

As Passed by the Senate

135th General Assembly

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Sub. S. B. No. 168

Senator Reynolds

Cosponsors: Senators Brenner, Cirino, Gavarone, Reineke, Schaffer

A BILL

To amend sections 3301.0714, 3301.28, 3302.03,	1
3302.12, 3302.151, 3307.353, 3309.345, 3311.80,	2
3312.02, 3313.26, 3313.413, 3313.48, 3313.92,	3
3313.984, 3314.012, 3314.015, 3314.016,	4
3314.017, 3314.0211, 3314.03, 3314.11, 3314.29,	5
3314.35, 3319.077, 3319.0811, 3319.111,	6
3319.112, 3319.172, 3319.22, 3319.2210, 3319.27,	7
3319.291, 3319.316, 3319.391, 3326.11, 3327.01,	8
3327.021, and 5502.70; to enact sections	9
3302.421, 3314.252, 3319.225, and 3319.273; and	10
to repeal sections 3301.0717, 3301.131,	11
3301.134, 3301.14, 3301.30, 3302.22, 3313.6015,	12
3314.20, 3317.50, 3317.51, 3319.234, 3319.55,	13
3319.56, and 3319.57 of the Revised Code with	14
regard to education regulation reform and notice	15
requirements for certain reemployed retirants	16
and to amend the versions of sections 3301.0714	17
and 3314.03 of the Revised Code that are	18
scheduled to take effect January 1, 2025, to	19
continue the changes on and after that effective	20
date.	21

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

Section 1. That sections 3301.0714, 3301.28, 3302.03, 22
3302.12, 3302.151, 3307.353, 3309.345, 3311.80, 3312.02, 23
3313.26, 3313.413, 3313.48, 3313.92, 3313.984, 3314.012, 24
3314.015, 3314.016, 3314.017, 3314.0211, 3314.03, 3314.11, 25
3314.29, 3314.35, 3319.077, 3319.0811, 3319.111, 3319.112, 26
3319.172, 3319.22, 3319.2210, 3319.27, 3319.291, 3319.316, 27
3319.391, 3326.11, 3327.01, 3327.021, and 5502.70 be amended and 28
sections 3302.421, 3314.252, 3319.225, and 3319.273 of the 29
Revised Code be enacted to read as follows: 30

Sec. 3301.0714. (A) The department of education and 31
workforce shall adopt rules for a statewide education management 32
information system. The rules shall require the department to 33
establish guidelines for the establishment and maintenance of 34
the system in accordance with this section and the rules adopted 35
under this section. The guidelines shall include: 36

(1) Standards identifying and defining the types of data 37
in the system in accordance with divisions (B) and (C) of this 38
section; 39

(2) Procedures for annually collecting and reporting the 40
data to the department in accordance with division (D) of this 41
section; 42

(3) Procedures for annually compiling the data in 43
accordance with division (G) of this section; 44

(4) Procedures for annually reporting the data to the 45
public in accordance with division (H) of this section; 46

(5) Standards to provide strict safeguards to protect the 47
confidentiality of personally identifiable student data. 48

(B) The guidelines adopted under this section shall 49
require the data maintained in the education management 50

information system to include at least the following: 51

(1) Student participation and performance data, for each 52
grade in each school district as a whole and for each grade in 53
each school building in each school district, that includes: 54

(a) The numbers of students receiving each category of 55
instructional service offered by the school district, such as 56
regular education instruction, vocational education instruction, 57
specialized instruction programs or enrichment instruction that 58
is part of the educational curriculum, instruction for gifted 59
students, instruction for students with disabilities, and 60
remedial instruction. The guidelines shall require instructional 61
services under this division to be divided into discrete 62
categories if an instructional service is limited to a specific 63
subject, a specific type of student, or both, such as regular 64
instructional services in mathematics, remedial reading 65
instructional services, instructional services specifically for 66
students gifted in mathematics or some other subject area, or 67
instructional services for students with a specific type of 68
disability. The categories of instructional services required by 69
the guidelines under this division shall be the same as the 70
categories of instructional services used in determining cost 71
units pursuant to division (C) (3) of this section. 72

(b) The numbers of students receiving support or 73
extracurricular services for each of the support services or 74
extracurricular programs offered by the school district, such as 75
counseling services, health services, and extracurricular sports 76
and fine arts programs. The categories of services required by 77
the guidelines under this division shall be the same as the 78
categories of services used in determining cost units pursuant 79
to division (C) (4) (a) of this section. 80

(c) Average student grades in each subject in grades nine through twelve;	81 82
(d) Academic achievement levels as assessed under sections 3301.0710, 3301.0711, and 3301.0712 of the Revised Code;	83 84
(e) The number of students designated as having a disabling condition pursuant to division (C) (1) of section 3301.0711 of the Revised Code;	85 86 87
(f) The numbers of students reported to the department pursuant to division (C) (2) of section 3301.0711 of the Revised Code;	88 89 90
(g) Attendance rates and the average daily attendance for the year. For purposes of this division, a student shall be counted as present for any field trip that is approved by the school administration.	91 92 93 94
(h) Expulsion rates;	95
(i) Suspension rates;	96
(j) Dropout rates;	97
(k) Rates of retention in grade;	98
(l) For pupils in grades nine through twelve, the average number of carnegie units, as calculated in accordance with the director's rules;	99 100 101
(m) Graduation rates, to be calculated in a manner specified by the department that reflects the rate at which students who were in the ninth grade three years prior to the current year complete school and that is consistent with nationally accepted reporting requirements;	102 103 104 105 106
(n) Results of diagnostic assessments administered to	107

kindergarten students as required under section 3301.0715 of the
Revised Code to permit a comparison of the academic readiness of
kindergarten students. However, no district shall be required to
report to the department the results of any diagnostic
assessment administered to a kindergarten student, except for
the language and reading assessment described in division (A) (2)
of section 3301.0715 of the Revised Code, if the parent of that
student requests the district not to report those results.

~~(o) Beginning on July 1, 2018, for each disciplinary
action which is required to be reported under division (B) (5) of
this section, districts and schools also shall include an
identification of the person or persons, if any, at whom the
student's violent behavior that resulted in discipline was
directed. The person or persons shall be identified by the
respective classification at the district or school, such as
student, teacher, or nonteaching employee, but shall not be
identified by name.~~

~~Division (B) (1) (o) of this section does not apply after
the date that is two years following the submission of the
report required by Section 733.13 of H.B. 49 of the 132nd
general assembly.~~

~~(p)~~ The number of students earning each state diploma seal
included in the system prescribed under division (A) of section
3313.6114 of the Revised Code;

~~(q)~~ (p) The number of students demonstrating competency
for graduation using each option described in divisions (B) (1)
(a) to (d) of section 3313.618 of the Revised Code;

~~(r)~~ (q) The number of students completing each
foundational and supporting option as part of the demonstration

of competency for graduation pursuant to division (B) (1) (b) of 137
section 3313.618 of the Revised Code; 138

~~(s)~~ (r) The number of students enrolled in all-day 139
kindergarten, as defined in section 3321.05 of the Revised Code. 140

(2) Personnel and classroom enrollment data for each 141
school district, including: 142

(a) The total numbers of licensed employees and 143
nonlicensed employees and the numbers of full-time equivalent 144
licensed employees and nonlicensed employees providing each 145
category of instructional service, instructional support 146
service, and administrative support service used pursuant to 147
division (C) (3) of this section. The guidelines adopted under 148
this section shall require these categories of data to be 149
maintained for the school district as a whole and, wherever 150
applicable, for each grade in the school district as a whole, 151
for each school building as a whole, and for each grade in each 152
school building. 153

(b) The total number of employees and the number of full- 154
time equivalent employees providing each category of service 155
used pursuant to divisions (C) (4) (a) and (b) of this section, 156
and the total numbers of licensed employees and nonlicensed 157
employees and the numbers of full-time equivalent licensed 158
employees and nonlicensed employees providing each category used 159
pursuant to division (C) (4) (c) of this section. The guidelines 160
adopted under this section shall require these categories of 161
data to be maintained for the school district as a whole and, 162
wherever applicable, for each grade in the school district as a 163
whole, for each school building as a whole, and for each grade 164
in each school building. 165

(c) The total number of regular classroom teachers 166
teaching classes of regular education and the average number of 167
pupils enrolled in each such class, in each of grades 168
kindergarten through five in the district as a whole and in each 169
school building in the school district. 170

(d) The number of lead teachers employed by each school 171
district and each school building. 172

(3) (a) Student demographic data for each school district, 173
including information regarding the gender ratio of the school 174
district's pupils, the racial make-up of the school district's 175
pupils, the number of English learners in the district, and an 176
appropriate measure of the number of the school district's 177
pupils who reside in economically disadvantaged households. The 178
demographic data shall be collected in a manner to allow 179
correlation with data collected under division (B) (1) of this 180
section. Categories for data collected pursuant to division (B) 181
(3) of this section shall conform, where appropriate, to 182
standard practices of agencies of the federal government. 183

(b) With respect to each student entering kindergarten, 184
whether the student previously participated in a public 185
preschool program, a private preschool program, or a head start 186
program, and the number of years the student participated in 187
each of these programs. 188

(4) (a) The core curriculum and instructional materials 189
being used for English language arts in each of grades pre- 190
kindergarten to five; 191

(b) The reading intervention programs being used in each 192
of grades pre-kindergarten to twelve. 193

(5) Any data required to be collected pursuant to federal 194

law. 195

(C) The education management information system shall 196
include cost accounting data for each district as a whole and 197
for each school building in each school district. The guidelines 198
adopted under this section shall require the cost data for each 199
school district to be maintained in a system of mutually 200
exclusive cost units and shall require all of the costs of each 201
school district to be divided among the cost units. The 202
guidelines shall require the system of mutually exclusive cost 203
units to include at least the following: 204

(1) Administrative costs for the school district as a 205
whole. The guidelines shall require the cost units under this 206
division (C) (1) to be designed so that each of them may be 207
compiled and reported in terms of average expenditure per pupil 208
in enrolled ADM in the school district, as determined pursuant 209
to section 3317.03 of the Revised Code. 210

(2) Administrative costs for each school building in the 211
school district. The guidelines shall require the cost units 212
under this division (C) (2) to be designed so that each of them 213
may be compiled and reported in terms of average expenditure per 214
full-time equivalent pupil receiving instructional or support 215
services in each building. 216

(3) Instructional services costs for each category of 217
instructional service provided directly to students and required 218
by guidelines adopted pursuant to division (B) (1) (a) of this 219
section. The guidelines shall require the cost units under 220
division (C) (3) of this section to be designed so that each of 221
them may be compiled and reported in terms of average 222
expenditure per pupil receiving the service in the school 223
district as a whole and average expenditure per pupil receiving 224

the service in each building in the school district and in terms 225
of a total cost for each category of service and, as a breakdown 226
of the total cost, a cost for each of the following components: 227

(a) The cost of each instructional services category 228
required by guidelines adopted under division (B) (1) (a) of this 229
section that is provided directly to students by a classroom 230
teacher; 231

(b) The cost of the instructional support services, such 232
as services provided by a speech-language pathologist, classroom 233
aide, multimedia aide, or librarian, provided directly to 234
students in conjunction with each instructional services 235
category; 236

(c) The cost of the administrative support services 237
related to each instructional services category, such as the 238
cost of personnel that develop the curriculum for the 239
instructional services category and the cost of personnel 240
supervising or coordinating the delivery of the instructional 241
services category. 242

(4) Support or extracurricular services costs for each 243
category of service directly provided to students and required 244
by guidelines adopted pursuant to division (B) (1) (b) of this 245
section. The guidelines shall require the cost units under 246
division (C) (4) of this section to be designed so that each of 247
them may be compiled and reported in terms of average 248
expenditure per pupil receiving the service in the school 249
district as a whole and average expenditure per pupil receiving 250
the service in each building in the school district and in terms 251
of a total cost for each category of service and, as a breakdown 252
of the total cost, a cost for each of the following components: 253

(a) The cost of each support or extracurricular services 254
category required by guidelines adopted under division (B) (1) (b) 255
of this section that is provided directly to students by a 256
licensed employee, such as services provided by a guidance 257
counselor or any services provided by a licensed employee under 258
a supplemental contract; 259

(b) The cost of each such services category provided 260
directly to students by a nonlicensed employee, such as 261
janitorial services, cafeteria services, or services of a sports 262
trainer; 263

(c) The cost of the administrative services related to 264
each services category in division (C) (4) (a) or (b) of this 265
section, such as the cost of any licensed or nonlicensed 266
employees that develop, supervise, coordinate, or otherwise are 267
involved in administering or aiding the delivery of each 268
services category. 269

(D) (1) The guidelines adopted under this section shall 270
require school districts to collect information about individual 271
students, staff members, or both in connection with any data 272
required by division (B) or (C) of this section or other 273
reporting requirements established in the Revised Code. The 274
guidelines may also require school districts to report 275
information about individual staff members in connection with 276
any data required by division (B) or (C) of this section or 277
other reporting requirements established in the Revised Code. 278
The guidelines shall not authorize school districts to request 279
social security numbers of individual students. The guidelines 280
shall prohibit the reporting under this section of a student's 281
name, address, and social security number to the department. The 282
guidelines shall also prohibit the reporting under this section 283

of any personally identifiable information about any student, 284
except for the purpose of assigning the data verification code 285
required by division (D) (2) of this section, to any other person 286
unless such person is employed by the school district or the 287
information technology center operated under section 3301.075 of 288
the Revised Code and is authorized by the district or technology 289
center to have access to such information or is employed by an 290
entity with which the department contracts for the scoring or 291
the development of state assessments. The guidelines may require 292
school districts to provide the social security numbers of 293
individual staff members and the county of residence for a 294
student. Nothing in this section prohibits the department from 295
providing a student's county of residence to the department of 296
taxation to facilitate the distribution of tax revenue. 297

(2) (a) The guidelines shall provide for each school 298
district or community school to assign a data verification code 299
that is unique on a statewide basis over time to each student 300
whose initial Ohio enrollment is in that district or school and 301
to report all required individual student data for that student 302
utilizing such code. The guidelines shall also provide for 303
assigning data verification codes to all students enrolled in 304
districts or community schools on the effective date of the 305
guidelines established under this section. The assignment of 306
data verification codes for other entities, as described in 307
division (D) (2) (d) of this section, the use of those codes, and 308
the reporting and use of associated individual student data 309
shall be coordinated by the department of education and 310
workforce in accordance with state and federal law. 311

School districts shall report individual student data to 312
the department through the information technology centers 313
utilizing the code. The entities described in division (D) (2) (d) 314

of this section shall report individual student data to the 315
department in the manner prescribed by the department. 316

(b) (i) Except as provided in sections 3301.941, 3310.11, 317
3310.42, 3310.63, 3313.978, 3317.20, and 5747.057 of the Revised 318
Code, and in division (D) (2) (b) (ii) of this section, at no time 319
shall the department have access to information that would 320
enable any data verification code to be matched to personally 321
identifiable student data. 322

(ii) For the purpose of making per-pupil payments to 323
community schools under section 3317.022 of the Revised Code, 324
the department shall have access to information that would 325
enable any data verification code to be matched to personally 326
identifiable student data. 327

(c) Each school district and community school shall ensure 328
that the data verification code is included in the student's 329
records reported to any subsequent school district, community 330
school, or state institution of higher education, as defined in 331
section 3345.011 of the Revised Code, in which the student 332
enrolls. Any such subsequent district or school shall utilize 333
the same identifier in its reporting of data under this section. 334

(d) (i) The director of any state agency that administers a 335
publicly funded program providing services to children who are 336
younger than compulsory school age, as defined in section 337
3321.01 of the Revised Code, including the directors of health, 338
job and family services, mental health and addiction services, 339
and developmental disabilities, shall request and receive, 340
pursuant to sections 3301.0723 and 5123.0423 of the Revised 341
Code, a data verification code for a child who is receiving 342
those services. 343

(ii) The director of developmental disabilities, director 344
of health, director of job and family services, director of 345
mental health and addiction services, medicaid director, 346
executive director of the commission on minority health, 347
executive director of the opportunities for Ohioans with 348
disabilities agency, or director of education and workforce, on 349
behalf of a program that receives public funds and provides 350
services to children who are younger than compulsory school age, 351
may request and receive, pursuant to section 3301.0723 of the 352
Revised Code, a data verification code for a child who is 353
receiving services from the program. 354

(E) The guidelines adopted under this section may require 355
school districts to collect and report data, information, or 356
reports other than that described in divisions (A), (B), and (C) 357
of this section for the purpose of complying with other 358
reporting requirements established in the Revised Code. The 359
other data, information, or reports may be maintained in the 360
education management information system but are not required to 361
be compiled as part of the profile formats required under 362
division (G) of this section or the annual statewide report 363
required under division (H) of this section. 364

(F) The board of education of each school district shall 365
annually collect and report to the department, in accordance 366
with the guidelines established by the department, the data 367
required pursuant to this section. A school district may collect 368
and report these data notwithstanding section 2151.357 or 369
3319.321 of the Revised Code. 370

(G) The department shall, in accordance with the 371
procedures it adopts, annually compile the data reported by each 372
school district pursuant to division (D) of this section. The 373

department shall design formats for profiling each school 374
district as a whole and each school building within each 375
district and shall compile the data in accordance with these 376
formats. These profile formats shall: 377

(1) Include all of the data gathered under this section in 378
a manner that facilitates comparison among school districts and 379
among school buildings within each school district; 380

(2) Present the data on academic achievement levels as 381
assessed by the testing of student achievement maintained 382
pursuant to division (B)(1)(d) of this section. 383

(H)(1) The department shall, in accordance with the 384
procedures it adopts, annually prepare a statewide report for 385
all school districts and the general public that includes the 386
profile of each of the school districts developed pursuant to 387
division (G) of this section. Copies of the report shall be sent 388
to each school district. 389

(2) The department shall, in accordance with the 390
procedures it adopts, annually prepare an individual report for 391
each school district and the general public that includes the 392
profiles of each of the school buildings in that school district 393
developed pursuant to division (G) of this section. ~~Copies of~~ 394
~~the report shall be sent to the superintendent of the district~~ 395
~~and to each member of the district board of education.~~ 396

~~(3) Copies of the reports prescribed in divisions (H)(1)~~ 397
~~and (2) of this section shall be made available to the general~~ 398
~~public at each school district's offices. Each district board of~~ 399
~~education shall make copies of each report available to any~~ 400
~~person upon request and payment of a reasonable fee for the cost~~ 401
~~of reproducing the report. The board shall annually publish in a~~ 402

~~newspaper of general circulation in the school district, at~~ 403
~~least twice during the two weeks prior to the week in which the~~ 404
~~reports will first be available, a notice containing the address~~ 405
~~where the reports are available and the date on which the~~ 406
~~reports will be available.~~ 407

(I) Any data that is collected or maintained pursuant to 408
this section and that identifies an individual pupil is not a 409
public record for the purposes of section 149.43 of the Revised 410
Code. 411

(J) As used in this section: 412

(1) "School district" means any city, local, exempted 413
village, or joint vocational school district and, in accordance 414
with section 3314.17 of the Revised Code, any community school. 415
As used in division (L) of this section, "school district" also 416
includes any educational service center or other educational 417
entity required to submit data using the system established 418
under this section. 419

(2) "Cost" means any expenditure for operating expenses 420
made by a school district excluding any expenditures for debt 421
retirement except for payments made to any commercial lending 422
institution for any loan approved pursuant to section 3313.483 423
of the Revised Code. 424

(K) Any person who removes data from the information 425
system established under this section for the purpose of 426
releasing it to any person not entitled under law to have access 427
to such information is subject to section 2913.42 of the Revised 428
Code prohibiting tampering with data. 429

(L) (1) In accordance with division (L) (2) of this section 430
and the rules adopted under division (L) (10) of this section, 431

the department may sanction any school district that reports 432
incomplete or inaccurate data, reports data that does not 433
conform to data requirements and descriptions published by the 434
department, fails to report data in a timely manner, or 435
otherwise does not make a good faith effort to report data as 436
required by this section. 437

(2) If the department decides to sanction a school 438
district under this division, the department shall take the 439
following sequential actions: 440

(a) Notify the district in writing that the department has 441
determined that data has not been reported as required under 442
this section and require the district to review its data 443
submission and submit corrected data by a deadline established 444
by the department. The department also may require the district 445
to develop a corrective action plan, which shall include 446
provisions for the district to provide mandatory staff training 447
on data reporting procedures. 448

(b) Withhold up to ten per cent of the total amount of 449
state funds due to the district for the current fiscal year and, 450
if not previously required under division (L) (2) (a) of this 451
section, require the district to develop a corrective action 452
plan in accordance with that division; 453

(c) Withhold an additional amount of up to twenty per cent 454
of the total amount of state funds due to the district for the 455
current fiscal year; 456

(d) Direct department staff or an outside entity to 457
investigate the district's data reporting practices and make 458
recommendations for subsequent actions. The recommendations may 459
include one or more of the following actions: 460

- (i) Arrange for an audit of the district's data reporting practices by department staff or an outside entity;
 - (ii) Conduct a site visit and evaluation of the district;
 - (iii) Withhold an additional amount of up to thirty per cent of the total amount of state funds due to the district for the current fiscal year;
 - (iv) Continue monitoring the district's data reporting;
 - (v) Assign department staff to supervise the district's data management system;
 - (vi) Conduct an investigation to determine whether to suspend or revoke the license of any district employee in accordance with division (N) of this section;
 - (vii) If the district is issued a report card under section 3302.03 of the Revised Code, indicate on the report card that the district has been sanctioned for failing to report data as required by this section;
 - (viii) If the district is issued a report card under section 3302.03 of the Revised Code and incomplete or inaccurate data submitted by the district likely caused the district to receive a higher performance rating than it deserved under that section, issue a revised report card for the district;
 - (ix) Any other action designed to correct the district's data reporting problems.
- (3) Any time the department takes an action against a school district under division (L) (2) of this section, the department shall make a report of the circumstances that prompted the action. The department shall send a copy of the report to the district superintendent or chief administrator and

maintain a copy of the report in its files. 489

(4) If any action taken under division (L)(2) of this 490
section resolves a school district's data reporting problems to 491
the department's satisfaction, the department shall not take any 492
further actions described by that division. If the department 493
withheld funds from the district under that division, the 494
department may release those funds to the district, except that 495
if the department withheld funding under division (L)(2)(c) of 496
this section, the department shall not release the funds 497
withheld under division (L)(2)(b) of this section and, if the 498
department withheld funding under division (L)(2)(d) of this 499
section, the department shall not release the funds withheld 500
under division (L)(2)(b) or (c) of this section. 501

(5) Notwithstanding anything in this section to the 502
contrary, the department may use its own staff or an outside 503
entity to conduct an audit of a school district's data reporting 504
practices any time the department has reason to believe the 505
district has not made a good faith effort to report data as 506
required by this section. If any audit conducted by an outside 507
entity under division (L)(2)(d)(i) or (5) of this section 508
confirms that a district has not made a good faith effort to 509
report data as required by this section, the district shall 510
reimburse the department for the full cost of the audit. The 511
department may withhold state funds due to the district for this 512
purpose. 513

(6) Prior to issuing a revised report card for a school 514
district under division (L)(2)(d)(viii) of this section, the 515
department may hold a hearing to provide the district with an 516
opportunity to demonstrate that it made a good faith effort to 517
report data as required by this section. The hearing shall be 518

conducted by a referee appointed by the department. Based on the 519
information provided in the hearing, the referee shall recommend 520
whether the department should issue a revised report card for 521
the district. If the referee affirms the department's contention 522
that the district did not make a good faith effort to report 523
data as required by this section, the district shall bear the 524
full cost of conducting the hearing and of issuing any revised 525
report card. 526

(7) If the department determines that any inaccurate data 527
reported under this section caused a school district to receive 528
excess state funds in any fiscal year, the district shall 529
reimburse the department an amount equal to the excess funds, in 530
accordance with a payment schedule determined by the department. 531
The department may withhold state funds due to the district for 532
this purpose. 533

(8) Any school district that has funds withheld under 534
division (L)(2) of this section may appeal the withholding in 535
accordance with Chapter 119. of the Revised Code. 536

(9) In all cases of a disagreement between the department 537
and a school district regarding the appropriateness of an action 538
taken under division (L)(2) of this section, the burden of proof 539
shall be on the district to demonstrate that it made a good 540
faith effort to report data as required by this section. 541

(10) The director of education and workforce shall adopt 542
rules under Chapter 119. of the Revised Code to implement 543
division (L) of this section. 544

(M) No information technology center or school district 545
shall acquire, change, or update its student administration 546
software package to manage and report data required to be 547

reported to the department unless it converts to a student 548
software package that is certified by the department. 549

(N) The state board of education, in accordance with 550
sections 3319.31 and 3319.311 of the Revised Code, may suspend 551
or revoke a license as defined under division (A) of section 552
3319.31 of the Revised Code that has been issued to any school 553
district employee found to have willfully reported erroneous, 554
inaccurate, or incomplete data to the education management 555
information system. 556

(O) No person shall release or maintain any information 557
about any student in violation of this section. Whoever violates 558
this division is guilty of a misdemeanor of the fourth degree. 559

(P) The department shall disaggregate the data collected 560
under division (B) (1) (n) of this section according to the race 561
and socioeconomic status of the students assessed. 562

(Q) If the department cannot compile any of the 563
information required by division (I) of section 3302.03 of the 564
Revised Code based upon the data collected under this section, 565
the department shall develop a plan and a reasonable timeline 566
for the collection of any data necessary to comply with that 567
division. 568

Sec. 3301.28. (A) As used in this section: 569

(1) "Coordinating service center" means the educational 570
service center of central Ohio or its successor organization. 571

(2) "Public school" means a school building operated by a 572
school district or other public school, as defined in section 573
3301.0711 of the Revised Code, or a building operated by an 574
educational service center. 575

