818

participation;	1819
(5) Monitor and assess student achievement and progress	1820
and provide additional services if necessary to improve student	1821
achievement;	1822
(6) Periodically communicate with parents or guardians	1823
regarding student progress;	1824
(7) Develop a statement describing the school's approach	1825
to addressing nonattendance and its compliance with truancy	1826
procedures and requirements;	1827
(8) Report to the Department of Education both of the	1828
following:	1829
(a) The total number of students engaged in remote	1830
learning by grade level;	1831
(b) The total number of students with disabilities engaged	1832
in remote learning.	1833
(E) Each school or district that continues to offer remote	1834
instruction under this section shall make its remote learning	1835
plan publicly available on its web site and submit a copy to the	1836
Department.	1837
(F) A community school or STEM school that continues to	1838
provide instruction under the remote learning plan shall be	1839
considered as having met any requirements to receive state funds	1840
prescribed under Chapter 3314., 3317., or 3326. of the Revised	1841
Code.	1842
Section 5. Not later than September 15, 2022, the	1843
Department of Education shall calculate and publish the four-	1844
year adjusted cohort graduation rate described in division (D)	1845
(2) (j) (ii) of section 3302.03 of the Revised Code and the total	1846

number of students in each cohort for all districts and 1847
buildings for the 2016-2017, 2017-2018, 2018-2019, 2019-2020, 1848
and 2020-2021 school years as reported-only data on the report 1849
card issued for the 2021-2022 school year. 1850

Section 6. (A) Notwithstanding anything to the contrary in 1851
the Revised Code, for the 2021-2022 school year only, a school 1852
district that operates an online learning school under section 1853
3302.42 of the Revised Code shall permit a student who is in 1854
quarantine due to possible exposure to a contagious disease to 1855
participate in the online learning school for the duration of 1856
that student's quarantine period. However, the quarantined 1857
student shall not be considered to be enrolled in the online 1858
learning school, but rather that student shall be enrolled in 1859
the school the student would otherwise attend. 1860

(B) Once a student is in quarantine, the district or 1861
school shall notify the student's parents or guardians of 1862
available learning options for the duration of the student's 1863
quarantine. 1864

Section 7. For the 2021-2022 school year, a school 1865
district board of education, a community school governing 1866
authority, a STEM school governing authority, and a chartered 1867
nonpublic school governing authority shall report monthly to the 1868
Department of Education, in the manner determined by the 1869
Department, the number of students quarantined and the duration 1870
of the quarantine due to exposure to a contagious disease. 1871

Section 8. This act is hereby declared to be an emergency 1872
measure necessary for the immediate preservation of public 1873
peace, health, and safety. The reason for such necessity is to 1874
ensure that flexible blended and remote learning options may be 1875
offered by schools during the remainder of the 2021-2022 school 1876

year and that the act's provisions regarding real property	1877
leased to certain schools is effective in a timely manner.	1878
Therefore, this act shall go into immediate effect.	1879