(B) The department of education and workforce shall 576
establish a program to provide tutoring and remedial education 577
services in reading and English language arts, mathematics, 578
science, and social studies to students at public and chartered 579
nonpublic schools that elect to participate in the program. 580
Tutors shall not be considered employees of the public or 581
chartered nonpublic school in which they provide tutoring 582
services. Rather, the tutors shall be either employed or engaged 583
as a volunteer by the coordinating service center. The 584
coordinating service center shall be responsible for 585
compensating each individual it employs as a tutor using funds 586
transferred from the school at which the individual works as a 587
tutor. The coordinating service center may coordinate placement 588
of tutors with the sixteen regional educational service centers, 589
selected under division (C) (4) of this section, and other 590
service centers as determined necessary by the coordinating 591
service center. 592

Individuals who wish to participate in the program as 593
tutors shall submit an application to the coordinating service 594
center. The coordinating service center shall establish 595
application procedures for individuals who wish to participate 596
in the program as tutors. 597

To be eligible to participate as a tutor under the 598
program, an individual shall be either of the following: 599

(1) A retired teacher or substitute teacher, regardless of 600
whether the teacher holds a valid educator license, certificate, 601
or permit issued under Chapter 3319. or section 3301.071 of the 602
Revised Code, provided that the teacher has not had an educator 603
license, certificate, or permit denied, suspended, or revoked by 604
the state board of education under section 3319.31 of the 605

Revised Code or entered into a consent agreement pursuant to 606
division (E) of section 3319.311 of the Revised Code; 607

(2) An individual, not described in division (A) (1) of 608
this section, who is determined to be eligible by the 609
coordinating service center in accordance with standards 610
established by the department. 611

(C) The department, with assistance from participating 612
educational service centers, and in consultation with public and 613
chartered nonpublic schools, shall administer and implement the 614
program as follows: 615

(1) The department shall establish standards for 616
determining the eligibility of tutors under division (B) (2) of 617
this section. 618

(2) The coordinating service center, in consultation with 619
the department, shall create a training course for tutors 620
described in division (B) of this section who do not hold valid 621
educator licenses, certificates, or permits issued under Chapter 622
3319. or section 3301.071 of the Revised Code. The coordinating 623
service center and department may establish additional training 624
requirements for tutors who provide tutoring services to 625
students with special needs or students with an individualized 626
education program, as that term is defined in section 3323.01 of 627
the Revised Code. In addition, the coordinating service center 628
and department may continue to provide training to tutors after 629
their placement in schools. 630

(3) The department shall serve as the fiscal agent for the 631
program. The department shall provide for administrative and 632
implementation costs, costs of developing the training course 633
described in division (C) (2) of this section, and provide 634

technical assistance at the request of the coordinating service center. 635
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The department shall not compensate tutors under the program. 637
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The state board shall not charge any registration fee to individuals who wish to participate in the program as tutors. 639
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(4) Educational service centers from each educational regional service system described in section 3312.02 of the Revised Code may select one educational service center to administer the training program for their region in conjunction with the coordinating service center. The educational service center selected for each region may cooperate with individual educational service centers to implement the training program. 641
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(5) Each educational service center may coordinate the placement of tutors at the participating public and chartered nonpublic schools within its service territory. 648
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(6) The coordinating service center shall require an individual employed or engaged as a volunteer as a tutor under this section to apply for and receive a registration from the ~~department~~state board. 651
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As a condition of registration under this section, an individual shall be subject to a criminal records check as prescribed by section 3319.39 or 3319.391 of the Revised Code, as appropriate. The individual shall request the criminal records check through the coordinating service center and shall submit the criminal records check to the state board in a manner determined by the state board. The state board shall use the information submitted to enroll the individual in the retained applicant fingerprint database, established under section 655
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109.5721 of the Revised Code, in the same manner as any teacher 664
licensed under sections 3319.22 to 3319.31 of the Revised Code. 665

If the state board receives notification of the arrest or 666
conviction of an individual registered under division (C) (6) of 667
this section, the state board shall promptly notify the 668
coordinating service center and may take any action authorized 669
under sections 3319.31 and 3319.311 of the Revised Code that ~~the~~ 670
~~department~~ it considers appropriate. The state board shall not 671
accept the application of any individual under this section if 672
the state board learns that the individual has pleaded guilty 673
to, has been found guilty by a jury or court of, or has been 674
convicted of any of the offenses listed in division (C) of 675
section 3319.31 of the Revised Code. 676

The department shall reimburse the coordinating service 677
center for both of the following: 678

(a) Any costs incurred by the coordinating service center 679
when assisting with the registration of tutors with the 680
~~department~~ state board; 681

(b) The cost of the criminal records check required under 682
this section. 683

(7) Participation by public and chartered nonpublic 684
schools is voluntary. Public and chartered nonpublic schools 685
that wish to participate in the tutoring and remedial education 686
program shall notify the coordinating service center of their 687
intention to do so. 688

Each participating school shall have the ultimate 689
authority over how best to incorporate tutors into the school 690
setting, but such determinations shall be made in cooperation 691
with the educational service center. Program activities may take 692

place before, during, or after school as well as during breaks 693
from school such as weekends, holidays, or summer vacation. 694
Program activities may take place on an online platform or in 695
person, including on school premises, at community-based youth 696
development organizations, or in another public location the 697
school's governing body and educational service center determine 698
to be appropriate. 699

A participating school shall provide necessary materials, 700
space, and equipment for tutors placed in the school. A 701
participating school shall transfer funds or instruct its 702
educational service center or school district to authorize 703
payment to the coordinating service center to assist the service 704
center in making payments to tutors placed in the school and 705
paying the cost of other benefits for the tutors. The 706
department, in consultation with the chancellor of higher 707
education, shall create a list of benefits which a participant 708
may receive. 709

Participating schools shall use their own funds, federal 710
or state grants, and any other federal or state dollars 711
applicable for tutoring or other services associated with 712
learning loss to pay costs incurred from participating in the 713
program. 714

(D) Upon the completion of each of the 2022-2023, 2023- 715
2024, and 2024-2025 school years, the department shall conduct a 716
review of the program's effectiveness in providing tutoring and 717
remedial education to students. Based on each of those reviews, 718
the department shall issue a report of its findings. The report 719
also shall include the number of participating public and 720
chartered nonpublic schools, tutors, and students, as well as 721
whether tutoring in a particular school was provided on an 722

online platform or in-person. The department may request and 723
collect data from public or chartered nonpublic schools and from 724
educational service centers for the report. The department 725
shall, in accordance with section 101.68 of the Revised Code, 726
submit those reports to the general assembly, as follows: 727

(1) The report for the 2022-2023 school year shall be 728
submitted not later than September 30, 2023. 729

(2) The report for the 2023-2024 school year shall be 730
submitted not later than September 30, 2024. 731

(3) The report for the 2024-2025 school year shall be 732
submitted not later than September 30, 2025. 733

(E) Nothing in this section shall be construed as 734
prohibiting a public or chartered nonpublic school from 735
contracting or partnering with another entity to provide 736
tutoring services to the school's students. 737

Sec. 3302.03. Not later than the thirty-first day of July 738
of each year, the department of education and workforce shall 739
submit preliminary report card data for overall academic 740
performance and for each separate performance measure for each 741
school district, and each school building, in accordance with 742
this section. 743

Annually, not later than the fifteenth day of September or 744
the preceding Friday when that day falls on a Saturday or 745
Sunday, the department shall assign a letter grade or 746
performance rating for overall academic performance and for each 747
separate performance measure for each school district, and each 748
school building in a district, in accordance with this section. 749
The department shall adopt rules pursuant to Chapter 119. of the 750
Revised Code to implement this section. The department's rules 751

shall establish performance criteria for each letter grade or 752
performance rating and prescribe a method by which the 753
department assigns each letter grade or performance rating. For 754
a school building to which any of the performance measures do 755
not apply, due to grade levels served by the building, the 756
department shall designate the performance measures that are 757
applicable to the building and that must be calculated 758
separately and used to calculate the building's overall grade or 759
performance rating. The department shall issue annual report 760
cards reflecting the performance of each school district, each 761
building within each district, and for the state as a whole 762
using the performance measures and letter grade or performance 763
rating system described in this section. The department shall 764
include on the report card for each district and each building 765
within each district the most recent two-year trend data in 766
student achievement for each subject and each grade. 767

(A) (1) For the 2012-2013 school year, the department shall 768
issue grades as described in division (F) of this section for 769
each of the following performance measures: 770

(a) Annual measurable objectives; 771

(b) Performance index score for a school district or 772
building. Grades shall be awarded as a percentage of the total 773
possible points on the performance index system as adopted by 774
the department. In adopting benchmarks for assigning letter 775
grades under division (A) (1) (b) of this section, the department 776
shall designate ninety per cent or higher for an "A," at least 777
seventy per cent but not more than eighty per cent for a "C," 778
and less than fifty per cent for an "F." 779

(c) The extent to which the school district or building 780
meets each of the applicable performance indicators established 781

by the department under section 3302.02 of the Revised Code and 782
the percentage of applicable performance indicators that have 783
been achieved. In adopting benchmarks for assigning letter 784
grades under division (A) (1) (c) of this section, the department 785
shall designate ninety per cent or higher for an "A." 786

(d) The four- and five-year adjusted cohort graduation 787
rates. 788

In adopting benchmarks for assigning letter grades under 789
division (A) (1) (d), (B) (1) (d), or (C) (1) (d) of this section, the 790
department shall designate a four-year adjusted cohort 791
graduation rate of ninety-three per cent or higher for an "A" 792
and a five-year cohort graduation rate of ninety-five per cent 793
or higher for an "A." 794

(e) The overall score under the value-added progress 795
dimension of a school district or building, for which the 796
department shall use up to three years of value-added data as 797
available. The letter grade assigned for this growth measure 798
shall be as follows: 799

(i) A score that is at least one standard error of measure 800
above the mean score shall be designated as an "A." 801

(ii) A score that is less than one standard error of 802
measure above but greater than one standard error of measure 803
below the mean score shall be designated as a "B." 804

(iii) A score that is less than or equal to one standard 805
error of measure below the mean score but greater than two 806
standard errors of measure below the mean score shall be 807
designated as a "C." 808

(iv) A score that is less than or equal to two standard 809
errors of measure below the mean score but is greater than three 810

standard errors of measure below the mean score shall be 811
designated as a "D." 812

(v) A score that is less than or equal to three standard 813
errors of measure below the mean score shall be designated as an 814
"F." 815

Whenever the value-added progress dimension is used as a 816
graded performance measure in this division and divisions (B) 817
and (C) of this section, whether as an overall measure or as a 818
measure of separate subgroups, the grades for the measure shall 819
be calculated in the same manner as prescribed in division (A) 820
(1) (e) of this section. 821

(f) The value-added progress dimension score for a school 822
district or building disaggregated for each of the following 823
subgroups: students identified as gifted, students with 824
disabilities, and students whose performance places them in the 825
lowest quintile for achievement on a statewide basis. Each 826
subgroup shall be a separate graded measure. 827

(2) The department shall adopt a resolution describing the 828
performance measures, benchmarks, and grading system for the 829
2012-2013 school year and shall adopt rules in accordance with 830
Chapter 119. of the Revised Code that prescribe the methods by 831
which the performance measures under division (A) (1) of this 832
section shall be assessed and assigned a letter grade, including 833
performance benchmarks for each letter grade. 834

At least forty-five days prior to the department's 835
adoption of rules to prescribe the methods by which the 836
performance measures under division (A) (1) of this section shall 837
be assessed and assigned a letter grade, the department shall 838
conduct a public presentation before the standing committees of 839

the house of representatives and the senate that consider 840
education legislation describing such methods, including 841
performance benchmarks. 842

(3) There shall not be an overall letter grade for a 843
school district or building for the 2012-2013 school year. 844

(B) (1) For the 2013-2014 school year, the department shall 845
issue grades as described in division (F) of this section for 846
each of the following performance measures: 847

(a) Annual measurable objectives; 848

(b) Performance index score for a school district or 849
building. Grades shall be awarded as a percentage of the total 850
possible points on the performance index system as created by 851
the department. In adopting benchmarks for assigning letter 852
grades under division (B) (1) (b) of this section, the department 853
shall designate ninety per cent or higher for an "A," at least 854
seventy per cent but not more than eighty per cent for a "C," 855
and less than fifty per cent for an "F." 856

(c) The extent to which the school district or building 857
meets each of the applicable performance indicators established 858
by the department under section 3302.03 of the Revised Code and 859
the percentage of applicable performance indicators that have 860
been achieved. In adopting benchmarks for assigning letter 861
grades under division (B) (1) (c) of this section, the department 862
shall designate ninety per cent or higher for an "A." 863

(d) The four- and five-year adjusted cohort graduation 864
rates; 865

(e) The overall score under the value-added progress 866
dimension of a school district or building, for which the 867
department shall use up to three years of value-added data as 868

available. 869

(f) The value-added progress dimension score for a school 870
district or building disaggregated for each of the following 871
subgroups: students identified as gifted in superior cognitive 872
ability and specific academic ability fields under Chapter 3324. 873
of the Revised Code, students with disabilities, and students 874
whose performance places them in the lowest quintile for 875
achievement on a statewide basis. Each subgroup shall be a 876
separate graded measure. 877

(g) Whether a school district or building is making 878
progress in improving literacy in grades kindergarten through 879
three, as determined using a method prescribed by the 880
department. The department shall adopt rules to prescribe 881
benchmarks and standards for assigning grades to districts and 882
buildings for purposes of division (B) (1) (g) of this section. In 883
adopting benchmarks for assigning letter grades under divisions 884
(B) (1) (g) and (C) (1) (g) of this section, the department shall 885
determine progress made based on the reduction in the total 886
percentage of students scoring below grade level, or below 887
proficient, compared from year to year on the reading and 888
writing diagnostic assessments administered under section 889
3301.0715 of the Revised Code and the third grade English 890
language arts assessment under section 3301.0710 of the Revised 891
Code, as applicable. The department shall designate for a "C" 892
grade a value that is not lower than the statewide average value 893
for this measure. No grade shall be issued under divisions (B) 894
(1) (g) and (C) (1) (g) of this section for a district or building 895
in which less than five per cent of students have scored below 896
grade level on the diagnostic assessment administered to 897
students in kindergarten under division (B) (1) of section 898
3313.608 of the Revised Code. 899

(h) For a high mobility school district or building, an 900
additional value-added progress dimension score. For this 901
measure, the department shall use value-added data from the most 902
recent school year available and shall use assessment scores for 903
only those students to whom the district or building has 904
administered the assessments prescribed by section 3301.0710 of 905
the Revised Code for each of the two most recent consecutive 906
school years. 907

As used in this division, "high mobility school district 908
or building" means a school district or building where at least 909
twenty-five per cent of its total enrollment is made up of 910
students who have attended that school district or building for 911
less than one year. 912

(2) In addition to the graded measures in division (B) (1) 913
of this section, the department shall include on a school 914
district's or building's report card all of the following 915
without an assigned letter grade: 916

(a) The percentage of students enrolled in a district or 917
building participating in advanced placement classes and the 918
percentage of those students who received a score of three or 919
better on advanced placement examinations; 920

(b) The number of a district's or building's students who 921
have earned at least three college credits through dual 922
enrollment or advanced standing programs, such as the post- 923
secondary enrollment options program under Chapter 3365. of the 924
Revised Code and state-approved career-technical courses offered 925
through dual enrollment or statewide articulation, that appear 926
on a student's transcript or other official document, either of 927
which is issued by the institution of higher education from 928
which the student earned the college credit. The credits earned 929

that are reported under divisions (B) (2) (b) and (C) (2) (c) of 930
this section shall not include any that are remedial or 931
developmental and shall include those that count toward the 932
curriculum requirements established for completion of a degree. 933

(c) The percentage of students enrolled in a district or 934
building who have taken a national standardized test used for 935
college admission determinations and the percentage of those 936
students who are determined to be remediation-free in accordance 937
with standards adopted under division (F) of section 3345.061 of 938
the Revised Code; 939

(d) The percentage of the district's or the building's 940
students who receive industry-recognized credentials as approved 941
under section 3313.6113 of the Revised Code. 942

(e) The percentage of students enrolled in a district or 943
building who are participating in an international baccalaureate 944
program and the percentage of those students who receive a score 945
of four or better on the international baccalaureate 946
examinations. 947

(f) The percentage of the district's or building's 948
students who receive an honors diploma under division (B) of 949
section 3313.61 of the Revised Code. 950

(3) The department shall adopt rules in accordance with 951
Chapter 119. of the Revised Code that prescribe the methods by 952
which the performance measures under divisions (B) (1) (f) and (B) 953
(1) (g) of this section will be assessed and assigned a letter 954
grade, including performance benchmarks for each grade. 955

At least forty-five days prior to the department's 956
adoption of rules to prescribe the methods by which the 957
performance measures under division (B) (1) of this section shall 958

be assessed and assigned a letter grade, the department shall 959
conduct a public presentation before the standing committees of 960
the house of representatives and the senate that consider 961
education legislation describing such methods, including 962
performance benchmarks. 963

(4) There shall not be an overall letter grade for a 964
school district or building for the 2013-2014, 2014-2015, 2015- 965
2016, and 2016-2017 school years. 966

(C) (1) For the 2014-2015, 2015-2016, 2016-2017, 2017-2018, 967
2018-2019, 2019-2020, and 2020-2021 school years, the department 968
shall issue grades as described in division (F) of this section 969
for each of the performance measures prescribed in division (C) 970
(1) of this section. The graded measures are as follows: 971

(a) Annual measurable objectives. For the 2017-2018 school 972
year, the department shall not include any subgroup data in the 973
annual measurable objectives that includes data from fewer than 974
twenty-five students. For the 2018-2019 school year, the 975
department shall not include any subgroup data in the annual 976
measurable objectives that includes data from fewer than twenty 977
students. Beginning with the 2019-2020 school year, the 978
department shall not include any subgroup data in the annual 979
measurable objectives that includes data from fewer than fifteen 980
students. 981

(b) Performance index score for a school district or 982
building. Grades shall be awarded as a percentage of the total 983
possible points on the performance index system as created by 984
the department. In adopting benchmarks for assigning letter 985
grades under division (C) (1) (b) of this section, the department 986
shall designate ninety per cent or higher for an "A," at least 987
seventy per cent but not more than eighty per cent for a "C," 988

and less than fifty per cent for an "F." 989

(c) The extent to which the school district or building 990
meets each of the applicable performance indicators established 991
by the department under section 3302.03 of the Revised Code and 992
the percentage of applicable performance indicators that have 993
been achieved. In adopting benchmarks for assigning letter 994
grades under division (C) (1) (c) of this section, the department 995
shall designate ninety per cent or higher for an "A." 996

(d) The four- and five-year adjusted cohort graduation 997
rates; 998

(e) The overall score under the value-added progress 999
dimension, or another measure of student academic progress if 1000
adopted by the department, of a school district or building, for 1001
which the department shall use up to three years of value-added 1002
data as available. 1003

In adopting benchmarks for assigning letter grades for 1004
overall score on value-added progress dimension under division 1005
(C) (1) (e) of this section, the department shall prohibit the 1006
assigning of a grade of "A" for that measure unless the 1007
district's or building's grade assigned for value-added progress 1008
dimension for all subgroups under division (C) (1) (f) of this 1009
section is a "C" or higher. 1010

For the metric prescribed by division (C) (1) (e) of this 1011
section, the department may adopt a student academic progress 1012
measure to be used instead of the value-added progress 1013
dimension. If the department adopts such a measure, it also 1014
shall prescribe a method for assigning letter grades for the new 1015
measure that is comparable to the method prescribed in division 1016
(A) (1) (e) of this section. 1017

(f) The value-added progress dimension score of a school 1018
district or building disaggregated for each of the following 1019
subgroups: students identified as gifted in superior cognitive 1020
ability and specific academic ability fields under Chapter 3324. 1021
of the Revised Code, students with disabilities, and students 1022
whose performance places them in the lowest quintile for 1023
achievement on a statewide basis, as determined by a method 1024
prescribed by the department. Each subgroup shall be a separate 1025
graded measure. 1026

The department may adopt student academic progress 1027
measures to be used instead of the value-added progress 1028
dimension. If the department adopts such measures, it also shall 1029
prescribe a method for assigning letter grades for the new 1030
measures that is comparable to the method prescribed in division 1031
(A) (1) (e) of this section. 1032

(g) Whether a school district or building is making 1033
progress in improving literacy in grades kindergarten through 1034
three, as determined using a method prescribed by the 1035
department. The department shall adopt rules to prescribe 1036
benchmarks and standards for assigning grades to a district or 1037
building for purposes of division (C) (1) (g) of this section. The 1038
department shall designate for a "C" grade a value that is not 1039
lower than the statewide average value for this measure. No 1040
grade shall be issued under division (C) (1) (g) of this section 1041
for a district or building in which less than five per cent of 1042
students have scored below grade level on the kindergarten 1043
diagnostic assessment under division (B) (1) of section 3313.608 1044
of the Revised Code. 1045

(h) For a high mobility school district or building, an 1046
additional value-added progress dimension score. For this 1047

measure, the department shall use value-added data from the most 1048
recent school year available and shall use assessment scores for 1049
only those students to whom the district or building has 1050
administered the assessments prescribed by section 3301.0710 of 1051
the Revised Code for each of the two most recent consecutive 1052
school years. 1053

As used in this division, "high mobility school district 1054
or building" means a school district or building where at least 1055
twenty-five per cent of its total enrollment is made up of 1056
students who have attended that school district or building for 1057
less than one year. 1058

(2) In addition to the graded measures in division (C) (1) 1059
of this section, the department shall include on a school 1060
district's or building's report card all of the following 1061
without an assigned letter grade: 1062

(a) The percentage of students enrolled in a district or 1063
building who have taken a national standardized test used for 1064
college admission determinations and the percentage of those 1065
students who are determined to be remediation-free in accordance 1066
with the standards adopted under division (F) of section 1067
3345.061 of the Revised Code; 1068

(b) The percentage of students enrolled in a district or 1069
building participating in advanced placement classes and the 1070
percentage of those students who received a score of three or 1071
better on advanced placement examinations; 1072

(c) The percentage of a district's or building's students 1073
who have earned at least three college credits through advanced 1074
standing programs, such as the college credit plus program under 1075
Chapter 3365. of the Revised Code and state-approved career- 1076

technical courses offered through dual enrollment or statewide 1077
articulation, that appear on a student's college transcript 1078
issued by the institution of higher education from which the 1079
student earned the college credit. The credits earned that are 1080
reported under divisions (B) (2) (b) and (C) (2) (c) of this section 1081
shall not include any that are remedial or developmental and 1082
shall include those that count toward the curriculum 1083
requirements established for completion of a degree. 1084

(d) The percentage of the district's or building's 1085
students who receive an honor's diploma under division (B) of 1086
section 3313.61 of the Revised Code; 1087

(e) The percentage of the district's or building's 1088
students who receive industry-recognized credentials as approved 1089
under section 3313.6113 of the Revised Code; 1090

(f) The percentage of students enrolled in a district or 1091
building who are participating in an international baccalaureate 1092
program and the percentage of those students who receive a score 1093
of four or better on the international baccalaureate 1094
examinations; 1095

(g) The results of the college and career-ready 1096
assessments administered under division (B) (1) of section 1097
3301.0712 of the Revised Code; 1098

(h) Whether the school district or building has 1099
implemented a positive behavior intervention and supports 1100
framework in compliance with the requirements of section 3319.46 1101
of the Revised Code, notated as a "yes" or "no" answer. 1102

(3) The department shall adopt rules pursuant to Chapter 1103
119. of the Revised Code that establish a method to assign an 1104
overall grade for a school district or school building for the 1105

2017-2018 school year and each school year thereafter. The rules 1106
shall group the performance measures in divisions (C) (1) and (2) 1107
of this section into the following components: 1108

(a) Gap closing, which shall include the performance 1109
measure in division (C) (1) (a) of this section; 1110

(b) Achievement, which shall include the performance 1111
measures in divisions (C) (1) (b) and (c) of this section; 1112

(c) Progress, which shall include the performance measures 1113
in divisions (C) (1) (e) and (f) of this section; 1114

(d) Graduation, which shall include the performance 1115
measure in division (C) (1) (d) of this section; 1116

(e) Kindergarten through third-grade literacy, which shall 1117
include the performance measure in division (C) (1) (g) of this 1118
section; 1119

(f) Prepared for success, which shall include the 1120
performance measures in divisions (C) (2) (a), (b), (c), (d), (e), 1121
and (f) of this section. The department shall develop a method 1122
to determine a grade for the component in division (C) (3) (f) of 1123
this section using the performance measures in divisions (C) (2) 1124
(a), (b), (c), (d), (e), and (f) of this section. When 1125
available, the department may incorporate the performance 1126
measure under division (C) (2) (g) of this section into the 1127
component under division (C) (3) (f) of this section. When 1128
determining the overall grade for the prepared for success 1129
component prescribed by division (C) (3) (f) of this section, no 1130
individual student shall be counted in more than one performance 1131
measure. However, if a student qualifies for more than one 1132
performance measure in the component, the department may, in its 1133
method to determine a grade for the component, specify an 1134

additional weight for such a student that is not greater than or 1135
equal to 1.0. In determining the overall score under division 1136
(C) (3) (f) of this section, the department shall ensure that the 1137
pool of students included in the performance measures aggregated 1138
under that division are all of the students included in the 1139
four- and five-year adjusted graduation cohort. 1140

In the rules adopted under division (C) (3) of this 1141
section, the department shall adopt a method for determining a 1142
grade for each component in divisions (C) (3) (a) to (f) of this 1143
section. The department also shall establish a method to assign 1144
an overall grade of "A," "B," "C," "D," or "F" using the grades 1145
assigned for each component. The method the department adopts 1146
for assigning an overall grade shall give equal weight to the 1147
components in divisions (C) (3) (b) and (c) of this section. 1148

At least forty-five days prior to the department's 1149
adoption of rules to prescribe the methods for calculating the 1150
overall grade for the report card, as required by this division, 1151
the department shall conduct a public presentation before the 1152
standing committees of the house of representatives and the 1153
senate that consider education legislation describing the format 1154
for the report card, weights that will be assigned to the 1155
components of the overall grade, and the method for calculating 1156
the overall grade. 1157

(D) For the 2021-2022 school year and each school year 1158
thereafter, all of the following apply: 1159

(1) The department shall include on a school district's or 1160
building's report card all of the following performance measures 1161
without an assigned performance rating: 1162

(a) Whether the district or building meets the gifted 1163

performance indicator under division (A) (2) of section 3302.02 1164
of the Revised Code and the extent to which the district or 1165
building meets gifted indicator performance benchmarks; 1166

(b) The extent to which the district or building meets the 1167
chronic absenteeism indicator under division (A) (3) of section 1168
3302.02 of the Revised Code; 1169

(c) Performance index score percentage for a district or 1170
building, which shall be calculated by dividing the district's 1171
or building's performance index score according to the 1172
performance index system created by the department by the 1173
maximum performance index score for a district or building. The 1174
maximum performance index score shall be as follows: 1175

(i) For a building, the average of the highest two per 1176
cent of performance index scores achieved by a building for the 1177
school year for which a report card is issued; 1178

(ii) For a district, the average of the highest two per 1179
cent of performance index scores achieved by a district for the 1180
school year for which a report card is issued. 1181

(d) The overall score under the value-added progress 1182
dimension of a district or building, for which the department 1183
shall use three consecutive years of value-added data. In using 1184
three years of value-added data to calculate the measure 1185
prescribed under division (D) (1) (d) of this section, the 1186
department shall assign a weight of fifty per cent to the most 1187
recent year's data and a weight of twenty-five per cent to the 1188
data of each of the other years. However, if three consecutive 1189
years of value-added data is not available, the department shall 1190
use prior years of value-added data to calculate the measure, as 1191
follows: 1192

(i) If two consecutive years of value-added data is not 1193
available, the department shall use one year of value-added data 1194
to calculate the measure. 1195

(ii) If two consecutive years of value-added data is 1196
available, the department shall use two consecutive years of 1197
value-added data to calculate the measure. In using two years of 1198
value-added data to calculate the measure, the department shall 1199
assign a weight of sixty-seven per cent to the most recent 1200
year's data and a weight of thirty-three per cent to the data of 1201
the other year. 1202

(e) The four-year adjusted cohort graduation rate. 1203

(f) The five-year adjusted cohort graduation rate. 1204

(g) The percentage of students in the district or building 1205
who score proficient or higher on the reading segment of the 1206
third grade English language arts assessment under section 1207
3301.0710 of the Revised Code. 1208

To the extent possible, the department shall include the 1209
results of the summer administration of the third grade reading 1210
assessment under section 3301.0710 of the Revised Code in the 1211
performance measures prescribed under divisions (D) (1) (g) and 1212
(h) of this section. 1213

(h) Whether a district or building is making progress in 1214
improving literacy in grades kindergarten through three, as 1215
determined using a method prescribed by the department. The 1216
method shall determine progress made based on the reduction in 1217
the total percentage of students scoring below grade level, or 1218
below proficient, compared from year to year on the reading 1219
segments of the diagnostic assessments administered under 1220
section 3301.0715 of the Revised Code, including the 1221

kindergarten readiness assessment, and the third grade English 1222
language arts assessment under section 3301.0710 of the Revised 1223
Code, as applicable. The method shall not include a deduction 1224
for students who did not pass the third grade English language 1225
arts assessment under section 3301.0710 of the Revised Code and 1226
were not on a reading improvement and monitoring plan. 1227

The performance measure prescribed under division (D) (1) 1228
(h) of this section shall not be included on the report card of 1229
a district or building in which less than ten per cent of 1230
students have scored below grade level on the diagnostic 1231
assessment administered to students in kindergarten under 1232
division (B) (1) of section 3313.608 of the Revised Code. 1233

(i) The percentage of students in a district or building 1234
who are promoted to the fourth grade and not subject to 1235
retention under division (A) (2) of section 3313.608 of the 1236
Revised Code; 1237

(j) A post-secondary readiness measure. This measure shall 1238
be calculated by dividing the number of students included in the 1239
four-year adjusted graduation rate cohort who demonstrate post- 1240
secondary readiness by the total number of students included in 1241
the denominator of the four-year adjusted graduation rate 1242
cohort. Demonstration of post-secondary readiness shall include 1243
a student doing any of the following: 1244

(i) Attaining a remediation-free score, in accordance with 1245
standards adopted under division (F) of section 3345.061 of the 1246
Revised Code, on a nationally standardized assessment prescribed 1247
under division (B) (1) of section 3301.0712 of the Revised Code; 1248

(ii) Attaining required scores on three or more advanced 1249
placement or international baccalaureate examinations. The 1250

required score for an advanced placement examination shall be a 1251
three or better. The required score for an international 1252
baccalaureate examination shall be a four or better. A student 1253
may satisfy this condition with any combination of advanced 1254
placement or international baccalaureate examinations. 1255

(iii) Earning at least twelve college credits through 1256
advanced standing programs, such as the college credit plus 1257
program under Chapter 3365. of the Revised Code, an early 1258
college high school program under section 3313.6013 of the 1259
Revised Code, and state-approved career-technical courses 1260
offered through dual enrollment or statewide articulation, that 1261
appear on a student's college transcript issued by the 1262
institution of higher education from which the student earned 1263
the college credit. Earned credits reported under division (D) 1264
(1)(j)(iii) of this section shall include credits that count 1265
toward the curriculum requirements established for completion of 1266
a degree, but shall not include any remedial or developmental 1267
credits. 1268

(iv) Meeting the additional criteria for an honors diploma 1269
under division (B) of section 3313.61 of the Revised Code; 1270

(v) Earning an industry-recognized credential or license 1271
issued by a state agency or board for practice in a vocation 1272
that requires an examination for issuance of that license 1273
approved under section 3313.6113 of the Revised Code; 1274

(vi) Satisfying any of the following conditions: 1275

(I) Completing a pre-apprenticeship aligned with options 1276
established under section 3313.904 of the Revised Code in the 1277
student's chosen career field; 1278

(II) Completing an apprenticeship registered with the 1279

apprenticeship council established under section 4139.02 of the Revised Code in the student's chosen career field;

(III) Providing evidence of acceptance into an apprenticeship program after high school that is restricted to participants eighteen years of age or older.

(vii) Earning a cumulative score of proficient or higher on three or more state technical assessments aligned with section 3313.903 of the Revised Code in a single career pathway;

(viii) Earning an OhioMeansJobs-readiness seal established under section 3313.6112 of the Revised Code and completing two hundred fifty hours of an internship or other work-based learning experience that is either:

(I) Approved by the business advisory council established under section 3313.82 of the Revised Code that represents the student's district; or

(II) Aligned to the career-technical education pathway approved by the department in which the student is enrolled.

(ix) Providing evidence that the student has enlisted in a branch of the armed services of the United States as defined in section 5910.01 of the Revised Code.

A student who satisfies more than one of the conditions prescribed under this division shall be counted as one student for the purposes of calculating the measure prescribed under division (D) (1) (j) of this section.

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

(a) The applicable performance indicators established by 1308
the department under division (A) (1) of section 3302.02 of the 1309
Revised Code; 1310

(b) The overall score under the value-added progress 1311
dimension of a district or building for the most recent school 1312
year; 1313

(c) A composite of the overall scores under the value- 1314
added progress dimension of a district or building for the 1315
previous three school years or, if only two years of value-added 1316
data are available, for the previous two years; 1317

(d) The percentage of students included in the four- and 1318
five-year adjusted cohort graduation rates of a district or 1319
building who did not receive a high school diploma under section 1320
3313.61 or 3325.08 of the Revised Code. To the extent possible, 1321
the department shall disaggregate that data according to the 1322
following categories: 1323

(i) Students who are still enrolled in the district or 1324
building and receiving general education services; 1325

(ii) Students with an individualized education program, as 1326
defined in section 3323.01 of the Revised Code, who satisfied 1327
the conditions for a high school diploma under section 3313.61 1328
or 3325.08 of the Revised Code, but opted not to receive a 1329
diploma and are still receiving education services; 1330

(iii) Students with an individualized education program 1331
who have not yet satisfied conditions for a high school diploma 1332
under section 3313.61 or 3325.08 of the Revised Code and who are 1333
still receiving education services; 1334

(iv) Students who are no longer enrolled in any district 1335
or building; 1336

(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 adjusted cohort graduation rate.

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

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

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

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

(ii) Entered an apprenticeship program registered with the apprenticeship council established under Chapter 4139. of the Revised Code. The department may include other job training programs with similar rigor and outcomes.

(iii) Attained gainful employment, as determined by the

department; 1366

(iv) Enlisted in a branch of the armed forces of the 1367
United States, as defined in section 5910.01 of the Revised 1368
Code. 1369

(g) Whether the school district or building has 1370
implemented a positive behavior intervention and supports 1371
framework in compliance with the requirements of section 3319.46 1372
of the Revised Code, notated with a "yes" or "no"; 1373

(h) The number and percentage of high school seniors in 1374
each school year who completed the free application for federal 1375
student aid; 1376

(i) Beginning with the report card issued under this 1377
section for the 2022-2023 school year, a student opportunity 1378
profile measure that reports data regarding the opportunities 1379
provided to students by a district or building. To the extent 1380
possible, and when appropriate, the data shall be disaggregated 1381
by grade level and subgroup. The measure also shall include data 1382
regarding the statewide average, the average for similar school 1383
districts, and, for a building, the average for the district in 1384
which the building is located. The measure shall include all of 1385
the following data for the district or building: 1386

(i) The average ratio of teachers of record to students in 1387
each grade level in a district or building; 1388

(ii) The average ratio of school counselors to students in 1389
a district or building; 1390

(iii) The average ratio of nurses to students in a 1391
district or building; 1392

(iv) The average ratio of licensed librarians and library 1393

media specialists to students in a district or building;	1394
(v) The average ratio of social workers to students in a district or building;	1395 1396
(vi) The average ratio of mental health professionals to students in a district or building;	1397 1398
(vii) The average ratio of paraprofessionals to students in a district or building;	1399 1400
(viii) The percentage of teachers with fewer than three years of experience teaching in any school;	1401 1402
(ix) The percentage of principals with fewer than three years of experience as a principal in any school;	1403 1404
(x) The percentage of teachers who are not teaching in the subject or field for which they are certified or licensed;	1405 1406
(xi) The percentage of kindergarten students who are enrolled in all-day kindergarten, as defined in section 3321.05 of the Revised Code;	1407 1408 1409
(xii) The percentage of students enrolled in a performing or visual arts course;	1410 1411
(xiii) The percentage of students enrolled in a physical education or wellness course;	1412 1413
(xiv) The percentage of students enrolled in a world language course;	1414 1415
(xv) The percentage of students in grades seven through twelve who are enrolled in a career-technical education course;	1416 1417
(xvi) The percentage of students participating in one or more cocurricular activities;	1418 1419

(xvii) The percentage of students participating in advance	1420
placement courses, international baccalaureate courses, honors	1421
courses, or courses offered through the college credit plus	1422
program established under Chapter 3365. of the Revised Code;	1423
(xviii) The percentage of students identified as gifted in	1424
superior cognitive ability and specific academic ability fields	1425
under Chapter 3324. of the Revised Code and receiving gifted	1426
services pursuant to that chapter;	1427
(xix) The percentage of students participating in	1428
enrichment or support programs offered by the district or	1429
building outside of the normal school day;	1430
(xx) The percentage of eligible students participating	1431
each school day in school breakfast programs offered by the	1432
district or building in accordance with section 3313.813 or	1433
3313.818 of the Revised Code;	1434
(xxi) The percentage of students who are transported by a	1435
school bus each school day;	1436
(xxii) The ratio of portable technology devices that	1437
students may take home to the number of students.	1438
The department shall include only opportunity measures at	1439
the building level for which data for buildings is available, as	1440
determined by a school district.	1441
(j) (i) The percentage of students included in the four-	1442
and five-year adjusted cohort graduation rates of the district	1443
or building who completed all of grades nine through twelve	1444
while enrolled in the district or building;	1445
(ii) The four-year adjusted cohort graduation rate for	1446
only those students who were continuously enrolled in the same	1447

district or building for grades nine through twelve. 1448

(k) The percentage of students in the district or building 1449
to whom both of the following apply: 1450

(i) The students are promoted to fourth grade and not 1451
subject to retention under division (A) (2) of section 3313.608 1452
of the Revised Code. 1453

(ii) The students completed all of the grade levels 1454
offered prior to the fourth grade in the district or building. 1455

(3) Except as provided in division (D) (3) (f) of this 1456
section, the department shall use the method prescribed under 1457
rules adopted under division (D) (4) of this section to assign 1458
performance ratings of "one star," "two stars," "three stars," 1459
"four stars," or "five stars," as described in division (F) of 1460
this section, for a district or building for the individual 1461
components prescribed under division (D) (3) of this section. The 1462
department also shall assign an overall performance rating for a 1463
district or building in accordance with division (D) (3) (g) of 1464
this section. The method shall use the performance measures 1465
prescribed under division (D) (1) of this section to calculate 1466
performance ratings for components. The method may report data 1467
under division (D) (2) of this section with corresponding 1468
components, but shall not use the data to calculate performance 1469
ratings for that component. The performance measures and 1470
reported data shall be grouped together into components as 1471
follows: 1472

(a) Gap closing. In addition to other criteria determined 1473
appropriate by the department, performance ratings for the gap 1474
closing component shall reflect whether each of the following 1475
performance measures are met or not met: 1476

(i) The gifted performance indicator as described in	1477
division (D) (1) (a) of this section;	1478
(ii) The chronic absenteeism indicator as described in	1479
division (D) (1) (b) of this section;	1480
(iii) For English learners, an English language	1481
proficiency improvement indicator established by the department;	1482
(iv) The subgroup graduation targets;	1483
(v) The subgroup achievement targets in both mathematics	1484
and English language arts;	1485
(vi) The subgroup progress targets in both mathematics and	1486
English language arts.	1487
Achievement and progress targets under division (D) (3) (a)	1488
of this section shall be calculated individually, and districts	1489
and buildings shall receive a status of met or not met on each	1490
measure. The department shall not require a subgroup of a	1491
district or building to meet both the achievement and progress	1492
targets at the same time to receive a status of met.	1493
The department shall not include any subgroup data in this	1494
measure that includes data from fewer than fifteen students. Any	1495
penalty for failing to meet the required assessment	1496
participation rate must be partially in proportion to how close	1497
the district or building was to meeting the rate requirement.	1498
(b) Achievement, which shall include the performance	1499
measure in division (D) (1) (c) of this section and the reported	1500
data in division (D) (2) (a) of this section. Performance ratings	1501
for the achievement component shall be awarded as a percentage	1502
of the maximum performance index score described in division (D)	1503
(1) (c) of this section.	1504

(c) Progress, which shall include the performance measure 1505
in division (D) (1) (d) of this section and the reported data in 1506
divisions (D) (2) (b) and (c) of this section; 1507

(d) Graduation, which shall include the performance 1508
measures in divisions (D) (1) (e) and (f) of this section and the 1509
reported data in divisions (D) (2) (d) and (j) of this section. 1510
The four-year adjusted cohort graduation rate shall be assigned 1511
a weight of sixty per cent and the five-year adjusted cohort 1512
graduation rate shall be assigned a weight of forty per cent; 1513

(e) Early literacy, which shall include the performance 1514
measures in divisions (D) (1) (g), (h), and (i) of this section 1515
and the reported data in divisions (D) (2) (e) and (k) of this 1516
section. 1517

If the measure prescribed under division (D) (1) (h) of this 1518
section is included in a report card, performance ratings for 1519
the early literacy component shall give a weight of forty per 1520
cent to the measure prescribed under division (D) (1) (g) of this 1521
section, a weight of thirty-five per cent to the measure 1522
prescribed under division (D) (1) (i) of this section, and a 1523
weight of twenty-five per cent to the measure prescribed under 1524
division (D) (1) (h) of this section. 1525

If the measure prescribed under division (D) (1) (h) of this 1526
section is not included in a report card of a district or 1527
building, performance ratings for the early literacy component 1528
shall give a weight of sixty per cent to the measure prescribed 1529
under division (D) (1) (g) of this section and a weight of forty 1530
per cent to the measure prescribed under division (D) (1) (i) of 1531
this section. 1532

(f) College, career, workforce, and military readiness, 1533

which shall include the performance measure in division (D) (1) 1534
(j) of this section and the reported data in division (D) (2) (f) 1535
of this section. 1536

For the 2021-2022, 2022-2023, and 2023-2024 school years, 1537
the department only shall report the data for, and not assign a 1538
performance rating to, the college, career, workforce, and 1539
military readiness component. The reported data shall include 1540
the percentage of students who demonstrate post-secondary 1541
readiness using any of the options described in division (D) (1) 1542
(j) of this section. 1543

The department shall analyze the data included in the 1544
performance measure prescribed in division (D) (1) (j) of this 1545
section for the 2021-2022, 2022-2023, and 2023-2024 school 1546
years. Using that data, the department shall develop and propose 1547
rules for a method to assign a performance rating to the 1548
college, career, workforce, and military readiness component 1549
based on that measure. The method to assign a performance rating 1550
shall not include a tiered structure or per student bonuses. The 1551
rules shall specify that a district or building shall not 1552
receive lower than a performance rating of three stars for the 1553
component if the district's or building's performance on the 1554
component meets or exceeds a level of improvement set by the 1555
department. Notwithstanding division (D) (4) (b) of this section, 1556
more than half of the total districts and buildings may earn a 1557
performance rating of three stars on this component to account 1558
for the districts and buildings that earned a performance rating 1559
of three stars because they met or exceeded the level of 1560
improvement set by the department. 1561

The department shall submit the rules to the joint 1562
committee on agency rule review. The committee shall conduct at 1563

least one public hearing on the proposed rules and approve or 1564
disapprove the rules. If the committee approves the rules, the 1565
department shall adopt the rules in accordance with Chapter 119. 1566
of the Revised Code. If the rules are adopted, the department 1567
shall assign a performance rating to the college, career, 1568
workforce, and military readiness component under the rules 1569
beginning with the 2024-2025 school year, and for each school 1570
year thereafter. If the committee disapproves the rules, the 1571
component shall be included in the report card only as reported 1572
data for the 2024-2025 school year, and each school year 1573
thereafter. 1574

(g) (i) Except as provided for in division (D) (3) (g) (ii) of 1575
this section, beginning with the 2022-2023 school year, under 1576
the method prescribed under rules adopted in division (D) (4) of 1577
this section, the department shall use the performance ratings 1578
assigned for the components prescribed in divisions (D) (3) (a) to 1579
(e) of this section to determine and assign an overall 1580
performance rating of "one star," "one and one-half stars," "two 1581
stars," "two and one-half stars," "three stars," "three and one- 1582
half stars," "four stars," "four and one-half stars," or "five 1583
stars" for a district or building. The method shall give equal 1584
weight to the components in divisions (D) (3) (b) and (c) of this 1585
section. The method shall give equal weight to the components in 1586
divisions (D) (3) (a), (d), and (e) of this section. The 1587
individual weights of each of the components prescribed in 1588
divisions (D) (3) (a), (d), and (e) of this section shall be equal 1589
to one-half of the weight given to the component prescribed in 1590
division (D) (3) (b) of this section. 1591

(ii) If the joint committee on agency rule review approves 1592
the department's rules regarding the college, career, workforce, 1593
and military readiness component as described in division (D) (3) 1594

(f) of this section, for the 2024-2025 school year, and each 1595
school year thereafter, the department's method shall use the 1596
components in divisions (D) (3) (a), (b), (c), (d), (e), and (f) 1597
of this section to calculate the overall performance rating. The 1598
method shall give equal weight to the components in divisions 1599
(D) (3) (b) and (c) of this section. The method shall give equal 1600
weight to the components prescribed in divisions (D) (3) (a), (d), 1601
(e), and (f) of this section. The individual weights of each of 1602
the components prescribed in divisions (D) (3) (a), (d), (e), and 1603
(f) of this section shall be equal to one-half the weight given 1604
to the component prescribed in division (D) (3) (b) of this 1605
section. 1606

If the joint committee on agency rule review disapproves 1607
the department's rules regarding the college, career, workforce, 1608
and military readiness component as described in division (D) (3) 1609
(f) of this section, division (D) (3) (g) (ii) of this section does 1610
not apply. 1611

(4) (a) The department shall adopt rules in accordance with 1612
Chapter 119. of the Revised Code to establish the performance 1613
criteria, benchmarks, and rating system necessary to implement 1614
divisions (D) and (F) of this section, including the method for 1615
the department to assign performance ratings under division (D) 1616
(3) of this section. 1617

(b) In establishing the performance criteria, benchmarks, 1618
and rating system, the department shall consult with stakeholder 1619
groups and advocates that represent parents, community members, 1620
students, business leaders, and educators from different school 1621
typology regions. The department shall use data from prior 1622
school years and simulations to ensure that there is meaningful 1623
differentiation among districts and buildings across all 1624

performance ratings and that, except as permitted in division 1625
(D) (3) (f) of this section, more than half of all districts or 1626
buildings do not earn the same performance rating in any 1627
component or overall performance rating. 1628

(c) The department shall adopt the rules prescribed by 1629
division (D) (4) of this section not later than March 31, 2022. 1630
However, the department shall notify districts and buildings of 1631
the changes to the report card prescribed in law not later than 1632
one week after September 30, 2021. 1633

(d) Prior to adopting or updating rules under division (D) 1634
(4) of this section, the director of education and workforce and 1635
the department shall conduct a public presentation before the 1636
standing committees of the house of representatives and the 1637
senate that consider primary and secondary education legislation 1638
describing the format for the report card and the performance 1639
criteria, benchmarks, and rating system, including the method to 1640
assign performance ratings under division (D) (3) of this 1641
section. 1642

(E) The department may develop a measure of student 1643
academic progress for high school students using only data from 1644
assessments in English language arts and mathematics. If the 1645
department develops this measure, each school district and 1646
applicable school building shall be assigned a separate letter 1647
grade for it not sooner than the 2017-2018 school year. The 1648
district's or building's grade for that measure shall not be 1649
included in determining the district's or building's overall 1650
letter grade. 1651

(F) (1) The letter grades assigned to a school district or 1652
building under this section shall be as follows: 1653

(a) "A" for a district or school making excellent progress; 1654
1655

(b) "B" for a district or school making above average progress; 1656
1657

(c) "C" for a district or school making average progress; 1658

(d) "D" for a district or school making below average progress; 1659
1660

(e) "F" for a district or school failing to meet minimum progress. 1661
1662

(2) For the overall performance rating under division (D) 1663

(3) of this section, the department shall include a descriptor for each performance rating as follows: 1664
1665

(a) "Significantly exceeds state standards" for a performance rating of five stars; 1666
1667

(b) "Exceeds state standards" for a performance rating of four stars or four and one-half stars; 1668
1669

(c) "Meets state standards" for a performance rating of three stars or three and one-half stars; 1670
1671

(d) "Needs support to meet state standards" for a performance rating of two stars or two and one-half stars; 1672
1673

(e) "Needs significant support to meet state standards" for a performance rating of one star or one and one-half stars. 1674
1675

(3) For performance ratings for each component under divisions (D) (3) (a) to (f) of this section, the department shall include a description of each component and performance rating. The description shall include component-specific context to each performance rating earned, estimated comparisons to other school 1676
1677
1678
1679
1680

districts and buildings if appropriate, and any other 1681
information determined by the department. The descriptions shall 1682
be not longer than twenty-five words in length when possible. In 1683
addition to such descriptions, the department shall include the 1684
descriptors in division (F)(2) of this section for component 1685
performance ratings. 1686

(4) Each report card issued under this section shall 1687
include all of the following: 1688

(a) A graphic that depicts the performance ratings of a 1689
district or school on a color scale. The color associated with a 1690
performance rating of three stars shall be green and the color 1691
associated with a performance rating of one star shall be red. 1692

(b) An arrow graphic that shows data trends for 1693
performance ratings for school districts or buildings. The 1694
department shall determine the data to be used for this graphic, 1695
which shall include at least the three most recent years of 1696
data. 1697

(c) A description regarding the weights that are assigned 1698
to each component and used to determine an overall performance 1699
rating, as prescribed under division (D)(3)(g) of this section, 1700
which shall be included in the presentation of the overall 1701
performance rating on each report card. 1702

(G) When reporting data on student achievement and 1703
progress, the department shall disaggregate that data according 1704
to the following categories: 1705

(1) Performance of students by grade-level; 1706

(2) Performance of students by race and ethnic group; 1707

(3) Performance of students by gender; 1708

(4) Performance of students grouped by those who have been enrolled in a district or school for three or more years;	1709 1710
(5) Performance of students grouped by those who have been enrolled in a district or school for more than one year and less than three years;	1711 1712 1713
(6) Performance of students grouped by those who have been enrolled in a district or school for one year or less;	1714 1715
(7) Performance of students grouped by those who are economically disadvantaged;	1716 1717
(8) Performance of students grouped by those who are enrolled in a conversion community school established under Chapter 3314. of the Revised Code;	1718 1719 1720
(9) Performance of students grouped by those who are classified as English learners;	1721 1722
(10) Performance of students grouped by those who have disabilities;	1723 1724
(11) Performance of students grouped by those who are classified as migrants;	1725 1726
(12) Performance of students grouped by those who are identified as gifted in superior cognitive ability and the specific academic ability fields of reading and math pursuant to Chapter 3324. of the Revised Code. In disaggregating specific academic ability fields for gifted students, the department shall use data for those students with specific academic ability in math and reading. If any other academic field is assessed, the department shall also include data for students with specific academic ability in that field as well.	1727 1728 1729 1730 1731 1732 1733 1734 1735
(13) Performance of students grouped by those who perform	1736

in the lowest quintile for achievement on a statewide basis, as 1737
determined by a method prescribed by the department. 1738

The department may disaggregate data on student 1739
performance according to other categories that the department 1740
determines are appropriate. To the extent possible, the 1741
department shall disaggregate data on student performance 1742
according to any combinations of two or more of the categories 1743
listed in divisions (G) (1) to (13) of this section that it deems 1744
relevant. 1745

In reporting data pursuant to division (G) of this 1746
section, the department shall not include in the report cards 1747
any data statistical in nature that is statistically unreliable 1748
or that could result in the identification of individual 1749
students. For this purpose, the department shall not report 1750
student performance data for any group identified in division 1751
(G) of this section that contains less than ten students. If the 1752
department does not report student performance data for a group 1753
because it contains less than ten students, the department shall 1754
indicate on the report card that is why data was not reported. 1755

(H) The department may include with the report cards any 1756
additional education and fiscal performance data it deems 1757
valuable. 1758

(I) The department shall include on each report card a 1759
list of additional information collected by the department that 1760
is available regarding the district or building for which the 1761
report card is issued. When available, such additional 1762
information shall include student mobility data disaggregated by 1763
race and socioeconomic status, college enrollment data, and the 1764
reports prepared under section 3302.031 of the Revised Code. 1765

The department shall maintain a site on the world wide 1766
web. The report card shall include the address of the site and 1767
shall specify that such additional information is available to 1768
the public at that site. The department shall also provide a 1769
copy of each item on the list to the superintendent of each 1770
school district. The district superintendent shall provide a 1771
copy of any item on the list to anyone who requests it. 1772

(J) (1) (a) Except as provided in division (J) (1) (b) of this 1773
section, for any district that sponsors a conversion community 1774
school under Chapter 3314. of the Revised Code, the department 1775
shall combine data regarding the academic performance of 1776
students enrolled in the community school with comparable data 1777
from the schools of the district for the purpose of determining 1778
the performance of the district as a whole on the report card 1779
issued for the district under this section or section 3302.033 1780
of the Revised Code. 1781

(b) The department shall not combine data from any 1782
conversion community school that a district sponsors if a 1783
majority of the students enrolled in the conversion community 1784
school are enrolled in a dropout prevention and recovery program 1785
that is operated by the school, as described in division ~~(A) (4)~~ 1786
~~(a)~~ (B) (1) of section 3314.35 of the Revised Code. The 1787
department shall include as an addendum to the district's report 1788
card the ratings and performance measures that are required 1789
under section 3314.017 of the Revised Code for any community 1790
school to which division (J) (1) (b) of this section applies. This 1791
addendum shall include, at a minimum, the data specified in 1792
divisions (C) (1) (a), (C) (2), and (C) (3) of section 3314.017 of 1793
the Revised Code. 1794

(2) Any district that leases a building to a community 1795

school located in the district or that enters into an agreement 1796
with a community school located in the district whereby the 1797
district and the school endorse each other's programs may elect 1798
to have data regarding the academic performance of students 1799
enrolled in the community school combined with comparable data 1800
from the schools of the district for the purpose of determining 1801
the performance of the district as a whole on the district 1802
report card. Any district that so elects shall annually file a 1803
copy of the lease or agreement with the department. 1804

(3) Any municipal school district, as defined in section 1805
3311.71 of the Revised Code, that sponsors a community school 1806
located within the district's territory, or that enters into an 1807
agreement with a community school located within the district's 1808
territory whereby the district and the community school endorse 1809
each other's programs, may exercise either or both of the 1810
following elections: 1811

(a) To have data regarding the academic performance of 1812
students enrolled in that community school combined with 1813
comparable data from the schools of the district for the purpose 1814
of determining the performance of the district as a whole on the 1815
district's report card; 1816

(b) To have the number of students attending that 1817
community school noted separately on the district's report card. 1818

The election authorized under division (J)(3)(a) of this 1819
section is subject to approval by the governing authority of the 1820
community school. 1821

Any municipal school district that exercises an election 1822
to combine or include data under division (J)(3) of this 1823
section, by the first day of October of each year, shall file 1824

with the department documentation indicating eligibility for 1825
that election, as required by the department. 1826

(K) The department shall include on each report card the 1827
percentage of teachers in the district or building who are 1828
properly certified or licensed teachers, as defined in section 1829
3319.074 of the Revised Code, and a comparison of that 1830
percentage with the percentages of such teachers in similar 1831
districts and buildings. 1832

(L) (1) In calculating English language arts, mathematics, 1833
science, American history, or American government assessment 1834
passage rates used to determine school district or building 1835
performance under this section, the department shall include all 1836
students taking an assessment with accommodation or to whom an 1837
alternate assessment is administered pursuant to division (C) (1) 1838
or (3) of section 3301.0711 of the Revised Code and all students 1839
who take substitute examinations approved under division (B) (4) 1840
of section 3301.0712 of the Revised Code in the subject areas of 1841
science, American history and American government. 1842

(2) In calculating performance index scores, rates of 1843
achievement on the performance indicators established by the 1844
department under section 3302.02 of the Revised Code, and annual 1845
measurable objectives for determining adequate yearly progress 1846
for school districts and buildings under this section, the 1847
department shall do all of the following: 1848

(a) Include for each district or building only those 1849
students who are included in the ADM certified for the first 1850
full school week of October and are continuously enrolled in the 1851
district or building through the time of the spring 1852
administration of any assessment prescribed by division (A) (1) 1853
or (B) (1) of section 3301.0710 or division (B) of section 1854

3301.0712 of the Revised Code that is administered to the 1855
student's grade level; 1856

(b) Include cumulative totals from both the fall and 1857
spring administrations of the third grade English language arts 1858
achievement assessment and, to the extent possible, the summer 1859
administration of that assessment; 1860

(c) Include for each district or building any English 1861
learner in accordance with the department's plan, as approved by 1862
the United States secretary of education, to comply with the 1863
"Elementary and Secondary Education Act of 1965," 20 U.S.C. 6311 1864
to 6339. 1865

As used in this section, "English learner" has the same 1866
meaning as in section 3301.0731 of the Revised Code. 1867

(M) Beginning with the 2015-2016 school year and at least 1868
once every three years thereafter, the department shall review 1869
and may adjust the benchmarks for assigning letter grades or 1870
performance ratings to the performance measures and components 1871
prescribed under divisions (C) (3), (D), and (E) of this section. 1872

Sec. 3302.12. (A) (1) Except as provided in divisions (C) 1873
and (D) of this section, this section applies to a school 1874
building that is ranked according to performance index score 1875
under section 3302.21 of the Revised Code in the lowest five per 1876
cent of public school buildings statewide for three consecutive 1877
years and that meets any combination of the following for three 1878
consecutive years: 1879

~~(a) The school building is declared to be under an 1880
academic watch or in a state of academic emergency under section 1881
3302.03 of the Revised Code.~~ 1882

~~(b) The school building has received a grade of "F" for 1883~~

the value-added progress dimension under division (A) (1) (e), (B) 1884
(1) (e), or (C) (1) (e) of section 3302.03 of the Revised Code; 1885

~~(e)~~ (b) The school building has received an overall grade 1886
of "F" under section 3302.03 of the Revised Code; 1887

~~(d)~~ (c) The school building has received a performance 1888
rating of one star for progress under division (D) (3) (c) of 1889
section 3302.03 of the Revised Code; 1890

~~(e)~~ (d) The school building has received an overall 1891
performance rating of less than two stars under section 3302.03 1892
of the Revised Code. 1893

(2) In the case of a building to which this section 1894
applies, the district board of education in control of that 1895
building shall do one of the following at the conclusion of the 1896
school year in which the building first becomes subject to this 1897
section: 1898

(a) Close the school and direct the district 1899
superintendent to reassign the students enrolled in the school 1900
to other school buildings that demonstrate higher academic 1901
achievement; 1902

(b) Contract with another school district or a nonprofit 1903
or for-profit entity with a demonstrated record of effectiveness 1904
to operate the school; 1905

(c) Replace the principal and all teaching staff of the 1906
school and, upon request from the new principal, exempt the 1907
school from all requested policies and regulations of the board 1908
regarding curriculum and instruction. The board also shall 1909
distribute funding to the school in an amount that is at least 1910
equal to the product of the per pupil amount of state and local 1911
revenues received by the district multiplied by the student 1912

population of the school. 1913

(d) Reopen the school as a conversion community school 1914
under Chapter 3314. of the Revised Code. 1915

(B) If an action taken by the board under division (A) (2) 1916
of this section causes the district to no longer maintain all 1917
grades kindergarten through twelve, as required by section 1918
3311.29 of the Revised Code, the board shall enter into a 1919
contract with another school district pursuant to section 1920
3327.04 of the Revised Code for enrollment of students in the 1921
schools of that other district to the extent necessary to comply 1922
with the requirement of section 3311.29 of the Revised Code. 1923
Notwithstanding any provision of the Revised Code to the 1924
contrary, if the board enters into and maintains a contract 1925
under section 3327.04 of the Revised Code, the district shall 1926
not be considered to have failed to comply with the requirement 1927
of section 3311.29 of the Revised Code. If, however, the 1928
district board fails to or is unable to enter into or maintain 1929
such a contract, the state board of education shall take all 1930
necessary actions to dissolve the district as provided in 1931
division (A) of section 3311.29 of the Revised Code. 1932

(C) If a particular school is required to restructure 1933
under this section and a petition with respect to that same 1934
school has been filed and verified under divisions (B) and (C) 1935
of section 3302.042 of the Revised Code, the provisions of that 1936
section and the petition filed and verified under it shall 1937
prevail over the provisions of this section and the school shall 1938
be restructured under that section. However, if division (D) (1), 1939
(2), or (3) of section 3302.042 of the Revised Code also applies 1940
to the school, the school shall be subject to restructuring 1941
under this section and not section 3302.042 of the Revised Code. 1942

If the provisions of this section conflict in any way with 1943
the requirements of federal law, federal law shall prevail over 1944
the provisions of this section. 1945

(D) If a school is restructured under this section, 1946
section 3302.042 or 3302.10 of the Revised Code, or federal law, 1947
the school shall not be required to restructure again under 1948
state law for three consecutive years after the implementation 1949
of that prior restructuring. 1950

Sec. 3302.151. (A) Notwithstanding anything to the 1951
contrary in the Revised Code, a school district that qualifies 1952
under division (D) of this section shall be exempt from all of 1953
the following: 1954

(1) The teacher qualification requirements under the 1955
third-grade reading guarantee, as prescribed under divisions (B) 1956
(3) (c) and (H) of section 3313.608 of the Revised Code. This 1957
exemption does not relieve a teacher from holding a valid Ohio 1958
license in a subject area and grade level determined appropriate 1959
by the board of education of that district. 1960

(2) The mentoring component of the Ohio teacher residency 1961
program established under division (A) (1) of section 3319.223 of 1962
the Revised Code, so long as the district utilizes a local 1963
approach to train and support new teachers; 1964

(3) Any provision of the Revised Code or rule or standard 1965
of the department of education and workforce prescribing a 1966
minimum or maximum class size; 1967

(4) Any provision of the Revised Code or rule or standard 1968
of the department requiring teachers to be licensed specifically 1969
in the grade level in which they are teaching, except unless 1970
otherwise prescribed by federal law. This exemption does not 1971

apply to special education teachers. Nor does this exemption 1972
relieve a teacher from holding a valid Ohio license in the 1973
subject area in which that teacher is teaching and at least some 1974
grade level determined appropriate by the district board. 1975

(B) (1) Notwithstanding anything to the contrary in the 1976
Revised Code, including sections 3319.30 and 3319.36 of the 1977
Revised Code, the superintendent of a school district that 1978
qualifies under division (D) of this section may employ an 1979
individual who is not licensed as required by sections 3319.22 1980
to 3319.30 of the Revised Code, but who is otherwise qualified 1981
based on experience, to teach classes in the district, so long 1982
as the board of education of the school district approves the 1983
individual's employment and provides mentoring and professional 1984
development opportunities to that individual, as determined 1985
necessary by the board. 1986

(2) As a condition of employment under this section, an 1987
individual shall be subject to a criminal records check as 1988
prescribed by section 3319.391 of the Revised Code. In the 1989
manner prescribed by the state board of education, the 1990
individual shall submit the criminal records check to the state 1991
board and shall register with the state board during the period 1992
in which the individual is employed by the district. The state 1993
board shall use the information submitted to enroll the 1994
individual in the retained applicant fingerprint database, 1995
established under section 109.5721 of the Revised Code, in the 1996
same manner as any teacher licensed under sections 3319.22 to 1997
3319.31 of the Revised Code. 1998

(3) An individual employed pursuant to this division is 1999
subject to Chapter 3307. of the Revised Code. 2000

If the state board receives notification of the arrest or 2001

conviction of an individual employed under division (B) of this 2002
section, the state board shall promptly notify the employing 2003
district and may take any action authorized under sections 2004
3319.31 and 3319.311 of the Revised Code that it considers 2005
appropriate. No district shall employ any individual under 2006
division (B) of this section if the district learns that the 2007
individual has plead guilty to, has been found guilty by a jury 2008
or court of, or has been convicted of any of the offenses listed 2009
in division (C) of section 3319.31 of the Revised Code. 2010

(C) Notwithstanding anything to the contrary in the 2011
Revised Code, noncompliance with any of the requirements listed 2012
in divisions (A) or (B) of this section shall not disqualify a 2013
school district that qualifies under division (D) of this 2014
section from receiving funds under Chapter 3317. of the Revised 2015
Code. 2016

(D) In order for a city, local, or exempted village school 2017
district to qualify for the exemptions described in this 2018
section, the school district shall meet ~~all~~ both of the 2019
following benchmarks on the most recent report card issued for 2020
that district under section 3302.03 of the Revised Code: 2021

(1) The district received at least eighty-five per cent of 2022
the total possible points for the performance index score 2023
calculated under division (C) (1) (b) or (D) (1) (c) of that 2024
section; 2025

(2) ~~The district received a grade of an "A" for~~ 2026
~~performance indicators met under division (C) (1) (c) of that~~ 2027
~~section. However, division (D) (2) of this section shall not~~ 2028
~~apply for the 2021-2022 school year or any school year~~ 2029
~~thereafter.~~ 2030

~~(3)~~—The district has a four-year adjusted cohort
graduation rate of at least ninety-three per cent and a five-
year adjusted cohort graduation rate of at least ninety-five per
cent, as calculated under division (C) (1) (d) or divisions (D) (1)
(e) and (D) (1) (f) of that section.

~~(E)~~—(E) (1) A school district that meets the requirements
prescribed by division (D) of this section shall be qualified
for the exemptions prescribed by this section for three school
years, beginning with the school year in which the qualifying
report card is issued.

(2) The exemption prescribed under this division may be
renewed every three school years if the school district
continues to meet the requirements prescribed in division (D) of
this section.

(3) The department of education and workforce, by the
thirtieth day of September in each school year, shall notify
each district that becomes eligible for the exemptions under
this section that the district is eligible and that such
exemptions exist.

(F) As used in this section, "license" has the same
meaning as in section 3319.31 of the Revised Code.

Sec. 3302.421. (A) As used in this section:

(1) "Device" means any computer, laptop, or tablet;

(2) "Online learning" has the same meaning as in section
3301.079 of the Revised Code.

(B) This section applies to any school that satisfies both
of the following requirements:

(1) The school uses an online learning model pursuant to

section 3302.42 of the Revised Code operated by a local, city, 2059
exempted village, or joint vocational school district. 2060

(2) The school elects to offer remotely administered 2061
statewide achievement and diagnostic assessments prescribed 2062
under sections 3301.079, 3301.0710, 3301.0712, and 3301.0715 of 2063
the Revised Code. 2064

(C) Any student enrolled in a school to which this section 2065
applies shall be permitted to complete any of the statewide 2066
achievement and diagnostic assessments, except for the 2067
kindergarten readiness assessment, remotely in an online format 2068
if the following conditions are met: 2069

(1) The student takes the assessment during the testing 2070
windows prescribed by the director of education and workforce. 2071

(2) The student attends a synchronous assessment session 2072
initiated and managed by the school in which the student is 2073
enrolled. 2074

(3) The student takes the assessment using a device in 2075
which the student will be monitored by the assessment proctor 2076
through video and audio for the duration of the assessment 2077
administration. 2078

(4) The school to which this section applies maintains a 2079
ratio of ten to one, or lower, for students taking an assessment 2080
to an assessment proctor. 2081

(5) The student does not exit the assessment 2082
administration until instructed to do so by the assessment 2083
proctor. 2084

(6) The assessment proctor verifies the submission of the 2085
assessment. 2086

(D) If the online assessment platform does not support 2087
integrated camera proctoring, the student shall use two devices 2088
for the duration of an assessment administration. One device 2089
shall be used for the student to take the assessment while on 2090
the second device an assessment proctor monitors the student for 2091
the duration of the assessment. The device used by a student to 2092
take an assessment shall be a computer. 2093

(E) A school that elects to offer remotely administered 2094
assessments shall do both of the following: 2095

(1) Require that students, parents or legal guardians, and 2096
proctors sign agreements regarding protocols for remotely 2097
administered assessments; 2098

(2) Require training on remotely administered assessments. 2099

(F) The department of education and workforce may 2100
establish a remote proctoring certification course to certify 2101
remote assessment administrators. 2102

(G) The department or an assessment vendor may examine 2103
student performance results if there is an anomalous increase in 2104
scores on remotely administered assessments. 2105

Sec. 3307.353. (A) This section applies in the case of a 2106
person who is or most recently has been employed by an employer 2107
in a position that is customarily filled by a vote of members of 2108
a board or commission. 2109

(B) A-Except as otherwise provided in this section, a 2110
board or commission that proposes to continue the employment as 2111
a reemployed superannuate or rehire as a reemployed superannuate 2112
to the same position an individual described in division (A) of 2113
this section shall do both of the following in accordance with 2114
rules adopted under division ~~(C)~~ (E) of this section: 2115

(1) Not less than sixty days before the employment as a
reemployed superannuate is to begin, give public notice that the
person is or will be retired and is seeking employment with the
employer;

(2) Between fifteen and thirty days before the employment
as a reemployed superannuate is to begin ~~and after complying~~
~~with division (B) (1) of this section~~, hold a public meeting on
the issue of the person being employed by the employer.

The notice regarding division (B) (1) of this section shall
include the time, date, and location at which the public meeting
is to take place.

(C) A board or commission that proposes to continue a
person's employment or rehire the person as a reemployed
superannuate to a position that the board or commission has
urgent reasons to fill in an expedited manner shall give thirty
days' notice under division (B) (1) of this section. The board or
commission shall include an explanation in the notice of the
urgent reasons requiring the position to be filled in an
expedited manner.

(D) A board or commission is not required to give notice
under division (B) (1) or (C) of this section if the person has
been retired for at least one year before the person's
employment as a reemployed superannuate is to begin.

(E) The state teachers retirement board shall adopt rules
as necessary to implement this section.

Sec. 3309.345. (A) This section applies in the case of a
person who is or most recently has been employed by an employer
in a position that is customarily filled by a vote of members of
a board or commission.

(B) ~~A~~ Except as otherwise provided in this section, a 2145
board or commission that proposes to continue the employment as 2146
a reemployed retirant or rehire as a reemployed retirant to the 2147
same position an individual described in division (A) of this 2148
section shall do both of the following in accordance with rules 2149
adopted under division ~~(C)~~ (E) of this section: 2150

(1) Not less than sixty days before the employment as a 2151
reemployed retirant is to begin, give public notice that the 2152
person is or will be retired and is seeking employment with the 2153
employer; 2154

(2) Between fifteen and thirty days before the employment 2155
as a reemployed retirant is to begin ~~and after complying with~~ 2156
~~division (B) (1) of this section~~, hold a public meeting on the 2157
issue of the person being employed by the employer. 2158

The notice regarding division (B) (1) of this section shall 2159
include the time, date, and location at which the public meeting 2160
is to take place. 2161

(C) A board or commission that proposes to continue a 2162
person's employment or rehire the person as a reemployed 2163
retirant to a position that the board or commission has urgent 2164
reasons to fill in an expedited manner shall give thirty days 2165
notice under division (B) (1) of this section. The board or 2166
commission shall include an explanation in the notice of the 2167
urgent reasons requiring the position to be filled in an 2168
expedited manner. 2169

(D) A board or commission is not required to give notice 2170
under division (B) (1) of this section if the person has been 2171
retired for at least one year before the person's employment as 2172
a reemployed retirant is to begin. 2173

(E) The school employees retirement board shall adopt 2174
rules as necessary to implement this section. 2175

Sec. 3311.80. Notwithstanding any provision of the Revised 2176
Code to the contrary, a municipal school district shall be 2177
subject to this section instead of section 3319.111 of the 2178
Revised Code. 2179

(A) ~~Not later than July 1, 2013, the~~ The board of 2180
education of each municipal school district and the teachers' 2181
labor organization shall develop and adopt standards-based 2182
teacher evaluation procedures that shall either conform with the 2183
framework for evaluation of teachers developed under section 2184
3319.112 of the Revised Code or a framework developed or adopted 2185
by the district. The evaluation procedures shall include at 2186
least formal observations and classroom walk-throughs, which may 2187
be announced or unannounced; examinations of samples of work, 2188
such as lesson plans or assessments designed by a teacher; and 2189
multiple measures of student academic growth. 2190

(B) When using measures of student academic growth as a 2191
component of a teacher's evaluation, those measures shall 2192
include the value-added progress dimension prescribed by section 2193
3302.021 of the Revised Code or the alternative student academic 2194
progress measure if adopted under division (C) (1) (e) of section 2195
3302.03 of the Revised Code. For teachers of grade levels and 2196
subjects for which the value-added progress dimension or 2197
alternative student academic achievement measure is not 2198
applicable, the board shall administer assessments on the list 2199
developed under division (B) (2) of section 3319.112 of the 2200
Revised Code. 2201

(C) (1) Each teacher employed by the board shall be 2202
evaluated at least once each school year, except as provided in 2203

division (C) (2) of this section. The composite evaluation shall 2204
be completed not later than the first day of June and the 2205
teacher shall receive a written report of the results of the 2206
composite evaluation not later than ten days after its 2207
completion or the last teacher work day of the school year, 2208
whichever is earlier. 2209

(2) Each teacher who received a rating of accomplished on 2210
the teacher's most recent evaluation conducted under this 2211
section may be evaluated once every two school years, except 2212
that the teacher shall be evaluated in any school year in which 2213
the teacher's contract is due to expire. The biennial composite 2214
evaluation shall be completed not later than the first day of 2215
June of the applicable school year, and the teacher shall 2216
receive a written report of the results of the composite 2217
evaluation not later than ten days after its completion or the 2218
last teacher work day of the school year, whichever is earlier. 2219

(D) Each evaluation conducted pursuant to this section 2220
shall be conducted by one or more of the following persons who 2221
have been trained to conduct evaluations in accordance with 2222
criteria that shall be developed jointly by the chief executive 2223
officer of the district, or the chief executive officer's 2224
designee, and the teachers' labor organization: 2225

(1) The chief executive officer or a subordinate officer 2226
of the district with responsibility for instruction or academic 2227
affairs; 2228

(2) A person who is under contract with the board pursuant 2229
to section 3319.02 of the Revised Code and holds a license 2230
designated for being a principal issued under section 3319.22 of 2231
the Revised Code; 2232

(3) A person who is under contract with the board pursuant 2233
to section 3319.02 of the Revised Code and holds a license 2234
designated for being a vocational director or a supervisor in 2235
any educational area issued under section 3319.22 of the Revised 2236
Code; 2237

(4) A person designated to conduct evaluations under an 2238
agreement providing for peer assistance and review entered into 2239
by the board and the teachers' labor organization. 2240

(E) The evaluation procedures shall describe how the 2241
evaluation results will be used for decisions regarding 2242
compensation, retention, promotion, and reductions in force and 2243
for removal of poorly performing teachers. 2244

(F) A teacher may challenge any violations of the 2245
evaluation procedures in accordance with the grievance procedure 2246
specified in any applicable collective bargaining agreement. A 2247
challenge under this division is limited to the determination of 2248
procedural errors that have resulted in substantive harm to the 2249
teacher and to ordering the correction of procedural errors. The 2250
failure of the board or a person conducting an evaluation to 2251
strictly comply with any deadline or evaluation forms 2252
established as part of the evaluation process shall not be cause 2253
for an arbitrator to determine that a procedural error occurred, 2254
unless the arbitrator finds that the failure resulted in 2255
substantive harm to the teacher. The arbitrator shall have no 2256
jurisdiction to modify the evaluation results, but the 2257
arbitrator may stay any decision taken pursuant to division (E) 2258
of this section pending the board's correction of any procedural 2259
error. The board shall correct any procedural error within 2260
fifteen business days after the arbitrator's determination that 2261
a procedural error occurred. 2262

(G) Notwithstanding any provision to the contrary in 2263
Chapter 4117. of the Revised Code, the requirements of this 2264
section prevail over any conflicting provisions of a collective 2265
bargaining agreement entered into on or after October 1, 2012. 2266
However, the board and the teachers' labor organization may 2267
negotiate additional evaluation procedures, including an 2268
evaluation process incorporating peer assistance and review, 2269
provided the procedures are consistent with this section. 2270

(H) This section does not apply to administrators 2271
appointed by the chief executive officer of a municipal school 2272
district under section 3311.72 of the Revised Code, 2273
administrators subject to evaluation procedures under section 2274
3311.84 or 3319.02 of the Revised Code, or to any teacher 2275
employed as a substitute for less than one hundred twenty days 2276
during a school year pursuant to section 3319.10 of the Revised 2277
Code. 2278

Sec. 3312.02. ~~(A)~~ There shall be the following sixteen 2279
regions in the educational regional service system: 2280

~~(1)~~ (A) Region one shall consist of the territory 2281
contained in Defiance, Fulton, Hancock, Henry, Lucas, Ottawa, 2282
Paulding, Putnam, Sandusky, Seneca, Van Wert, Williams, and Wood 2283
counties. 2284

~~(2)~~ (B) Region two shall consist of the territory 2285
contained in Erie, Huron, and Lorain counties. 2286

~~(3)~~ (C) Region three shall consist of the territory 2287
contained in Cuyahoga county. 2288

~~(4)~~ (D) Region four shall consist of the territory 2289
contained in Geauga and Lake counties. 2290

~~(5)~~ (E) Region five shall consist of the territory 2291

contained in Ashtabula, Mahoning, and Trumbull counties.	2292
(6) <u>(F)</u> Region six shall consist of the territory	2293
contained in Allen, Auglaize, Champaign, Hardin, Logan, Mercer,	2294
and Shelby counties.	2295
(7) <u>(G)</u> Region seven shall consist of the territory	2296
contained in Ashland, Crawford, Knox, Marion, Morrow, Richland,	2297
and Wyandot counties.	2298
(8) <u>(H)</u> Region eight shall consist of the territory	2299
contained in Medina, Portage, and Summit counties.	2300
(9) <u>(I)</u> Region nine shall consist of the territory	2301
contained in Columbiana, Stark, and Wayne counties.	2302
(10) <u>(J)</u> Region ten shall consist of the territory	2303
contained in Clark, Darke, Greene, Miami, Montgomery, and Preble	2304
counties.	2305
(11) <u>(K)</u> Region eleven shall consist of the territory	2306
contained in Delaware, Fairfield, Franklin, Licking, Madison,	2307
Pickaway, and Union counties.	2308
(12) <u>(L)</u> Region twelve shall consist of the territory	2309
contained in Belmont, Carroll, Coshocton, Guernsey, Harrison,	2310
Holmes, Jefferson, Muskingum, Noble, and Tuscarawas counties.	2311
(13) <u>(M)</u> Region thirteen shall consist of the territory	2312
contained in Butler, Clermont, Hamilton, and Warren counties.	2313
(14) <u>(N)</u> Region fourteen shall consist of the territory	2314
contained in Adams, Brown, Clinton, Fayette, and Highland	2315
counties.	2316
(15) <u>(O)</u> Region fifteen shall consist of the territory	2317
contained in Lawrence, Pike, Ross, and Scioto counties.	2318

~~(16)-(P)~~ Region sixteen shall consist of the territory 2319
contained in Athens, Gallia, Hocking, Jackson, Meigs, Monroe, 2320
Morgan, Perry, Vinton, and Washington counties. 2321

~~(B) The department of education and workforce shall adopt~~ 2322
~~rules establishing a process whereby a school district may elect~~ 2323
~~to transfer to a region other than the region to which the~~ 2324
~~district is assigned by this section. The department shall~~ 2325
~~consult with school districts and regional service providers in~~ 2326
~~developing the process. No school district shall be permitted to~~ 2327
~~transfer to a different region under this division after June~~ 2328
~~30, 2009.~~ 2329

Sec. 3313.26. The treasurer of the board of education, in 2330
the performance of the treasurer's duties, shall record the 2331
proceedings of each meeting in a book to be provided by the 2332
board for that purpose, which shall be a public record. The 2333
record of proceedings at each meeting of the board shall be read 2334
at its next ~~succeeding~~ regular meeting, corrected and approved, 2335
which approval shall be noted in the proceedings. After such 2336
approval, the president shall sign the record and the treasurer 2337
shall attest to the accuracy of the information contained in the 2338
record. The treasurer's attestation shall not be construed to 2339
serve as authorization or execution of any action taken or not 2340
taken during any meeting. 2341

By resolution, a board of education may waive the reading 2342
of the record of any of its proceedings, provided that such 2343
record has been distributed to the members of the board of 2344
education at least two days prior to the date of the next 2345
~~succeeding~~ regular meeting and that copies of such record are 2346
made available to the public and news media. Such resolution 2347
shall be in full force and effect until such time as amended or 2348

rescinded by the board of education. 2349

Sec. 3313.413. (A) As used in this section, "high- 2350
performing community school" means either of the following: 2351

(1) A community school established under Chapter 3314. of 2352
the Revised Code that meets the following conditions: 2353

(a) Except as provided in division (A) (1) (b) or (c) of 2354
this section, the school both: 2355

(i) Has received either a grade of "A," "B," or "C" for 2356
the performance index score under division (C) (1) (b) of section 2357
3302.03 of the Revised Code or a performance rating of three 2358
stars or higher for achievement under division (D) (3) (b) of that 2359
section; or has increased its performance index score under 2360
division (C) (1) (b) or (D) (1) (d) of section 3302.03 of the 2361
Revised Code in each of the previous three years of operation; 2362
and 2363

(ii) Has received either a grade of "A" or "B" for the 2364
value-added progress dimension under division (C) (1) (e) of 2365
section 3302.03 of the Revised Code or a performance rating of 2366
four stars or higher for progress under division (D) (3) (c) of 2367
that section on its most recent report card rating issued under 2368
that section. 2369

(b) If the school serves only grades kindergarten through 2370
three, the school received either a grade of "A" or "B" for 2371
making progress in improving literacy in grades kindergarten 2372
through three under division (C) (1) (g) of section 3302.03 of the 2373
Revised Code or a performance rating of four stars or higher for 2374
early literacy under division (D) (3) (e) of that section on its 2375
most recent report card issued under that section. 2376

(c) If the school primarily serves students enrolled in a 2377

dropout prevention and recovery program as described in division 2378
~~(A) (4) (a)~~ (B) (1) of section 3314.35 of the Revised Code, the 2379
school received a rating of "exceeds standards" on its most 2380
recent report card issued under section 3314.017 of the Revised 2381
Code. 2382

(2) A newly established community school that is 2383
implementing a community school model that has a track record of 2384
high-quality academic performance, as determined by the 2385
department of education and workforce. 2386

(B) When a school district board of education decides to 2387
dispose of real property it owns in its corporate capacity under 2388
section 3313.41 of the Revised Code, the board shall first offer 2389
that property to the governing authorities of all start-up 2390
community schools, the boards of trustees of any college- 2391
preparatory boarding schools, and the governing bodies of any 2392
STEM schools that are located within the territory of the 2393
district. Not later than sixty days after the district board 2394
makes the offer, interested governing authorities, boards of 2395
trustees, and governing bodies shall notify the district 2396
treasurer in writing of the intention to purchase the property. 2397

The district board shall give priority to the governing 2398
authorities of high-performing community schools that are 2399
located within the territory of the district. 2400

(1) If more than one governing authority of a high- 2401
performing community school notifies the district treasurer of 2402
its intention to purchase the property pursuant to division (B) 2403
of this section, the board shall conduct a public auction in the 2404
manner required for auctions of district property under division 2405
(A) of section 3313.41 of the Revised Code. Only the governing 2406
authorities of high-performing community schools that notified 2407

the district treasurer pursuant to division (B) of this section 2408
are eligible to bid at the auction. 2409

(2) If no governing authority of a high-performing 2410
community school notifies the district treasurer of its 2411
intention to purchase the property pursuant to division (B) of 2412
this section, the board shall then proceed with the offers from 2413
all other start-up community schools, college-preparatory 2414
boarding schools, and STEM schools made pursuant to that 2415
division. If more than one such entity notifies the district 2416
treasurer of its intention to purchase the property pursuant to 2417
division (B) of this section, the board shall conduct a public 2418
auction in the manner required for auctions of district property 2419
under division (A) of section 3313.41 of the Revised Code. Only 2420
the entities that notified the district treasurer pursuant to 2421
division (B) of this section are eligible to bid at the auction. 2422

(3) If no governing authority, board of trustees, or 2423
governing body notifies the district treasurer of its intention 2424
to purchase the property pursuant to division (B) of this 2425
section, the district may then offer the property for sale in 2426
the manner prescribed under divisions (A) to (F) of section 2427
3313.41 of the Revised Code. 2428

(C) Notwithstanding anything to the contrary in sections 2429
3313.41 and 3313.411 of the Revised Code, the purchase price of 2430
any real property sold to any of the entities in accordance with 2431
division (B) of this section shall not be more than the 2432
appraised fair market value of that property as determined in an 2433
appraisal of the property that is not more than one year old. 2434

(D) Not later than the first day of October of each year, 2435
the department of education and workforce shall post in a 2436
prominent location on its web site a list of schools that 2437

qualify as high-performing community schools for purposes of 2438
this section and section 3313.411 of the Revised Code. 2439

Sec. 3313.48. (A) The board of education of each city, 2440
exempted village, local, and joint vocational school district 2441
shall provide for the free education of the youth of school age 2442
within the district under its jurisdiction, at such places as 2443
will be most convenient for the attendance of the largest number 2444
thereof. Each school so provided and each chartered nonpublic 2445
school shall be open for instruction with pupils in attendance, 2446
including scheduled classes, supervised activities, and approved 2447
education options but excluding lunch and breakfast periods and 2448
extracurricular activities, for not less than four hundred 2449
fifty-five hours in the case of pupils in kindergarten unless 2450
such pupils are provided all-day kindergarten, as defined in 2451
section 3321.05 of the Revised Code, in which case the pupils 2452
shall be in attendance for nine hundred ten hours; nine hundred 2453
ten hours in the case of pupils in grades one through six; and 2454
one thousand one hours in the case of pupils in grades seven 2455
through twelve in each school year, which may include all of the 2456
following: 2457

(1) Up to the equivalent of two school days per year 2458
during which pupils would otherwise be in attendance but are not 2459
required to attend for the purpose of individualized parent- 2460
teacher conferences and reporting periods; 2461

(2) Up to the equivalent of two school days per year 2462
during which pupils would otherwise be in attendance but are not 2463
required to attend for professional meetings of teachers; 2464

(3) Morning and afternoon recess periods of not more than 2465
fifteen minutes duration per period for pupils in grades 2466
kindergarten through six. 2467

(B) Not later than thirty days prior to adopting a school
calendar, the board of education of each city, exempted village,
and local school district shall hold a public hearing on the
school calendar, addressing topics that include, but are not
limited to, the total number of hours in a school year, length
of school day, and beginning and end dates of instruction. The
public hearing required under this division need not be a
separate, individual hearing and may be part of another public
hearing or board meeting.

(C) No school operated by a city, exempted village, local,
or joint vocational school district shall reduce the number of
hours in each school year that the school is scheduled to be
open for instruction from the number of hours per year the
school was open for instruction during the previous school year
unless the reduction is approved by a resolution adopted by the
district board of education. Any reduction so approved shall not
result in fewer hours of instruction per school year than the
applicable number of hours required under division (A) of this
section.

(D) Prior to making any change in the hours or days in
which a high school under its jurisdiction is open for
instruction, the board of education of each city, exempted
village, and local school district shall consider the
compatibility of the proposed change with the scheduling needs
of any joint vocational school district in which any of the high
school's students are also enrolled. The board shall consider
the impact of the proposed change on student access to the
instructional programs offered by the joint vocational school
district, incentives for students to participate in career-
technical education, transportation, and the timing of
graduation. The board shall provide the joint vocational school

district board with advance notice of the proposed change and 2499
the two boards shall enter into a written agreement prescribing 2500
reasonable accommodations to meet the scheduling needs of the 2501
joint vocational school district prior to implementation of the 2502
change. 2503

(E) Subject to section 3327.016 of the Revised Code, prior 2504
to making any change in the hours or days in which a school 2505
under its jurisdiction is open for instruction, the board of 2506
education of each city, exempted village, and local school 2507
district shall consider the compatibility of the proposed change 2508
with the scheduling needs of any community school established 2509
under Chapter 3314. of the Revised Code to which the district is 2510
required to transport students under sections 3314.09 and 2511
3327.01 of the Revised Code. The board shall consider the impact 2512
of the proposed change on student access to the instructional 2513
programs offered by the community school, transportation, and 2514
the timing of graduation. The board shall provide the sponsor, 2515
governing authority, and operator of the community school with 2516
advance notice of the proposed change, and the board and the 2517
governing authority, or operator if such authority is delegated 2518
to the operator, shall enter into a written agreement 2519
prescribing reasonable accommodations to meet the scheduling 2520
needs of the community school prior to implementation of the 2521
change. 2522

(F) Subject to section 3327.016 of the Revised Code, prior 2523
to making any change in the hours or days in which the schools 2524
under its jurisdiction are open for instruction, the board of 2525
education of each city, exempted village, and local school 2526
district shall consult with the chartered nonpublic schools to 2527
which the district is required to transport students under 2528
section 3327.01 of the Revised Code and shall consider the 2529

effect of the proposed change on the schedule for transportation 2530
of those students to their nonpublic schools. The governing 2531
authority of a chartered nonpublic school shall consult with 2532
each school district board of education that transports students 2533
to the chartered nonpublic school under section 3327.01 of the 2534
Revised Code prior to making any change in the hours or days in 2535
which the nonpublic school is open for instruction. 2536

(G) The department of education and workforce shall not 2537
adopt or enforce any rule or standard that imposes on chartered 2538
nonpublic schools the procedural requirements imposed on school 2539
districts by divisions (B), (C), (D), and (E) of this section. 2540

Sec. 3313.92. (A) The boards of education of any two or 2541
more school districts may, subject to the approval of the 2542
department of education and workforce, enter into agreements for 2543
the joint or cooperative construction, acquisition, or 2544
improvement of any building, structure, or facility benefiting 2545
the parties thereto, including, without limitation, schools and 2546
classrooms for the purpose of Chapter 3323. of the Revised Code, 2547
and for the management, operation, occupancy, use, maintenance, 2548
or repair thereof, or for the joint or cooperative participation 2549
in programs, projects, activities, or services in connection 2550
with such buildings, structures, or facilities, including 2551
participation in the Ohio education computer network established 2552
by section 3301.075 of the Revised Code. 2553

(B) Any agreement entered into under authority of this 2554
section shall, where appropriate, provide for: 2555

(1) The method by which the building, structure, or 2556
facility shall be constructed, acquired, or improved and by 2557
which it shall be managed, occupied, maintained, and repaired, 2558
and specifically a designation of one of the boards of education 2559

to take and have exclusive charge of any and all details of 2560
construction, acquisition, or improvement, including any 2561
advertising for bids and the award of any construction or 2562
improvement contract pursuant to the law applicable to such 2563
board of education; 2564

(2) The manner in which the title to the buildings, 2565
structures, or facilities, including the sites and interests in 2566
real estate necessary therefor, is to be held by one or more of 2567
such boards of education; 2568

(3) The management or administration of any such programs, 2569
projects, activities, services, or joint exercise of powers, 2570
which may include management or administration by one of said 2571
boards of education; 2572

(4) The manner of apportionment or sharing of all of the 2573
costs, or specified classes of costs, including without 2574
limitation costs of planning, construction, acquisition, 2575
improvement, management, operation, maintenance, or repair of 2576
such buildings, structures, or facilities, or of planning and 2577
conducting such programs or projects, or obtaining such 2578
services, which apportionment or sharing may be based on fixed 2579
amounts, or on ratios or formulas, or affected through tuitions 2580
to be contributed by the parties or in such manner therein 2581
provided. 2582

(C) Any agreement entered into under authority of this 2583
section may provide for: 2584

(1) An orderly process for making determinations as to 2585
planning, execution, implementation, and operation, which may 2586
include provisions for a committee, board, or commission, and 2587
for representation thereon; 2588

(2) Securing necessary personnel, including participation	2589
of teachers and other personnel from the respective school	2590
districts;	2591
(3) Standards or conditions for the admission or	2592
participation of students and others, including students from	2593
other school districts;	2594
(4) Conditions for admittance of other school districts to	2595
participation under the agreement;	2596
(5) Fixing or establishing the method of determining	2597
special charges to be made for particular services or materials;	2598
(6) The manner of amending, supplementing, terminating, or	2599
withdrawal or removal of any party from, the agreement, and the	2600
term of the agreement or an indefinite term;	2601
(7) Designation of the applicants for or recipients of any	2602
state, federal, or other aid, assistance, or loans available by	2603
reason of any activities conducted under the agreement;	2604
(8) Designation of one or more of the participating boards	2605
of education to maintain, prepare, and submit, on behalf of all	2606
parties to the agreement, any or all records and reports with	2607
regard to the activities conducted under the agreement,	2608
including without limitation those required under sections	2609
3301.14, 3313.50, 3319.32 to 3319.37, 3321.12, 3323.08, and	2610
3323.13 of the Revised Code;	2611
(9) Such other matters as the parties thereto may agree	2612
upon for the purposes of division (A) of this section.	2613
(D) For the purpose of paying or contributing its share	2614
under an agreement made under this section, a board of education	2615
may:	2616

(1) Appropriate any moneys from its general fund, and from 2617
any other funds not otherwise restricted by law, including funds 2618
for permanent improvements of such board of education where the 2619
contribution is to be made toward the cost of permanent 2620
improvements under the agreement; 2621

(2) Issue bonds, and notes in anticipation thereof, under 2622
Chapter 133. and section 3311.20 of the Revised Code for any 2623
permanent improvement, as defined in section 133.01 of the 2624
Revised Code, to be provided under such agreement; 2625

(3) Levy taxes, and issue notes in anticipation thereof, 2626
under Chapters 3311. and 5705. of the Revised Code pertaining to 2627
such board of education, provided that the purpose of such levy 2628
may include the provision of funds for either or both permanent 2629
improvements and current operating expenses required as the 2630
share of such board of education under such agreement; 2631

(4) Contribute real and personal property for use under 2632
such agreement without necessity for competitive bidding on 2633
disposition of such property. 2634

(E) Funds provided by the parties to an agreement entered 2635
into under this section, whether by appropriation, the levy of 2636
taxes, the issuance of bonds or notes, or otherwise, shall be 2637
transferred to and placed in a separate fund or funds of such 2638
participating board of education as is designated the fiscal 2639
agent for such purpose under the agreement, shall be 2640
appropriated to and shall be applied for the purposes provided 2641
in such agreement, and shall be subject to audit and, pursuant 2642
to any determinations to be made as provided under such 2643
agreement, shall be deposited, invested, and disbursed under the 2644
provisions of law applicable to the board of education in whose 2645
custody those funds are held; and the records and reports of 2646

such board of education under Chapter 117. of the Revised Code 2647
with respect to those funds shall be sufficient without 2648
necessity for reports thereon by the other boards of education 2649
participating under such agreement. 2650

(F) As used in this section, "construction, acquisition, 2651
or improvement of any building, structure, or facility" also 2652
includes acquisition of real estate and interests in real estate 2653
therefor, site improvements, and furniture, furnishings, and 2654
equipment therefor. Buildings, structures, or facilities 2655
constructed, acquired, or improved under this section may, 2656
subject to the agreement, be used for any lawful purpose by each 2657
party so long as the use thereof is an authorized proper use for 2658
that party. 2659

(G) Any agreement entered into under this section shall be 2660
subject to any laws hereafter enacted making express reference 2661
therein to this section and requiring the transfer of any 2662
functions exercised or properties held under such agreement to 2663
any public officer, board, or body heretofore or hereafter 2664
established, or requiring the termination of such agreement, or 2665
otherwise affecting the agreement. 2666

(H) The powers granted in this section are supplementary 2667
to, and not in derogation of or restriction upon, all other 2668
powers of boards of education of school districts, and are to be 2669
liberally construed to permit the achievement of the objectives 2670
of this section and to permit the boards of education to take 2671
advantage of federal grant and loan programs, provided that the 2672
exercise of such powers shall be subject to such audit and 2673
regulation as would be applicable if exercised under any other 2674
provision of the Revised Code. 2675

Sec. 3313.984. (A) Each school district shall report to 2676

the department of education and workforce, in the manner 2677
prescribed by the department, the number of students who attend 2678
a school building other than the one assigned by the board or 2679
district superintendent. 2680

(B) A school district that conducts an enrollment lottery 2681
for students through an intradistrict open enrollment policy 2682
under this section shall ~~conduct~~ do all of the following: 2683

(1) Conduct that lottery on the second Monday of June not 2684
earlier than the first day of April prior to the school year for 2685
which the student is seeking enrollment and not later than the 2686
immediately following second Monday of June; 2687

(2) Notify parents of students who reside in the district 2688
of the date of the lottery prior to that date; 2689

(3) Post on the district's web site information about the 2690
lottery, including how and when the lottery will be conducted. 2691

Sec. 3314.012. (A) ~~The director of education and workforce~~ 2692
~~shall appoint representatives of the department of education and~~ 2693
~~workforce, including employees who work with the education~~ 2694
~~management information system, to a committee to develop report~~ 2695
~~card models for community schools. The committee shall design~~ 2696
~~model report cards appropriate for the various types of~~ 2697
~~community schools approved to operate in the state. Sufficient~~ 2698
~~models shall be developed to reflect the variety of grade levels~~ 2699
~~served and the missions of the state's community schools. All~~ 2700
~~models shall include both financial and academic data.~~ 2701

~~(B)~~ Except as provided in section 3314.017 of the Revised 2702
Code, the department of education and workforce shall issue an 2703
annual report card for each community school, regardless of how 2704
long the school has been in operation. The report card shall 2705

report the academic and financial performance of the school 2706
~~utilizing one of the models developed under division (A) of this~~ 2707
~~section.~~ The report card shall include all information 2708
applicable to school buildings under section 3302.03 of the 2709
Revised Code. The ratings a community school receives under 2710
section 3302.03 of the Revised Code for its first two full 2711
school years shall not be considered toward automatic closure of 2712
the school under section 3314.35 of the Revised Code or any 2713
other matter that is based on report card ratings. 2714

~~(C)~~ (B) Upon receipt of a copy of a contract between a 2715
sponsor and a community school entered into under this chapter, 2716
the department shall notify the community school of the specific 2717
model report card that will be used for that school. 2718

~~(D)~~ (C) Report cards shall be distributed to the parents 2719
of all students in the community school, to the members of the 2720
board of education of the school district in which the community 2721
school is located, and to any person who requests one from the 2722
department. 2723

Sec. 3314.015. (A) The department of education and 2724
workforce shall be responsible for the oversight of any and all 2725
sponsors of the community schools established under this chapter 2726
and shall provide technical assistance to schools and sponsors 2727
in their compliance with applicable laws and the terms of the 2728
contracts entered into under section 3314.03 of the Revised Code 2729
and in the development and start-up activities of those schools. 2730
In carrying out its duties under this section, the department 2731
shall do all of the following: 2732

(1) In providing technical assistance to proposing 2733
parties, governing authorities, and sponsors, conduct training 2734
sessions and distribute informational materials; 2735

(2) Approve entities to be sponsors of community schools;	2736
(3) Monitor and evaluate, as required under section	2737
3314.016 of the Revised Code, the effectiveness of any and all	2738
sponsors in their oversight of the schools with which they have	2739
contracted;	2740
(4) By December thirty-first of each year, issue a report	2741
to the governor, the speaker of the house of representatives,	2742
the president of the senate, and the chairpersons of the house	2743
and senate committees principally responsible for education	2744
matters regarding the effectiveness of academic programs,	2745
operations, and legal compliance and of the financial condition	2746
of all community schools established under this chapter and on	2747
the performance of community school sponsors;	2748
(5) From time to time, make legislative recommendations to	2749
the general assembly designed to enhance the operation and	2750
performance of community schools.	2751
(B) (1) Except as provided in sections 3314.021 and	2752
3314.027 of the Revised Code, no entity shall enter into a	2753
preliminary agreement under division (C) (2) of section 3314.02	2754
of the Revised Code or renew an existing contract to sponsor a	2755
community school until it has received approval from the	2756
department to sponsor community schools under this chapter and	2757
has entered into a written agreement with the department	2758
regarding the manner in which the entity will conduct such	2759
sponsorship.	2760
On and after July 1, 2017, each entity that sponsors a	2761
community school in this state, except for an entity described	2762
in sections 3314.021 and 3314.027 of the Revised Code, shall	2763
attain approval from the department in order to continue	2764

sponsoring schools regardless of whether that entity intends to 2765
enter into a preliminary agreement or renew an existing 2766
contract. 2767

All new and renewed agreements between the department and 2768
a sponsor shall contain specific language addressing the 2769
parameters under which the department can intervene and 2770
potentially revoke sponsorship authority in the event that the 2771
sponsor is unwilling or unable to fulfill its obligations. 2772
Additionally, each agreement shall set forth any territorial 2773
restrictions and limits on the number of schools that entity may 2774
sponsor, provide for an annual evaluation process, and include a 2775
stipulation permitting the department to modify the agreement 2776
under the following circumstances: 2777

(a) Poor fiscal management; 2778

(b) Lack of academic progress. 2779

(2) The initial term of a sponsor's agreement with the 2780
department shall be for up to five years. 2781

(a) An agreement entered into with the department pursuant 2782
to this section may be renewed for a term of up to ten years 2783
using the following criteria: 2784

(i) The academic performance of students enrolled in each 2785
community school the entity sponsors, as determined by the 2786
department pursuant to division (B)(1)(a) of section 3314.016 of 2787
the Revised Code; 2788

(ii) The sponsor's adherence to quality practices, as 2789
determined by the department pursuant to division (B)(1)(b) of 2790
section 3314.016 of the Revised Code; 2791

(iii) The sponsor's compliance with all applicable laws 2792

and administrative rules. 2793

(b) Each agreement between the department and a sponsor 2794
shall specify that entities with an overall rating of 2795
"exemplary" for at least two consecutive years shall not be 2796
subject to the limit on the number of community schools the 2797
entity may sponsor or any territorial restrictions on 2798
sponsorship, for so long as that entity continues to be rated 2799
"exemplary." 2800

(c) The department shall adopt in accordance with Chapter 2801
119. of the Revised Code rules containing criteria, procedures, 2802
and deadlines for processing applications for approval of 2803
sponsors, for oversight of sponsors, for notifying a sponsor of 2804
noncompliance with applicable laws and administrative rules 2805
under division (F) of this section, for revocation of the 2806
approval of sponsors under division (C) of this section, and for 2807
entering into written agreements with sponsors. The rules shall 2808
require an entity to submit evidence of the entity's ability and 2809
willingness to comply with the provisions of division (D) of 2810
section 3314.03 of the Revised Code. The rules also shall 2811
require all entities approved as sponsors to demonstrate a 2812
record of financial responsibility and successful implementation 2813
of educational programs. If an entity seeking approval to 2814
sponsor community schools in this state sponsors or operates 2815
schools in another state, at least one of the schools sponsored 2816
or operated by the entity must be comparable to or better than 2817
the performance of Ohio schools in need of continuous 2818
improvement under section 3302.03 of the Revised Code, as 2819
determined by the department. 2820

Subject to section 3314.016 of the Revised Code, an entity 2821
that sponsors community schools may enter into preliminary 2822

agreements and sponsor up to one hundred schools, provided each 2823
school and the contract for sponsorship meets the requirements 2824
of this chapter. A sponsor that was rated "exemplary" on its 2825
most recent rating under section 3314.016 of the Revised Code 2826
may sponsor up to two hundred such schools. 2827

(3) The department shall determine, pursuant to criteria 2828
specified in rules adopted in accordance with Chapter 119. of 2829
the Revised Code, whether the mission proposed to be specified 2830
in the contract of a community school to be sponsored by a state 2831
university board of trustees or the board's designee under 2832
division (C) (1) (e) of section 3314.02 of the Revised Code 2833
complies with the requirements of that division. Such 2834
determination of the department is final. 2835

(4) The department shall determine, pursuant to criteria 2836
specified in rules adopted in accordance with Chapter 119. of 2837
the Revised Code, if any tax-exempt entity under section 501(c) 2838
(3) of the Internal Revenue Code that is proposed to be a 2839
sponsor of a community school is an education-oriented entity 2840
for purpose of satisfying the condition prescribed in division 2841
(C) (1) (f) (iii) of section 3314.02 of the Revised Code. Such 2842
determination of the department is final. 2843

(C) If at any time the department finds that a sponsor is 2844
not in compliance or is no longer willing to comply with its 2845
contract with any community school or with the department's 2846
rules for sponsorship, the department shall conduct a hearing in 2847
accordance with Chapter 119. of the Revised Code on that matter. 2848
If after the hearing, the department has confirmed the original 2849
finding, it may revoke the sponsor's approval to sponsor 2850
community schools. In that case, the department's office of Ohio 2851
school sponsorship, established under section 3314.029 of the 2852

Revised Code, may assume the sponsorship of any schools with 2853
which the sponsor has contracted until the earlier of the 2854
expiration of two school years or until a new sponsor as 2855
described in division (C) (1) of section 3314.02 of the Revised 2856
Code is secured by the school's governing authority. The office 2857
of Ohio school sponsorship may extend the term of the contract 2858
in the case of a school for which it has assumed sponsorship 2859
under this division as necessary to accommodate the term of the 2860
department's authorization to sponsor the school specified in 2861
this division. Community schools sponsored under this division 2862
shall not apply to the limit on directly authorized community 2863
schools under division (A) (3) of section 3314.029 of the Revised 2864
Code. However, nothing in this division shall preclude a 2865
community school affected by this division from applying for 2866
sponsorship under that section. 2867

(D) The decision of the department to disapprove an entity 2868
for sponsorship of a community school or to revoke approval for 2869
such sponsorship under division (C) of this section, may be 2870
appealed by the entity in accordance with section 119.12 of the 2871
Revised Code. 2872

(E) The department shall adopt procedures for use by a 2873
community school governing authority and sponsor when the school 2874
permanently closes and ceases operation, which shall include at 2875
least procedures for data reporting to the department, handling 2876
of student records, distribution of assets in accordance with 2877
section 3314.074 of the Revised Code, and other matters related 2878
to ceasing operation of the school. 2879

(F) (1) In lieu of revoking a sponsor's authority to 2880
sponsor community schools under division (C) of this section, if 2881
the department finds that a sponsor is not in compliance with 2882

applicable laws and administrative rules, the department shall 2883
declare in a written notice to the sponsor the specific laws or 2884
rules, or both, for which the sponsor is noncompliant. A sponsor 2885
notified under division (F)(1) of this section shall respond to 2886
the department not later than fourteen days after the 2887
notification with a proposed plan to remedy the conditions for 2888
which the sponsor was found to be noncompliant. The department 2889
shall approve or disapprove the plan not later than fourteen 2890
days after receiving it. If the plan is disapproved, the sponsor 2891
may submit a revised plan to the department not later than 2892
fourteen days after receiving notification of disapproval from 2893
the department or not later than sixty days after the date the 2894
sponsor received notification of noncompliance from the 2895
department, whichever is earlier. The department shall approve 2896
or disapprove the revised plan not later than fourteen days 2897
after receiving it or not later than sixty days after the date 2898
the sponsor received notification of noncompliance from the 2899
department, whichever is earlier. A sponsor may continue to make 2900
revisions by the deadlines prescribed in division (F)(1) of this 2901
section to any revised plan that is disapproved by the 2902
department until the sixtieth day after the date the sponsor 2903
received notification of noncompliance from the department. 2904

If a plan or a revised plan is approved, the sponsor shall 2905
implement it not later than sixty days after the date the 2906
sponsor received notification of noncompliance from the 2907
department or not later than thirty days after the plan is 2908
approved, whichever is later. If a sponsor does not respond to 2909
the department or implement an approved compliance plan by the 2910
deadlines prescribed by division (F)(1) of this section, or if a 2911
sponsor does not receive approval of a compliance plan on or 2912
before the sixtieth day after the date the sponsor received 2913

notification of noncompliance from the department, the 2914
department shall declare in written notice to the sponsor that 2915
the sponsor is in probationary status, and may limit the 2916
sponsor's ability to sponsor additional schools. 2917

(2) A sponsor that has been placed on probationary status 2918
under division (F)(1) of this section may apply to the 2919
department for its probationary status to be lifted. The 2920
application for a sponsor's probationary status to be lifted 2921
shall include evidence, occurring after the initial notification 2922
of noncompliance, of the sponsor's compliance with applicable 2923
laws and administrative rules. Not later than fourteen days 2924
after receiving an application from the sponsor, the department 2925
shall decide whether or not to remove the sponsor's probationary 2926
status. 2927

(G) In carrying out its duties under this chapter, the 2928
department shall not impose requirements on community schools or 2929
their sponsors that are not permitted by law or duly adopted 2930
rules. 2931

(H) This section applies to entities that sponsor 2932
conversion community schools and new start-up schools. 2933

(I) Nothing in divisions (C) to (F) of this section 2934
prohibits the department from taking any action permitted or 2935
required under the written agreement between the department and 2936
a sponsoring entity without a hearing on the matter, in the 2937
event that the sponsor is unwilling or unable to fulfill its 2938
obligations. 2939

Sec. 3314.016. This section applies to any entity that 2940
sponsors a community school, regardless of whether section 2941
3314.021 or 3314.027 of the Revised Code exempts the entity from 2942

the requirement to be approved for sponsorship under divisions 2943
(A) (2) and (B) (1) of section 3314.015 of the Revised Code. The 2944
office of Ohio school sponsorship established under section 2945
3314.029 of the Revised Code shall be rated under division (B) 2946
of this section, but divisions (A) and (C) of this section do 2947
not apply to the office. 2948

(A) An entity that sponsors a community school shall be 2949
permitted to enter into contracts under section 3314.03 of the 2950
Revised Code to sponsor additional community schools only if the 2951
entity meets all of the following criteria: 2952

(1) The entity is in compliance with all provisions of 2953
this chapter requiring sponsors of community schools to report 2954
data or information to the department of education and 2955
workforce. 2956

(2) The entity is not rated as "ineffective" under 2957
division (B) (6) of this section. 2958

(3) Except as set forth in sections 3314.021 and 3314.027 2959
of the Revised Code, the entity has received approval from and 2960
entered into an agreement with the department pursuant to 2961
section 3314.015 of the Revised Code. 2962

(B) (1) The department shall develop and implement an 2963
evaluation system that annually rates and assigns an overall 2964
rating to each entity that sponsors a community school. The 2965
department, not later than the first day of February of each 2966
year, shall post on the department's web site the framework for 2967
the evaluation system, including technical documentation that 2968
the department intends to use to rate sponsors for the next 2969
school year. The department shall solicit public comment on the 2970
evaluation system for thirty consecutive days. Not later than 2971

the first day of April of each year, the department shall 2972
compile and post on the department's web site all public 2973
comments that were received during the public comment period. 2974
The evaluation system shall be posted on the department's web 2975
site by the fifteenth day of July of each school year. Any 2976
changes to the evaluation system after that date shall take 2977
effect the following year. The evaluation system shall be based 2978
on the following components: 2979

(a) Academic performance of students enrolled in community 2980
schools sponsored by the same entity. The academic performance 2981
component shall be derived from the performance measures 2982
prescribed for the state report cards under section 3302.03 or 2983
3314.017 of the Revised Code, and shall be based on the 2984
performance of the schools for the school year for which the 2985
evaluation is conducted. In addition to the academic performance 2986
for a specific school year, the academic performance component 2987
shall also include year-to-year changes in the overall sponsor 2988
portfolio. For a community school for which no graded 2989
performance measures are applicable or available, the department 2990
shall use nonreport card performance measures specified in the 2991
contract between the community school and the sponsor under 2992
division (A) (4) of section 3314.03 of the Revised Code. 2993

(b) Adherence by a sponsor to the quality practices 2994
prescribed by the department under division (B) (3) of this 2995
section. For a sponsor that was rated "effective" or "exemplary" 2996
on its most recent rating, the department may evaluate that 2997
sponsor's adherence to quality practices once over a period of 2998
three years. If the department elects to evaluate a sponsor once 2999
over a period of three years, the most recent rating for a 3000
sponsor's adherence to quality practices shall be used when 3001
determining an annual overall rating conducted under this 3002

section. 3003

(c) Compliance with all applicable laws and administrative 3004
rules by an entity that sponsors a community school. 3005

Under the evaluation system prescribed under division (B) 3006
(1) of this section, the department shall not assign an overall 3007
rating of "ineffective" or lower to an entity that sponsors a 3008
community school solely because that entity received no points 3009
on one of the components prescribed under that division. 3010

(2) In calculating an academic performance component, the 3011
department shall exclude all community schools that have been in 3012
operation for not more than two full school years and all 3013
community schools described in division ~~(A) (4) (b)~~ (B) (2) of 3014
section 3314.35 of the Revised Code. However, the academic 3015
performance of the community schools described in division ~~(A)~~ 3016
~~(4) (b)~~ (B) (2) of section 3314.35 of the Revised Code shall be 3017
reported, but shall not be used as a factor when determining a 3018
sponsoring entity's rating under this section. 3019

(3) The department, in consultation with entities that 3020
sponsor community schools, shall prescribe quality practices for 3021
community school sponsors and develop an instrument to measure 3022
adherence to those quality practices. The quality practices 3023
shall be based on standards developed by the national 3024
association of charter school authorizers or any other 3025
nationally organized community school organization. 3026

(4) (a) The department may permit peer review of a 3027
sponsor's adherence to the quality practices prescribed under 3028
division (B) (3) of this section. Peer reviewers shall be limited 3029
to individuals employed by sponsors rated "effective" or 3030
"exemplary" on the most recent ratings conducted under this 3031

section. 3032

(b) The department shall require individuals participating 3033
in peer review under division (B) (4) (a) of this section to 3034
complete training approved or established by the department. 3035

(c) The department may enter into an agreement with 3036
another entity to provide training to individuals conducting 3037
peer review of sponsors. Prior to entering into an agreement 3038
with an entity, the department shall review and approve of the 3039
entity's training program. 3040

(5) The director of education and workforce shall adopt 3041
rules in accordance with Chapter 119. of the Revised Code 3042
prescribing standards for measuring compliance with applicable 3043
laws and rules under division (B) (1) (c) of this section. 3044

(6) The department annually shall rate all entities that 3045
sponsor community schools as either "exemplary," "effective," 3046
"ineffective," or "poor," based on the components prescribed by 3047
division (B) of this section, where each component is weighted 3048
equally. A separate rating shall be given by the department for 3049
each component of the evaluation system. 3050

The department shall publish the ratings between the first 3051
day of October and the fifteenth day of November. 3052

Prior to the publication of the final ratings, the 3053
department shall designate and provide notice of a period of at 3054
least ten business days during which each sponsor may review the 3055
information used by the department to determine the sponsor's 3056
rating on the components prescribed by division (B) (1) of this 3057
section. If the sponsor believes there is an error in the 3058
department's evaluation, the sponsor may request adjustments to 3059
the rating of any of those components based on documentation 3060

previously submitted as part of an evaluation. The sponsor shall
provide to the department any necessary evidence or information
to support the requested adjustments. The department shall
review the evidence and information, determine whether an
adjustment is valid, and promptly notify the sponsor of its
determination and reasons. If any adjustments to the data could
result in a change to the rating on the applicable component or
to the overall rating, the department shall recalculate the
ratings prior to publication.

The department shall provide training on an annual basis
regarding the evaluation system prescribed under this section.
The training shall, at a minimum, describe methodology,
timelines, and data required for the evaluation system. The
first training session shall occur not later than March 2, 2016.
Beginning in 2018, the training shall be made available to each
entity that sponsors a community school by the fifteenth day of
July of each year and shall include guidance on any changes made
to the evaluation system.

(7) (a) Entities with an overall rating of "exemplary" for
the two most recent years in which the entity was evaluated may
take advantage of the following incentives:

(i) Renewal of the written agreement with the department,
not to exceed ten years, provided that the entity consents to
continued evaluation of adherence to quality practices as
described in division (B) (1) (b) of this section;

(ii) The ability to extend the term of the contract
between the sponsoring entity and the community school beyond
the term described in the written agreement with the department;

(iii) An exemption from the preliminary agreement and

contract adoption and execution deadline requirements prescribed 3090
in division (D) of section 3314.02 of the Revised Code; 3091

(iv) An exemption from the automatic contract expiration 3092
requirement, should a new community school fail to open by the 3093
thirtieth day of September of the calendar year in which the 3094
community school contract is executed; 3095

(v) No limit on the number of community schools the entity 3096
may sponsor; 3097

(vi) No territorial restrictions on sponsorship. 3098

An entity may continue to sponsor any community schools 3099
with which it entered into agreements under division (B) (7) (a) 3100
(v) or (vi) of this section while rated "exemplary," 3101
notwithstanding the fact that the entity later receives a lower 3102
overall rating. 3103

(b) Entities with an overall rating of "exemplary" or 3104
"effective" for the three most recent years in which the entity 3105
was evaluated shall be evaluated by the department once every 3106
three years. 3107

(c) (i) Entities that receive an overall rating of 3108
"ineffective" shall be prohibited from sponsoring any new or 3109
additional community schools during the time in which the 3110
sponsor is rated as "ineffective" and shall be subject to a 3111
quality improvement plan based on correcting the deficiencies 3112
that led to the "ineffective" rating, with timelines and 3113
benchmarks that have been established by the department. 3114

(ii) Entities that receive an overall rating of 3115
"ineffective" on their three most recent ratings shall have all 3116
sponsorship authority revoked. Within thirty days after 3117
receiving its third rating of "ineffective," the entity may 3118

appeal the revocation of its sponsorship authority to the 3119
director, who shall appoint an independent hearing officer to 3120
conduct a hearing in accordance with Chapter 119. of the Revised 3121
Code. The hearing shall be conducted within thirty days after 3122
receipt of the notice of appeal. Within forty-five days after 3123
the hearing is completed, the director shall determine whether 3124
the revocation is appropriate based on the hearing conducted by 3125
the independent hearing officer, and if determined appropriate, 3126
the revocation shall be confirmed. 3127

(d) Entities that receive an overall rating of "poor" 3128
shall have all sponsorship authority revoked. Within thirty days 3129
after receiving a rating of "poor," the entity may appeal the 3130
revocation of its sponsorship authority to the director, who 3131
shall appoint an independent hearing officer to conduct a 3132
hearing in accordance with Chapter 119. of the Revised Code. The 3133
hearing shall be conducted within thirty days after receipt of 3134
the notice of appeal. Within forty-five days after the hearing 3135
is completed, the director shall determine whether the 3136
revocation is appropriate based on the hearing conducted by the 3137
independent hearing officer, and if determined appropriate, the 3138
revocation shall be confirmed. 3139

(8) For the 2014-2015 school year and each school year 3140
thereafter, student academic performance prescribed under 3141
division (B)(1)(a) of this section shall include student 3142
academic performance data from community schools that primarily 3143
serve students enrolled in a dropout prevention and recovery 3144
program. 3145

(C) If the governing authority of a community school 3146
enters into a contract with a sponsor prior to the date on which 3147
the sponsor is prohibited from sponsoring additional schools 3148

under division (A) of this section and the school has not opened 3149
for operation as of that date, that contract shall be void and 3150
the school shall not open until the governing authority secures 3151
a new sponsor by entering into a contract with the new sponsor 3152
under section 3314.03 of the Revised Code. However, the 3153
department's office of Ohio school sponsorship, established 3154
under section 3314.029 of the Revised Code, may assume the 3155
sponsorship of the school until the earlier of the expiration of 3156
two school years or until a new sponsor is secured by the 3157
school's governing authority. A community school sponsored by 3158
the department under this division shall not be included when 3159
calculating the maximum number of directly authorized community 3160
schools permitted under division (A) (3) of section 3314.029 of 3161
the Revised Code. 3162

(D) When an entity's authority to sponsor schools is 3163
revoked pursuant to division (B) (7) (c) or (d) of this section, 3164
the office of Ohio school sponsorship shall assume sponsorship 3165
of any schools with which the original sponsor has contracted 3166
for the remainder of that school year. The office may continue 3167
sponsoring those schools until the earlier of: 3168

(1) The expiration of two school years from the time that 3169
sponsorship is revoked; 3170

(2) When a new sponsor is secured by the governing 3171
authority pursuant to division (C) (1) of section 3314.02 of the 3172
Revised Code. 3173

Any community school sponsored under this division shall 3174
not be counted for purposes of directly authorized community 3175
schools under division (A) (3) of section 3314.029 of the Revised 3176
Code. 3177

(E) The department shall recalculate the rating for the 3178
2017-2018 school year for each sponsor of a community school 3179
that receives recalculated ratings pursuant to division (I) of 3180
section 3314.017 of the Revised Code. 3181

Sec. 3314.017. (A) The department of education and 3182
workforce shall prescribe by rules, adopted in accordance with 3183
Chapter 119. of the Revised Code, an academic performance rating 3184
and report card system that satisfies the requirements of this 3185
section for community schools that primarily serve students 3186
enrolled in dropout prevention and recovery programs as 3187
described in division ~~(A) (4) (a)~~ (B) (1) of section 3314.35 of the 3188
Revised Code, to be used in lieu of the system prescribed under 3189
sections 3302.03 and 3314.012 of the Revised Code beginning with 3190
the 2012-2013 school year. Each such school shall comply with 3191
the testing and reporting requirements of the system as 3192
prescribed by the department. 3193

(B) Nothing in this section shall at any time relieve a 3194
school from its obligations under the "No Child Left Behind Act 3195
of 2001" to make "adequate yearly progress," as both that act 3196
and that term are defined in section 3302.01 of the Revised 3197
Code, or a school's amenability to the provisions of section 3198
3302.04 or 3302.041 of the Revised Code. The department shall 3199
continue to report each school's performance as required by the 3200
act and to enforce applicable sanctions under section 3302.04 or 3201
3302.041 of the Revised Code. 3202

(C) The rules adopted by the department shall prescribe 3203
the following performance indicators for the rating and report 3204
card system required by this section: 3205

(1) Graduation rate for each of the following student 3206
cohorts: 3207

(a) The number of students who graduate in four years or less with a regular high school diploma divided by the number of students who form the adjusted cohort for the graduating class;

(b) The number of students who graduate in five years with a regular high school diploma divided by the number of students who form the adjusted cohort for the four-year graduation rate;

(c) The number of students who graduate in six years with a regular high school diploma divided by the number of students who form the adjusted cohort for the four-year graduation rate;

(d) The number of students who graduate in seven years with a regular high school diploma divided by the number of students who form the adjusted cohort for the four-year graduation rate;

(e) The number of students who graduate in eight years with a regular high school diploma divided by the number of students who form the adjusted cohort for the four-year graduation rate.

(2) The percentage of twelfth-grade students currently enrolled in the school who have attained the designated passing score on all of the state high school achievement assessments required under division (B) (1) of section 3301.0710 of the Revised Code or the cumulative performance score on the end-of-course examinations prescribed under division (B) (2) of section 3301.0712 of the Revised Code, whichever applies, and other students enrolled in the school, regardless of grade level, who are within three months of their twenty-second birthday and have attained the designated passing score on all of the state high school achievement assessments or the cumulative performance score on the end-of-course examinations, whichever applies, by

their twenty-second birthday; 3237

(3) Annual measurable objectives as defined in section 3238
3302.01 of the Revised Code; 3239

(4) Growth in student achievement in reading, or 3240
mathematics, or both as measured by separate nationally norm- 3241
referenced assessments that have developed appropriate standards 3242
for students enrolled in dropout prevention and recovery 3243
programs, adopted or approved by the department. 3244

(D) (1) The department's rules shall prescribe the expected 3245
performance levels and benchmarks for each of the indicators 3246
prescribed by division (C) of this section based on the data 3247
gathered by the department under division (G) of this section 3248
and simulations created by the department. Based on a school's 3249
level of attainment or nonattainment of the expected performance 3250
levels and benchmarks for each of the indicators, the department 3251
shall rate each school in one of the following categories: 3252

(a) Exceeds standards; 3253

(b) Meets standards; 3254

(c) Does not meet standards. 3255

(2) The department's rules shall establish all of the 3256
following: 3257

(a) Performance levels and benchmarks for the indicators 3258
described in divisions (C) (1) to (3) of this section; 3259

(b) Both of the following: 3260

(i) Performance levels and benchmarks for the indicator 3261
described in division (C) (4) of this section; 3262

(ii) Standards for awarding a community school described 3263

in division ~~(A) (4) (a)~~ (B) (1) of section 3314.35 of the Revised 3264
Code an overall designation, which shall be calculated as 3265
follows: 3266

(I) Thirty per cent of the score shall be based on the 3267
indicators described in division (C) (1) of this section that are 3268
applicable to the school year for which the overall designation 3269
is granted. 3270

(II) Thirty per cent of the score shall be based on the 3271
indicators described in division (C) (4) of this section. 3272

(III) Twenty per cent of the score shall be based on the 3273
indicators described in division (C) (2) of this section. 3274

(IV) Twenty per cent of the score shall be based on the 3275
indicators described in division (C) (3) of this section. 3276

(3) If both of the indicators described in divisions (C) 3277
(1) and (2) of this section improve by ten per cent for two 3278
consecutive years, a school shall be rated not less than "meets 3279
standards." 3280

The rating and the relevant performance data for each 3281
school shall be posted on the department's web site, and a copy 3282
of the rating and data shall be provided to the governing 3283
authority of the community school. 3284

(E) (1) For the 2012-2013 school year, the department shall 3285
issue a report card including the following performance 3286
measures, but without a performance rating as described in 3287
divisions (D) (1) (a) to (c) of this section, for each community 3288
school described in division ~~(A) (4) (a)~~ (B) (1) of section 3314.35 3289
of the Revised Code: 3290

(a) The graduation rates as described in divisions (C) (1) 3291

(a) to (c) of this section;	3292
(b) The percentage of twelfth-grade students and other	3293
students who have attained a designated passing score on high	3294
school achievement assessments as described in division (C) (2)	3295
of this section;	3296
(c) The statewide average for the graduation rates and	3297
assessment passage rates described in divisions (C) (1) (a) to (c)	3298
and (C) (2) of this section;	3299
(d) Annual measurable objectives described in division (C)	3300
(3) of this section.	3301
(2) For the 2013-2014 school year, the department shall	3302
issue a report card including the following performance measures	3303
for each community school described in division (A) (4) (a) <u>(B) (1)</u>	3304
of section 3314.35 of the Revised Code:	3305
(a) The graduation rates described in divisions (C) (1) (a)	3306
to (d) of this section, including a performance rating as	3307
described in divisions (D) (1) (a) to (c) of this section;	3308
(b) The percentage of twelfth-grade students and other	3309
students who have attained a designated passing score on high	3310
school achievement assessments as described in division (C) (2)	3311
of this section, including a performance rating as described in	3312
divisions (D) (1) (a) to (c) of this section;	3313
(c) Annual measurable objectives described in division (C)	3314
(3) of this section, including a performance rating as described	3315
in divisions (D) (1) (a) to (c) of this section;	3316
(d) Both of the following without an assigned rating:	3317
(i) Growth in annual student achievement in reading and	3318
mathematics described in division (C) (4) of this section, if	3319

available; 3320

(ii) Student outcome data, including postsecondary credit 3321
earned, nationally recognized career or technical certification, 3322
military enlistment, job placement, and attendance rate. 3323

(3) Beginning with the 2014-2015 school year, and annually 3324
thereafter, the department shall issue a report card for each 3325
community school described in division ~~(A) (4) (a)~~ (B) (1) of 3326
section 3314.35 of the Revised Code that includes all of the 3327
following performance measures, including a performance rating 3328
for each measure as described in divisions (D) (1) (a) to (c) of 3329
this section: 3330

(a) The graduation rates as described in division (C) (1) 3331
of this section; 3332

(b) The percentage of twelfth-grade students and other 3333
students who have attained a designated passing score on high 3334
school achievement assessments as described in division (C) (2) 3335
of this section; 3336

(c) Annual measurable objectives described in division (C) 3337
(3) of this section, including a performance rating as described 3338
in divisions (D) (1) (a) to (c) of this section; 3339

(d) Growth in annual student achievement in reading and 3340
mathematics as described in division (C) (4) of this section; 3341

(e) An overall performance designation for the school 3342
calculated under rules adopted under division (D) (2) of this 3343
section. 3344

The department shall also include student outcome data, 3345
including postsecondary credit earned, nationally recognized 3346
career or technical certification, military enlistment, job 3347

placement, attendance rate, and progress on closing achievement 3348
gaps for each school. This information shall not be included in 3349
the calculation of a school's performance rating. 3350

(F) Not later than the thirty-first day of July of each 3351
year, the department shall submit preliminary report card data 3352
for overall academic performance for each performance measure 3353
prescribed in division (E) (3) of this section for each community 3354
school to which this section applies. 3355

(G) For the purposes of prescribing performance levels and 3356
benchmarks under division (D) of this section, the department 3357
shall gather and analyze data from prior school years for each 3358
community school described in division ~~(A) (4) (a)~~ (B) (1) of 3359
section 3314.35 of the Revised Code. Each such school shall 3360
cooperate with the department. The department shall consult with 3361
stakeholder groups in performing its duties under this division. 3362

(H) The department shall review the performance levels and 3363
benchmarks for performance indicators in the report card issued 3364
under this section and may revise them based on the data 3365
collected under division (G) of this section. 3366

(I) For the purposes of division (F) of section 3314.351 3367
of the Revised Code, the department shall recalculate the 3368
ratings for each school under division (E) (3) of this section 3369
for the 2017-2018 school year and calculate the ratings under 3370
that division for the 2018-2019 school year using the indicators 3371
prescribed by division (C) of this section, as it exists on and 3372
after July 18, 2019. 3373

Sec. 3314.0211. (A) No community school to which either of 3374
the following applies shall be eligible to merge with one or 3375
more other community schools under this section: 3376

(1) The school has met the performance criteria for 3377
required closure specified in division (A) of section 3314.35 or 3378
division (A) of section 3314.351 of the Revised Code for at 3379
least one of the two most recent school years. 3380

(2) The school has been notified of the sponsor's intent 3381
to terminate or not renew the school's contract pursuant to 3382
section 3314.07 of the Revised Code. 3383

(B) Two or more community schools may merge upon the 3384
adoption of a resolution by the governing authority of each 3385
school involved in the merger. Any merger shall take effect on 3386
the first day of July of the year specified in the resolution. 3387

(C) Not less than sixty days prior to the effective date 3388
of a merger under division (B) of this section, each community 3389
school involved in the merger shall do both of the following: 3390

(1) Provide a copy of the resolution to the school's 3391
sponsor; 3392

(2) Notify the department of education and workforce of 3393
all of the following: 3394

(a) The impending merger; 3395

(b) The effective date of the merger; 3396

(c) The school that will be designated as the surviving 3397
school in accordance with section 1702.41 of the Revised Code; 3398

(d) The entity that will sponsor the surviving school. 3399

(D) Notwithstanding anything to the contrary in the 3400
Revised Code, the governing authority of the surviving community 3401
school shall enter into a new contract with the school's sponsor 3402
under section 3314.03 of the Revised Code. 3403

(E) No sponsor shall do either of the following: 3404

(1) Assign the sponsor's existing contract with a merging 3405
community school to the sponsor of the surviving community 3406
school; 3407

(2) Assume an existing contract from the sponsor of a 3408
community school involved in a merger under division (B) of this 3409
section. 3410

Division (E) of this section shall not apply to the office 3411
of Ohio school sponsorship established under section 3314.029 of 3412
the Revised Code. 3413

(F) (1) The department shall issue a report card under 3414
section 3302.03 or 3314.017 of the Revised Code for the 3415
surviving community school. 3416

(2) Notwithstanding anything to the contrary in division 3417
~~(B)~~ (A) of section 3314.012 of the Revised Code, all report card 3418
ratings associated with the surviving school, whether issued 3419
before or after the merger, shall be used for purposes of 3420
section 3314.35 or 3314.351 of the Revised Code and any other 3421
matter that is based on report card ratings or measures. 3422

(G) Nothing in this section shall exempt a community 3423
school from closure under section 3314.35 or 3314.351 of the 3424
Revised Code. 3425

Sec. 3314.03. A copy of every contract entered into under 3426
this section shall be filed with the director of education and 3427
workforce. The department of education and workforce shall make 3428
available on its web site a copy of every approved, executed 3429
contract filed with the director under this section. 3430

(A) Each contract entered into between a sponsor and the 3431

governing authority of a community school shall specify the 3432
following: 3433

(1) That the school shall be established as either of the 3434
following: 3435

(a) A nonprofit corporation established under Chapter 3436
1702. of the Revised Code, if established prior to April 8, 3437
2003; 3438

(b) A public benefit corporation established under Chapter 3439
1702. of the Revised Code, if established after April 8, 2003. 3440

(2) The education program of the school, including the 3441
school's mission, the characteristics of the students the school 3442
is expected to attract, the ages and grades of students, and the 3443
focus of the curriculum; 3444

(3) The academic goals to be achieved and the method of 3445
measurement that will be used to determine progress toward those 3446
goals, which shall include the statewide achievement 3447
assessments; 3448

(4) Performance standards, including but not limited to 3449
all applicable report card measures set forth in section 3302.03 3450
or 3314.017 of the Revised Code, by which the success of the 3451
school will be evaluated by the sponsor; 3452

(5) The admission standards of section 3314.06 of the 3453
Revised Code and, if applicable, section 3314.061 of the Revised 3454
Code; 3455

(6) (a) Dismissal procedures; 3456

(b) A requirement that the governing authority adopt an 3457
attendance policy that includes a procedure for automatically 3458
withdrawing a student from the school if the student without a 3459

legitimate excuse fails to participate in seventy-two 3460
consecutive hours of the learning opportunities offered to the 3461
student. 3462

(7) The ways by which the school will achieve racial and 3463
ethnic balance reflective of the community it serves; 3464

(8) Requirements for financial audits by the auditor of 3465
state. The contract shall require financial records of the 3466
school to be maintained in the same manner as are financial 3467
records of school districts, pursuant to rules of the auditor of 3468
state. Audits shall be conducted in accordance with section 3469
117.10 of the Revised Code. 3470

(9) An addendum to the contract outlining the facilities 3471
to be used that contains at least the following information: 3472

(a) A detailed description of each facility used for 3473
instructional purposes; 3474

(b) The annual costs associated with leasing each facility 3475
that are paid by or on behalf of the school; 3476

(c) The annual mortgage principal and interest payments 3477
that are paid by the school; 3478

(d) The name of the lender or landlord, identified as 3479
such, and the lender's or landlord's relationship to the 3480
operator, if any. 3481

(10) Qualifications of employees, including both of the 3482
following: 3483

(a) A requirement that the school's classroom teachers be 3484
licensed in accordance with sections 3319.22 to 3319.31 of the 3485
Revised Code, except that a community school may engage 3486
noncertificated persons to teach up to twelve hours or forty 3487

hours per week pursuant to section 3319.301 of the Revised Code; 3488

(b) A prohibition against the school employing an 3489
individual described in section 3314.104 of the Revised Code in 3490
any position. 3491

(11) That the school will comply with the following 3492
requirements: 3493

(a) The school will provide learning opportunities to a 3494
minimum of twenty-five students for a minimum of nine hundred 3495
twenty hours per school year. 3496

(b) The governing authority will purchase liability 3497
insurance, or otherwise provide for the potential liability of 3498
the school. 3499

(c) The school will be nonsectarian in its programs, 3500
admission policies, employment practices, and all other 3501
operations, and will not be operated by a sectarian school or 3502
religious institution. 3503

(d) The school will comply with sections 9.90, 9.91, 3504
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3505
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 3506
3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3507
3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, ~~3313.6015,~~ 3508
3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 3509
3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 3510
3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 3511
3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3512
3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 3513
3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 3514
3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3515
3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 3516

3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3320.01, 3320.02, 3517
3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 3518
3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 3519
4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 117., 3520
1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. of 3521
the Revised Code as if it were a school district and will comply 3522
with section 3301.0714 of the Revised Code in the manner 3523
specified in section 3314.17 of the Revised Code. 3524

(e) The school shall comply with Chapter 102. and section 3525
2921.42 of the Revised Code. 3526

(f) The school will comply with sections 3313.61, 3527
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 3528
Revised Code, except that for students who enter ninth grade for 3529
the first time before July 1, 2010, the requirement in sections 3530
3313.61 and 3313.611 of the Revised Code that a person must 3531
successfully complete the curriculum in any high school prior to 3532
receiving a high school diploma may be met by completing the 3533
curriculum adopted by the governing authority of the community 3534
school rather than the curriculum specified in Title XXXIII of 3535
the Revised Code or any rules of the department. Beginning with 3536
students who enter ninth grade for the first time on or after 3537
July 1, 2010, the requirement in sections 3313.61 and 3313.611 3538
of the Revised Code that a person must successfully complete the 3539
curriculum of a high school prior to receiving a high school 3540
diploma shall be met by completing the requirements prescribed 3541
in section 3313.6027 and division (C) of section 3313.603 of the 3542
Revised Code, unless the person qualifies under division (D) or 3543
(F) of that section. Each school shall comply with the plan for 3544
awarding high school credit based on demonstration of subject 3545
area competency, and beginning with the 2017-2018 school year, 3546
with the updated plan that permits students enrolled in seventh 3547

and eighth grade to meet curriculum requirements based on 3548
subject area competency adopted by the department under 3549
divisions (J) (1) and (2) of section 3313.603 of the Revised 3550
Code. Beginning with the 2018-2019 school year, the school shall 3551
comply with the framework for granting units of high school 3552
credit to students who demonstrate subject area competency 3553
through work-based learning experiences, internships, or 3554
cooperative education developed by the department under division 3555
(J) (3) of section 3313.603 of the Revised Code. 3556

(g) The school governing authority will submit within four 3557
months after the end of each school year a report of its 3558
activities and progress in meeting the goals and standards of 3559
divisions (A) (3) and (4) of this section and its financial 3560
status to the sponsor and the parents of all students enrolled 3561
in the school. 3562

(h) The school, unless it is an internet- or computer- 3563
based community school, will comply with section 3313.801 of the 3564
Revised Code as if it were a school district. 3565

(i) If the school is the recipient of moneys from a grant 3566
awarded under the federal race to the top program, Division (A), 3567
Title XIV, Sections 14005 and 14006 of the "American Recovery 3568
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 3569
the school will pay teachers based upon performance in 3570
accordance with section 3317.141 and will comply with section 3571
3319.111 of the Revised Code as if it were a school district. 3572

(j) If the school operates a preschool program that is 3573
licensed by the department under sections 3301.52 to 3301.59 of 3574
the Revised Code, the school shall comply with sections 3301.50 3575
to 3301.59 of the Revised Code and the minimum standards for 3576
preschool programs prescribed in rules adopted by the department 3577

under section 3301.53 of the Revised Code. 3578

(k) The school will comply with sections 3313.6021 and 3579
3313.6023 of the Revised Code as if it were a school district 3580
unless it is either of the following: 3581

(i) An internet- or computer-based community school; 3582

(ii) A community school in which a majority of the 3583
enrolled students are children with disabilities as described in 3584
division ~~(A) (4) (b)~~ (B) (2) of section 3314.35 of the Revised 3585
Code. 3586

(l) The school will comply with section 3321.191 of the 3587
Revised Code, unless it is an internet- or computer-based 3588
community school that is subject to section 3314.261 of the 3589
Revised Code. 3590

(12) Arrangements for providing health and other benefits 3591
to employees; 3592

(13) The length of the contract, which shall begin at the 3593
beginning of an academic year. No contract shall exceed five 3594
years unless such contract has been renewed pursuant to division 3595
(E) of this section. 3596

(14) The governing authority of the school, which shall be 3597
responsible for carrying out the provisions of the contract; 3598

(15) A financial plan detailing an estimated school budget 3599
for each year of the period of the contract and specifying the 3600
total estimated per pupil expenditure amount for each such year. 3601

(16) Requirements and procedures regarding the disposition 3602
of employees of the school in the event the contract is 3603
terminated or not renewed pursuant to section 3314.07 of the 3604
Revised Code; 3605

(17) Whether the school is to be created by converting all 3606
or part of an existing public school or educational service 3607
center building or is to be a new start-up school, and if it is 3608
a converted public school or service center building, 3609
specification of any duties or responsibilities of an employer 3610
that the board of education or service center governing board 3611
that operated the school or building before conversion is 3612
delegating to the governing authority of the community school 3613
with respect to all or any specified group of employees provided 3614
the delegation is not prohibited by a collective bargaining 3615
agreement applicable to such employees; 3616

(18) Provisions establishing procedures for resolving 3617
disputes or differences of opinion between the sponsor and the 3618
governing authority of the community school; 3619

(19) A provision requiring the governing authority to 3620
adopt a policy regarding the admission of students who reside 3621
outside the district in which the school is located. That policy 3622
shall comply with the admissions procedures specified in 3623
sections 3314.06 and 3314.061 of the Revised Code and, at the 3624
sole discretion of the authority, shall do one of the following: 3625

(a) Prohibit the enrollment of students who reside outside 3626
the district in which the school is located; 3627

(b) Permit the enrollment of students who reside in 3628
districts adjacent to the district in which the school is 3629
located; 3630

(c) Permit the enrollment of students who reside in any 3631
other district in the state. 3632

(20) A provision recognizing the authority of the 3633
department to take over the sponsorship of the school in 3634

accordance with the provisions of division (C) of section 3635
3314.015 of the Revised Code; 3636

(21) A provision recognizing the sponsor's authority to 3637
assume the operation of a school under the conditions specified 3638
in division (B) of section 3314.073 of the Revised Code; 3639

(22) A provision recognizing both of the following: 3640

(a) The authority of public health and safety officials to 3641
inspect the facilities of the school and to order the facilities 3642
closed if those officials find that the facilities are not in 3643
compliance with health and safety laws and regulations; 3644

(b) The authority of the department as the community 3645
school oversight body to suspend the operation of the school 3646
under section 3314.072 of the Revised Code if the department has 3647
evidence of conditions or violations of law at the school that 3648
pose an imminent danger to the health and safety of the school's 3649
students and employees and the sponsor refuses to take such 3650
action. 3651

(23) A description of the learning opportunities that will 3652
be offered to students including both classroom-based and non- 3653
classroom-based learning opportunities that is in compliance 3654
with criteria for student participation established by the 3655
department under division (H) (2) of section 3314.08 of the 3656
Revised Code; 3657

(24) The school will comply with sections 3302.04 and 3658
3302.041 of the Revised Code, except that any action required to 3659
be taken by a school district pursuant to those sections shall 3660
be taken by the sponsor of the school. 3661

(25) Beginning in the 2006-2007 school year, the school 3662
will open for operation not later than the thirtieth day of 3663

September each school year, unless the mission of the school as 3664
specified under division (A) (2) of this section is solely to 3665
serve dropouts. In its initial year of operation, if the school 3666
fails to open by the thirtieth day of September, or within one 3667
year after the adoption of the contract pursuant to division (D) 3668
of section 3314.02 of the Revised Code if the mission of the 3669
school is solely to serve dropouts, the contract shall be void. 3670

(26) Whether the school's governing authority is planning 3671
to seek designation for the school as a STEM school equivalent 3672
under section 3326.032 of the Revised Code; 3673

(27) That the school's attendance and participation 3674
policies will be available for public inspection; 3675

(28) That the school's attendance and participation 3676
records shall be made available to the department, auditor of 3677
state, and school's sponsor to the extent permitted under and in 3678
accordance with the "Family Educational Rights and Privacy Act 3679
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 3680
regulations promulgated under that act, and section 3319.321 of 3681
the Revised Code; 3682

(29) If a school operates using the blended learning 3683
model, as defined in section 3301.079 of the Revised Code, all 3684
of the following information: 3685

(a) An indication of what blended learning model or models 3686
will be used; 3687

(b) A description of how student instructional needs will 3688
be determined and documented; 3689

(c) The method to be used for determining competency, 3690
granting credit, and promoting students to a higher grade level; 3691

(d) The school's attendance requirements, including how 3692
the school will document participation in learning 3693
opportunities; 3694

(e) A statement describing how student progress will be 3695
monitored; 3696

(f) A statement describing how private student data will 3697
be protected; 3698

(g) A description of the professional development 3699
activities that will be offered to teachers. 3700

(30) A provision requiring that all moneys the school's 3701
operator loans to the school, including facilities loans or cash 3702
flow assistance, must be accounted for, documented, and bear 3703
interest at a fair market rate; 3704

(31) A provision requiring that, if the governing 3705
authority contracts with an attorney, accountant, or entity 3706
specializing in audits, the attorney, accountant, or entity 3707
shall be independent from the operator with which the school has 3708
contracted. 3709

(32) A provision requiring the governing authority to 3710
adopt an enrollment and attendance policy that requires a 3711
student's parent to notify the community school in which the 3712
student is enrolled when there is a change in the location of 3713
the parent's or student's primary residence. 3714

(33) A provision requiring the governing authority to 3715
adopt a student residence and address verification policy for 3716
students enrolling in or attending the school. 3717

(B) The community school shall also submit to the sponsor 3718
a comprehensive plan for the school. The plan shall specify the 3719

following:	3720
(1) The process by which the governing authority of the	3721
school will be selected in the future;	3722
(2) The management and administration of the school;	3723
(3) If the community school is a currently existing public	3724
school or educational service center building, alternative	3725
arrangements for current public school students who choose not	3726
to attend the converted school and for teachers who choose not	3727
to teach in the school or building after conversion;	3728
(4) The instructional program and educational philosophy	3729
of the school;	3730
(5) Internal financial controls.	3731
When submitting the plan under this division, the school	3732
shall also submit copies of all policies and procedures	3733
regarding internal financial controls adopted by the governing	3734
authority of the school.	3735
(C) A contract entered into under section 3314.02 of the	3736
Revised Code between a sponsor and the governing authority of a	3737
community school may provide for the community school governing	3738
authority to make payments to the sponsor, which is hereby	3739
authorized to receive such payments as set forth in the contract	3740
between the governing authority and the sponsor. The total	3741
amount of such payments for monitoring, oversight, and technical	3742
assistance of the school shall not exceed three per cent of the	3743
total amount of payments for operating expenses that the school	3744
receives from the state.	3745
(D) The contract shall specify the duties of the sponsor	3746
which shall be in accordance with the written agreement entered	3747

into with the department under division (B) of section 3314.015 3748
of the Revised Code and shall include the following: 3749

(1) Monitor the community school's compliance with all 3750
laws applicable to the school and with the terms of the 3751
contract; 3752

(2) Monitor and evaluate the academic and fiscal 3753
performance and the organization and operation of the community 3754
school on at least an annual basis; 3755

~~(3) Report on an annual basis the results of the 3756~~
~~evaluation conducted under division (D) (2) of this section to 3757~~
~~the department and to the parents of students enrolled in the 3758~~
~~community school; 3759~~

~~(4)~~ Provide technical assistance to the community school 3760
in complying with laws applicable to the school and terms of the 3761
contract; 3762

~~(5)~~ (4) Take steps to intervene in the school's operation 3763
to correct problems in the school's overall performance, declare 3764
the school to be on probationary status pursuant to section 3765
3314.073 of the Revised Code, suspend the operation of the 3766
school pursuant to section 3314.072 of the Revised Code, or 3767
terminate the contract of the school pursuant to section 3314.07 3768
of the Revised Code as determined necessary by the sponsor; 3769

~~(6)~~ (5) Have in place a plan of action to be undertaken in 3770
the event the community school experiences financial 3771
difficulties or closes prior to the end of a school year. 3772

(E) Upon the expiration of a contract entered into under 3773
this section, the sponsor of a community school may, with the 3774
approval of the governing authority of the school, renew that 3775
contract for a period of time determined by the sponsor, but not 3776

ending earlier than the end of any school year, if the sponsor 3777
finds that the school's compliance with applicable laws and 3778
terms of the contract and the school's progress in meeting the 3779
academic goals prescribed in the contract have been 3780
satisfactory. Any contract that is renewed under this division 3781
remains subject to the provisions of sections 3314.07, 3314.072, 3782
and 3314.073 of the Revised Code. 3783

(F) If a community school fails to open for operation 3784
within one year after the contract entered into under this 3785
section is adopted pursuant to division (D) of section 3314.02 3786
of the Revised Code or permanently closes prior to the 3787
expiration of the contract, the contract shall be void and the 3788
school shall not enter into a contract with any other sponsor. A 3789
school shall not be considered permanently closed because the 3790
operations of the school have been suspended pursuant to section 3791
3314.072 of the Revised Code. 3792

Sec. 3314.11. (A) ~~The governing authority of each~~ 3793
~~community school established under this chapter monthly shall~~ 3794
~~review the residency records of students enrolled in that~~ 3795
~~community school.~~ Upon the enrollment of each student and on an 3796
annual basis, the governing authority of each community school 3797
established under this chapter shall verify to the department of 3798
education and workforce the school district in which the student 3799
is entitled to attend school under section 3313.64 or 3313.65 of 3800
the Revised Code. 3801

The school district may review the determination made by 3802
the community school under division (A) of this section. 3803

(B) (1) For purposes of its initial reporting of the school 3804
districts in which its students are entitled to attend school, 3805
the governing authority of a community school shall adopt a 3806

policy that prescribes the number of documents listed in 3807
division (E) of this section required to verify a student's 3808
residency. This policy shall supersede any policy concerning the 3809
number of documents for initial residency verification adopted 3810
by the district the student is entitled to attend. 3811

(2) For purposes of the annual reporting of the school 3812
districts in which its students are entitled to attend school, 3813
the governing authority of a community school shall adopt a 3814
policy that prescribes the information required to verify a 3815
student's residency. This information may be obtained through 3816
any type of document, including any of the documents listed in 3817
division (E) of this section, or any type of communication with 3818
a government official authorized to provide such information. 3819

(C) For purposes of making the determinations required 3820
under this section, the school district in which a parent or 3821
child resides is the location the parent or student has 3822
established as the primary residence and where substantial 3823
family activity takes place. 3824

(D) If a community school's determination under division 3825
(A) of this section of the school district a student is entitled 3826
to attend under section 3313.64 or 3313.65 of the Revised Code 3827
differs from a district's determination, the community school 3828
that made the determination under division (A) of this section 3829
shall provide the school district with documentation of the 3830
student's residency and shall make a good faith effort to 3831
accurately identify the correct residence of the student. 3832

(E) For purposes of this section, the following documents 3833
may serve as evidence of primary residence: 3834

(1) A deed, mortgage, lease, current home owner's or 3835

renter's insurance declaration page, or current real property 3836
tax bill; 3837

(2) A utility bill or receipt of utility installation 3838
issued within ninety days of enrollment; 3839

(3) A paycheck or paystub issued to the parent or student 3840
within ninety days of the date of enrollment that includes the 3841
address of the parent's or student's primary residence; 3842

(4) The most current available bank statement issued to 3843
the parent or student that includes the address of the parent's 3844
or student's primary residence; 3845

(5) Any other official document issued to the parent or 3846
student that includes the address of the parent's or student's 3847
primary residence. The department shall develop guidelines for 3848
determining what qualifies as an "official document" under this 3849
division. 3850

(F) When a student loses permanent housing and becomes a 3851
homeless child or youth, as defined in 42 U.S.C. 11434a, or when 3852
a child who is such a homeless child or youth changes temporary 3853
living arrangements, the district in which the student is 3854
entitled to attend school shall be determined in accordance with 3855
division (F)(13) of section 3313.64 of the Revised Code and the 3856
"McKinney-Vento Homeless Assistance Act," 42 U.S.C. 11431 et 3857
seq. 3858

(G) In the event of a disagreement as to which school 3859
district a student is entitled to attend, the community school, 3860
after complying with division (D) of this section, but not more 3861
than sixty days after the ~~monthly~~ deadline established by the 3862
department for reporting of community school enrollment, may 3863
present the matter to the director of education and workforce. 3864

Not later than thirty days after the community school presents 3865
the matter, the director, or the director's designee, shall 3866
determine which district the student is entitled to attend and 3867
shall direct any necessary adjustments to payments under section 3868
3317.022 of the Revised Code based on that determination. 3869

Sec. 3314.252. (A) As used in this section, "device" means 3870
any computer, laptop, or tablet. 3871

(B) This section applies to any school that satisfies both 3872
of the following requirements: 3873

(1) The school is an internet- or computer- based 3874
community school or a community school in which a majority of 3875
the students are enrolled in a dropout prevention and recovery 3876
program that operates in an online format. 3877

(2) The school elects to offer remotely administered 3878
statewide achievement and diagnostic assessments prescribed 3879
under sections 3301.079, 3301.0710, 3301.0712, and 3301.0715 of 3880
the Revised Code. 3881

(C) Any student enrolled in a school to which this section 3882
applies shall be permitted to complete any of the statewide 3883
achievement and diagnostic assessments, except for the 3884
kindergarten readiness assessment, remotely in an online format 3885
if the following conditions are met: 3886

(1) The student takes the assessment during the testing 3887
windows prescribed by the director of education and workforce. 3888

(2) The student attends a synchronous assessment session 3889
initiated and managed by the school in which the student is 3890
enrolled. 3891

(3) The student takes the assessment using a device in 3892

which the student will be monitored by the assessment proctor 3893
through video and audio for the duration of the assessment 3894
administration. 3895

(4) The school to which this section applies maintains a 3896
ratio of ten to one, or lower, for students taking an assessment 3897
to an assessment proctor. 3898

(5) The student does not exit the assessment 3899
administration until instructed to do so by the assessment 3900
proctor. 3901

(6) The assessment proctor verifies the submission of the 3902
assessment. 3903

(D) If the online assessment platform does not support 3904
integrated camera proctoring, the student shall use two devices 3905
for the duration of an assessment administration. One device 3906
shall be used for the student to take the assessment while on 3907
the second device an assessment proctor monitors the student for 3908
the duration of the assessment. The device used by a student to 3909
take an assessment shall be a computer. 3910

(E) A school that elects to offer remotely administered 3911
assessments shall do both of the following: 3912

(1) Require that students, parents or legal guardians, and 3913
proctors sign agreements regarding protocols for remotely 3914
administered assessments; 3915

(2) Require training on remotely administered assessments. 3916

(F) The department of education and workforce may 3917
establish a remote proctoring certification course to certify 3918
remote assessment administrators. 3919

(G) The department or an assessment vendor may examine 3920

student performance results if there is an anomalous increase in 3921
scores on remotely administered assessments. 3922

Sec. 3314.29. (A) This section applies to any internet- or 3923
computer-based community school that meets all of the following 3924
conditions: 3925

(1) Serves all of grades kindergarten through twelve; 3926

(2) Has an enrollment of at least two thousand students; 3927

(3) Has a sponsor that was not rated ineffective or poor 3928
on its most recent evaluation under section 3314.016 of the 3929
Revised Code. 3930

(B) Beginning with the 2018-2019 school year, the 3931
governing authority of a community school to which this section 3932
applies may adopt a resolution to divide the school into two or 3933
three separate schools as follows: 3934

(1) If the school is divided into two schools, one school 3935
shall serve grades kindergarten through eight and one school 3936
shall serve grades nine through twelve. 3937

(2) If the school is divided into three schools, one 3938
school shall serve grades kindergarten through five, one school 3939
shall serve grades six through eight, and one school shall serve 3940
grades nine through twelve. 3941

(C) The resolution adopted by the governing authority 3942
shall not be effective unless approved by the school's sponsor. 3943
Following approval of the resolution by the sponsor, and by the 3944
fifteenth day of March prior to the school year in which it will 3945
take effect, the governing authority shall file the resolution 3946
with the department of education and workforce. The division of 3947
the schools shall be effective on the first day of July 3948

succeeding the date the resolution is filed with the department. 3949

(D) All of the following shall apply to each new school 3950
created as a result of the resolution authorized by this section 3951
and to the school that is divided as a result of the resolution: 3952

(1) Each school shall have the same governing authority. 3953

(2) The sponsor and governing authority shall enter into a 3954
separate contract under section 3314.03 of the Revised Code for 3955
each school. 3956

(3) No school shall primarily serve students enrolled in a 3957
dropout prevention and recovery program operated by the school. 3958

(4) No school shall be permitted to divide again under 3959
this section. 3960

(5) Notwithstanding anything to the contrary in division 3961
(B) (2) of section 3314.016 of the Revised Code, each school 3962
shall be included in the calculation of the academic performance 3963
component for purposes of rating the schools' sponsor under the 3964
evaluation system prescribed by that section. 3965

(6) Each school shall be subject to the laws contained in 3966
Chapter 3314. of the Revised Code, except as otherwise specified 3967
in this section. 3968

(E) The department shall issue a report card under section 3969
3314.012 of the Revised Code for each new school created as a 3970
result of the resolution authorized by this section and for the 3971
school that is divided as a result of the resolution. For 3972
purposes of the report cards and other reporting requirements 3973
under this chapter, the department shall assign the school that 3974
serves the highest grades the same internal retrieval number 3975
previously used by the school that is divided under this 3976

section. The department shall assign a new internal retrieval 3977
number to each other school resulting from the division. 3978

Notwithstanding division ~~(B)~~ (A) of section 3314.012 of 3979
the Revised Code, the ratings a school receives on its report 3980
card for the first two full school years after the division 3981
under this section shall count toward closure of the school 3982
under section 3314.35 of the Revised Code and any other matter 3983
that is based on report card ratings or measures. 3984

Sec. 3314.35. ~~(A) (1) Except as provided in division (A) (4)~~ 3985
~~of this section, this section applies to any community school~~ 3986
~~that meets one of the following criteria after July 1, 2009, but~~ 3987
~~before July 1, 2011:—~~ 3988

~~(a) The school does not offer a grade level higher than~~ 3989
~~three and has been declared to be in a state of academic~~ 3990
~~emergency under section 3302.03 of the Revised Code for three of~~ 3991
~~the four most recent school years.—~~ 3992

~~(b) The school satisfies all of the following conditions:—~~ 3993

~~(i) The school offers any of grade levels four to eight~~ 3994
~~but does not offer a grade level higher than nine.—~~ 3995

~~(ii) The school has been declared to be in a state of~~ 3996
~~academic emergency under section 3302.03 of the Revised Code for~~ 3997
~~two of the three most recent school years.—~~ 3998

~~(iii) In at least two of the three most recent school~~ 3999
~~years, the school showed less than one standard year of academic~~ 4000
~~growth in either reading or mathematics, as determined by the~~ 4001
~~department of education and workforce in accordance with rules~~ 4002
~~adopted under division (A) of section 3302.021 of the Revised~~ 4003
~~Code.—~~ 4004

~~(c) The school offers any of grade levels ten to twelve
and has been declared to be in a state of academic emergency
under section 3302.03 of the Revised Code for three of the four
most recent school years.—~~

~~(2) Except as provided in division (A) (4) of this section,
this section applies to any community school that meets one of
the following criteria after July 1, 2011, but before July 1,
2013:—~~

~~(a) The school does not offer a grade level higher than
three and has been declared to be in a state of academic
emergency under section 3302.03 of the Revised Code for two of
the three most recent school years.—~~

~~(b) The school satisfies all of the following conditions:—~~

~~(i) The school offers any of grade levels four to eight
but does not offer a grade level higher than nine.—~~

~~(ii) The school has been declared to be in a state of
academic emergency under section 3302.03 of the Revised Code for
two of the three most recent school years.—~~

~~(iii) In at least two of the three most recent school
years, the school showed less than one standard year of academic
growth in either reading or mathematics, as determined by the
department in accordance with rules adopted under division (A)
of section 3302.021 of the Revised Code.—~~

~~(c) The school offers any of grade levels ten to twelve
and has been declared to be in a state of academic emergency
under section 3302.03 of the Revised Code for two of the three
most recent school years.—~~

~~(3) (A) Except as provided in division (A) (4) (B) of this~~

section and section 3314.355 of the Revised Code, this section 4033
applies to any community school that meets one of the following 4034
criteria ~~on or after July 1, 2013:~~ 4035

~~(a) (1)~~ The school does not offer a grade level higher 4036
than three and, for the three most recent school years, 4037
satisfies ~~any either~~ of the following criteria: 4038

~~(i) The school has been declared to be in a state of~~ 4039
~~academic emergency under section 3302.03 of the Revised Code, as~~ 4040
~~it existed prior to March 22, 2013;~~ 4041

~~(ii) The school has received a grade of "F" in improving~~ 4042
~~literacy in grades kindergarten through three under division (B)~~ 4043
~~(1) (g) or (C) (1) (g) of section 3302.03 of the Revised Code;~~ 4044

~~(iii) (a)~~ The school has received a performance rating of 4045
one star for early literacy under division (D) (3) (e) of section 4046
3302.03 of the Revised Code; 4047

~~(iv) (b)~~ The school has received an overall performance 4048
rating of less than two stars under division (D) (3) of section 4049
3302.03 of the Revised Code; 4050

~~(v) The school has received an overall grade of "F" under~~ 4051
~~division (C) of section 3302.03 of the Revised Code.~~ 4052

~~(b) (2)~~ The school offers any of grade levels four to 4053
eight but does not offer a grade level higher than nine and, for 4054
the three most recent school years, satisfies ~~any either~~ of the 4055
following criteria: 4056

~~(i) The school has been declared to be in a state of~~ 4057
~~academic emergency under section 3302.03 of the Revised Code, as~~ 4058
~~it existed prior to March 22, 2013, and the school showed less~~ 4059
~~than one standard year of academic growth in either reading or~~ 4060

mathematics, as determined by the department in accordance with 4061
rules adopted under division (A) of section 3302.021 of the 4062
Revised Code; 4063

~~(ii) The school has received a grade of "F" for the 4064
performance index score under division (A) (1) (b), (B) (1) (b), or 4065
(C) (1) (b) and a grade of "F" for the value added progress 4066
dimension under division (A) (1) (c), (B) (1) (c), or (C) (1) (c) of 4067
section 3302.03 of the Revised Code; 4068~~

~~(iii) (a) The school has received a performance rating of 4069
one star for both achievement under division (D) (3) (b) of 4070
section 3302.03 of the Revised Code and progress under division 4071
(D) (3) (c) of that section; 4072~~

~~(iv) The school has received an overall grade of "F" under 4073
division (C) and a grade of "F" for the value added progress 4074
dimension under division (C) (1) (c) of section 3302.03 of the 4075
Revised Code; 4076~~

~~(v) (b) The school has received an overall performance 4077
rating of less than two stars under division (D) of section 4078
3302.03 of the Revised Code and a performance rating of one star 4079
for progress under division (D) (3) (c) of that section. 4080~~

~~(e) (3) The school offers any of grade levels ten to 4081
twelve and, for the three most recent school years, satisfies 4082
any either of the following criteria: 4083~~

~~(i) The school has been declared to be in a state of 4084
academic emergency under section 3302.03 of the Revised Code, as 4085
it existed prior to March 22, 2013; 4086~~

~~(ii) The school has received a grade of "F" for the 4087
performance index score under division (A) (1) (b), (B) (1) (b), or 4088
(C) (1) (b) and has not met annual measurable objectives under 4089~~

~~division (A) (1) (a), (B) (1) (a), or (C) (1) (a) of section 3302.03~~ 4090
~~of the Revised Code;~~ 4091

~~(iii)~~ (a) The school has received a performance rating of 4092
"one star" for achievement under division (D) (3) (b) of section 4093
3302.03 of the Revised Code and has not met annual measurable 4094
objectives for gap closing under division (D) (3) (a) of that 4095
section, as determined by the department; 4096

~~(iv) The school has received an overall grade of "F" under~~ 4097
~~division (C) and a grade of "F" for the value added progress~~ 4098
~~dimension under division (C) (1) (c) of section 3302.03 of the~~ 4099
~~Revised Code;~~ 4100

~~(v)~~ (b) The school has received an overall performance 4101
rating of less than two stars under division (D) of section 4102
3302.03 of the Revised Code and a performance rating of one star 4103
for progress under division (D) (1) (b) of that section. 4104

For purposes of division ~~(A) (3)~~ (A) of this section only, 4105
the department shall calculate the value-added progress 4106
dimension for a community school using assessment scores for 4107
only those students to whom the school has administered the 4108
achievement assessments prescribed by section 3301.0710 of the 4109
Revised Code for at least the two most recent school years but 4110
using value-added data from only the most recent school year. 4111

~~(4)~~ (B) This section does not apply to either of the 4112
following: 4113

~~(a)~~ (1) Any community school in which a majority of the 4114
students are enrolled in a dropout prevention and recovery 4115
program that is operated by the school. Rather, such schools 4116
shall be subject to closure only as provided in section 3314.351 4117
of the Revised Code. However, prior to July 1, 2014, a community 4118

school in which a majority of the students are enrolled in a 4119
dropout prevention and recovery program shall be exempt from 4120
this section only if it has been granted a waiver under section 4121
3314.36 of the Revised Code. 4122

~~(b)~~ (2) Any community school in which a majority of the 4123
enrolled students are children with disabilities receiving 4124
special education and related services in accordance with 4125
Chapter 3323. of the Revised Code. 4126

~~(B)~~ (C) Any community school to which this section applies 4127
shall permanently close at the conclusion of the school year in 4128
which the school first becomes subject to this section. The 4129
sponsor and governing authority of the school shall comply with 4130
all procedures for closing a community school adopted by the 4131
department under division (E) of section 3314.015 of the Revised 4132
Code. The governing authority of the school shall not enter into 4133
a contract with any other sponsor under section 3314.03 of the 4134
Revised Code after the school closes. 4135

~~(C) In accordance with division (B) of section 3314.012 of~~ 4136
~~the Revised Code, the department shall not consider the~~ 4137
~~performance ratings assigned to a community school for its first~~ 4138
~~two years of operation when determining whether the school meets~~ 4139
~~the criteria prescribed by division (A) (1) or (2) of this~~ 4140
~~section.~~ 4141

(D) Nothing in this section or in any other provision of 4142
the Revised Code prohibits the sponsor of a community school 4143
from exercising its option not to renew a contract for any 4144
reason or from terminating a contract prior to its expiration 4145
for any of the reasons set forth in section 3314.07 of the 4146
Revised Code. 4147

Sec. 3319.077. (A) As used in this section: 4148

(1) "Dyslexia" has the same meaning as in section 3323.25 4149
of the Revised Code. 4150

(2) "Ohio dyslexia committee" means the committee 4151
established under section 3325.25 of the Revised Code. 4152

(3) "Special education" has the same meaning as in section 4153
3323.01 of the Revised Code. 4154

(4) "Teacher" does not include any teacher who provides 4155
instruction in fine arts, music, or physical education. 4156

(B) (1) The department of education and workforce, in 4157
collaboration with the Ohio dyslexia committee, shall maintain a 4158
list of training that fulfills the professional development 4159
requirements prescribed in division (C) of this section. The 4160
list may consist of online or classroom learning models. 4161

(2) Each approved training shall align with the guidebook 4162
developed under section 3323.25 of the Revised Code, be 4163
evidence-based, and require instruction and training for 4164
identifying characteristics of dyslexia and understanding the 4165
pedagogy for instructing students with dyslexia. 4166

(3) The Ohio dyslexia committee shall prescribe a total 4167
number of clock hours of instruction in training approved under 4168
this section for a teacher to complete to satisfy the 4169
professional development requirements prescribed in division (C) 4170
of this section. The Ohio dyslexia committee shall prescribe a 4171
total number of clock hours that is not less than six clock 4172
hours and not more than eighteen clock hours. However, a school 4173
district or school may determine the number of hours, which must 4174
be between six and eighteen clock hours, that a teacher employed 4175
by the school district or school shall complete to satisfy the 4176

professional development requirements prescribed in division (C) 4177
of this section. 4178

(C) (1) Division (C) (1) of this section applies to any 4179
teacher who was employed by a local, city, or exempted village 4180
school district on April 12, 2021, and is still employed by that 4181
district on the dates specified under division (C) (1) (a), (b), 4182
or (c) of this section as follows: 4183

(a) Not later than the beginning of the 2023-2024 school 4184
year, each district teacher employed by a local, city, or 4185
exempted village school district who provides instruction for 4186
students in kindergarten and first grade, including those 4187
providing special education instruction, shall complete the 4188
number of instructional hours in approved professional 4189
development training required by the committee or school 4190
district or school under this section. 4191

(b) Not later than September 15, 2024, each district 4192
teacher employed by a school district who provides instruction 4193
for students in grades two and three, including those providing 4194
special education instruction, shall complete the number of 4195
instructional hours in approved professional development 4196
training required by the committee or school district or school 4197
under this section. 4198

(c) Not later than September 15, 2025, each district 4199
teacher employed by a school district who provides special 4200
education instruction for students in grades four through twelve 4201
shall complete a professional development training approved 4202
under division (B) of this section. 4203

(2) Any teacher hired by a local, city, or exempted 4204
village school district after April 12, 2021, who provides 4205

instruction for students in any of grades kindergarten through 4206
three, including a teacher providing special education 4207
instruction, or who provides special education instruction for 4208
students in any of grades four through twelve shall complete 4209
professional development training in accordance with division 4210
(C) (1) (a), (b), or (c) of this section by the later of two years 4211
after the date of hire or the date specified under division (C) 4212
(1) (a), (b), or (c) of this section, unless the teacher 4213
completed the training while employed by a different district 4214
under division (C) (1) of this section. 4215

(D) Any professional development training completed by a 4216
teacher prior to April 12, 2021, that is then included on the 4217
list of training approved under division (B) (1) of this section 4218
shall count toward the number of instructional hours in approved 4219
professional development training required under division (C) of 4220
this section. 4221

(E) Nothing in this section shall prohibit a school 4222
district from requiring employees who are not subject to this 4223
section from completing professional development training 4224
approved under division (B) of this section. 4225

Sec. 3319.0811. If the board of education of a school 4226
district offers to students of compulsory school age courses for 4227
high school credit that are taught at times outside the 4228
district's normal school day, the board ~~shall~~may enter into 4229
supplemental contracts under section 3319.08 of the Revised Code 4230
with the teachers assigned to teach those courses and shall not 4231
include such assignment of duties within the teachers' regular 4232
employment contracts under that section. 4233

Sec. 3319.111. Notwithstanding section 3319.09 of the 4234
Revised Code, this section applies to any person who is employed 4235

under a teacher license issued under this chapter, or under a 4236
professional or permanent teacher's certificate issued under 4237
former section 3319.222 of the Revised Code, and who spends at 4238
least fifty per cent of the time employed providing student 4239
instruction. However, this section does not apply to any person 4240
who is employed as a substitute teacher or as an instructor of 4241
adult education. 4242

(A) The board of education of each school district, in 4243
consultation with teachers employed by the board, shall update 4244
its standards-based teacher evaluation policy to conform with 4245
either the framework for evaluation of teachers adopted under 4246
section 3319.112 of the Revised Code or a framework created or 4247
adopted by the board. The policy shall become operative at the 4248
expiration of any collective bargaining agreement covering 4249
teachers employed by the board that is in effect on November 2, 4250
2018, and shall be included in any renewal or extension of such 4251
an agreement. 4252

(B) When using measures of student performance as evidence 4253
in a teacher's evaluation, those measures shall be high-quality 4254
student data. The board of education of each school district may 4255
use data from the assessments on the list developed under 4256
division (B) (2) of section 3319.112 of the Revised Code as high- 4257
quality student data. 4258

(C) (1) The board shall conduct an evaluation of each 4259
teacher employed by the board at least once each school year, 4260
except as provided in division (C) (2) of this section. The 4261
evaluation shall be completed by the first day of May and the 4262
teacher shall receive a written report of the results of the 4263
evaluation by the tenth day of May. 4264

(2) (a) The board may evaluate each teacher who received a 4265

rating of accomplished on the teacher's most recent evaluation 4266
conducted under this section once every three school years, so 4267
long as the teacher submits a self-directed professional growth 4268
plan to the evaluator that focuses on specific areas identified 4269
in the observations and evaluation and the evaluator determines 4270
that the teacher is making progress on that plan. 4271

(b) The board may evaluate each teacher who received a 4272
rating of skilled on the teacher's most recent evaluation 4273
conducted under this section once every two years, so long as 4274
the teacher and evaluator jointly develop a professional growth 4275
plan for the teacher that focuses on specific areas identified 4276
in the observations and evaluation and the evaluator determines 4277
that the teacher is making progress on that plan. 4278

(c) For each teacher who is evaluated pursuant to division 4279
(C) (2) of this section, the evaluation shall be completed by the 4280
first day of May of the applicable school year, and the teacher 4281
shall receive a written report of the results of the evaluation 4282
by the tenth day of May of that school year. 4283

(d) The board may elect not to conduct an evaluation of a 4284
teacher who meets one of the following requirements: 4285

(i) The teacher was on leave from the school district for 4286
fifty per cent or more of the school year, as calculated by the 4287
board. 4288

(ii) The teacher has submitted notice of retirement and 4289
that notice has been accepted by the board not later than the 4290
first day of December of the school year in which the evaluation 4291
is otherwise scheduled to be conducted. 4292

(e) The board may elect not to conduct an evaluation of a 4293
teacher who is participating in the teacher residency program 4294

established under section 3319.223 of the Revised Code for the 4295
year during which that teacher takes, for the first time, at 4296
least half of the performance-based assessment prescribed by the 4297
state board of education for resident educators. 4298

(3) In any year that a teacher is not formally evaluated 4299
pursuant to division (C) of this section as a result of 4300
receiving a rating of accomplished or skilled on the teacher's 4301
most recent evaluation, an individual qualified to evaluate a 4302
teacher under division (D) of this section shall conduct at 4303
least one observation of the teacher and hold at least one 4304
conference with the teacher. The conference shall include a 4305
discussion of progress on the teacher's professional growth 4306
plan. 4307

(D) Each evaluation conducted pursuant to this section 4308
shall be conducted by one or more of the following persons who 4309
hold a credential established by the state board of education 4310
for being an evaluator: 4311

(1) A person who is under contract with the board pursuant 4312
to section 3319.01 or 3319.02 of the Revised Code and holds a 4313
license designated for being a superintendent, assistant 4314
superintendent, or principal issued under section 3319.22 of the 4315
Revised Code; 4316

(2) A person who is under contract with the board pursuant 4317
to section 3319.02 of the Revised Code and holds a license 4318
designated for being a vocational director, administrative 4319
specialist, or supervisor in any educational area issued under 4320
section 3319.22 of the Revised Code; 4321

(3) A person designated to conduct evaluations under an 4322
agreement entered into by the board, including an agreement 4323

providing for peer review entered into by the board and 4324
representatives of teachers employed by the board; 4325

(4) A person who is employed by an entity contracted by 4326
the board to conduct evaluations and who holds a license 4327
designated for being a superintendent, assistant superintendent, 4328
principal, vocational director, administrative specialist, or 4329
supervisor in any educational area issued under section 3319.22 4330
of the Revised Code or is qualified to conduct evaluations. 4331

(E) Notwithstanding division (A) (3) of section 3319.112 of 4332
the Revised Code, the board shall require at least three formal 4333
observations of each teacher who is under consideration for 4334
nonrenewal and with whom the board has entered into a limited 4335
contract or an extended limited contract under section 3319.11 4336
of the Revised Code. 4337

(F) The board shall include in its evaluation policy 4338
procedures for using the evaluation results for retention and 4339
promotion decisions and for removal of poorly performing 4340
teachers. Seniority shall not be the basis for a decision to 4341
retain a teacher, except when making a decision between teachers 4342
who have comparable evaluations. 4343

(G) For purposes of section 3333.0411 of the Revised Code, 4344
the board annually shall report to the state board the number of 4345
teachers for whom an evaluation was conducted under this section 4346
and the number of teachers assigned each rating prescribed under 4347
division (B) (1) of section 3319.112 of the Revised Code or the 4348
equivalent framework created or adopted by the board, aggregated 4349
by the teacher preparation programs from which and the years in 4350
which the teachers graduated. The state board shall establish 4351
guidelines for reporting the information required by this 4352
division. The guidelines shall not permit or require that the 4353

name of, or any other personally identifiable information about, 4354
any teacher be reported under this division. 4355

(H) Notwithstanding any provision to the contrary in 4356
Chapter 4117. of the Revised Code, the requirements of this 4357
section prevail over any conflicting provisions of a collective 4358
bargaining agreement entered into on or after November 2, 2018. 4359

Sec. 3319.112. (A) The state board of education shall 4360
revise the standards-based state framework for the evaluation of 4361
teachers based on the recommendations of the educator standards 4362
board established under section 3319.60 of the Revised Code. The 4363
state board shall hold at least one public hearing on the 4364
revised framework and shall make the full text of the revised 4365
framework available at each hearing it holds on the revised 4366
framework. The state board shall adopt the revised framework. 4367
The state board may update the framework periodically by 4368
adoption of a resolution. The framework shall establish an 4369
evaluation system that does the following: 4370

(1) Provides for multiple evaluation factors; 4371

(2) Is aligned with the standards for teachers adopted 4372
under section 3319.61 of the Revised Code; 4373

(3) Requires observation of the teacher being evaluated, 4374
including at least two formal observations by the evaluator of 4375
at least thirty minutes each and classroom walk-throughs; 4376

(4) Assigns a rating on each evaluation in accordance with 4377
division (B) of this section; 4378

(5) Requires each teacher to be provided with a written 4379
report of the results of the teacher's evaluation; 4380

(6) Uses at least two measures of high-quality student 4381

data to provide evidence of student learning attributable to the 4382
teacher being evaluated. The state board shall define "high- 4383
quality student data" for this purpose. When applicable to the 4384
grade level or subject area taught by a teacher, high-quality 4385
student data shall include the value-added progress dimension 4386
established under section 3302.021 of the Revised Code, but the 4387
teacher or evaluator shall use at least one other measure of 4388
high-quality student data to demonstrate student learning. In 4389
accordance with the guidance described in division (D)(3) of 4390
this section, high-quality student data may be used as evidence 4391
in any component of the evaluation related to the following: 4392

(a) Knowledge of the students to whom the teacher provides 4393
instruction; 4394

(b) The teacher's use of differentiated instructional 4395
practices based on the needs or abilities of individual 4396
students; 4397

(c) Assessment of student learning; 4398

(d) The teacher's use of assessment data; 4399

(e) Professional responsibility and growth. 4400

(7) Prohibits the shared attribution of student 4401
performance data among all teachers in a district, building, 4402
grade, content area, or other group; 4403

(8) Includes development of a professional growth plan or 4404
improvement plan for the teacher that is based on the results of 4405
the evaluation and is aligned to any school district or building 4406
improvement plan required for the teacher's district or building 4407
under the "Elementary and Secondary Education Act of 1965," as 4408
amended by the "Every Student Succeeds Act of 2015," Pub. L. No. 4409
114-95, 20 U.S.C. 6301 et seq.; 4410

(9) Provides for professional development to accelerate 4411
and continue teacher growth and provide support to poorly 4412
performing teachers; 4413

(10) Provides for the allocation of financial resources to 4414
support professional development; 4415

(11) Prohibits the use of student learning objectives. 4416

(B) For purposes of the framework adopted under this 4417
section, the state board also shall do the following: 4418

(1) Revise, as necessary, specific standards and criteria 4419
that distinguish between the following levels of performance for 4420
teachers and principals for the purpose of assigning ratings on 4421
~~the any~~ evaluations conducted under sections 3311.80, 3311.84, 4422
3319.02, and 3319.111 of the Revised Code using the framework 4423
prescribed by this section: 4424

(a) Accomplished; 4425

(b) Skilled; 4426

(c) Developing; 4427

(d) Ineffective. 4428

(2) Develop a list of student assessments that measure 4429
mastery of the course content for the appropriate grade level, 4430
which may include nationally normed standardized assessments, 4431
industry certification examinations, or end-of-course 4432
examinations. The data from these assessments may be considered 4433
high-quality student data. 4434

(C) The state board shall consult with experts, teachers 4435
and principals employed in public schools, the educator 4436
standards board, and representatives of stakeholder groups in 4437

revising the standards and criteria required by division (B) (1) 4438
of this section. 4439

(D) To assist school districts in developing evaluation 4440
policies under sections 3311.80, 3311.84, 3319.02, and 3319.111 4441
of the Revised Code, the state board shall do all of the 4442
following: 4443

(1) Serve as a clearinghouse of promising evaluation 4444
procedures and evaluation models that districts may use; 4445

(2) Provide technical assistance to districts in creating 4446
evaluation policies; 4447

(3) Provide guidance to districts on how high-quality 4448
student data may be used as evidence of student learning 4449
attributable to a particular teacher, including examples of 4450
appropriate use of that data within the framework adopted under 4451
this section; 4452

(4) Provide guidance to districts on how information from 4453
student surveys, student portfolios, peer review evaluations, 4454
teacher self-evaluations, and other components determined 4455
appropriate by the district may be used as part of the 4456
evaluation process. 4457

(E) Not later than July 1, 2020, the state board, in 4458
consultation with state agencies that employ teachers, shall 4459
update its standards-based framework for the evaluation of 4460
teachers employed by those agencies. Each state agency that 4461
employs teachers shall adopt a standards-based teacher 4462
evaluation policy to conform with the framework. The policy 4463
shall become operative at the expiration of any collective 4464
bargaining agreement covering teachers employed by the agency 4465
that is in effect on November 2, 2018, and shall be included in 4466

any renewal or extension of such an agreement. However, this 4467
division does not apply to any person who is employed as a 4468
substitute teacher or as an instructor of adult education. 4469

Sec. 3319.172. The board of education of each school 4470
district wherein the provisions of Chapter 124. of the Revised 4471
Code do not apply and the governing board of each educational 4472
service center may adopt a resolution ordering reasonable 4473
reductions in the number of nonteaching employees for any of the 4474
reasons for which the board of education or governing board may 4475
make reductions in teaching employees, as set forth in division 4476
(B) of section 3319.17 of the Revised Code. 4477

In making any reduction under this section, the board of 4478
education or governing board shall proceed to suspend contracts 4479
in accordance with the recommendation of the superintendent of 4480
the district or service center who shall, within each pay 4481
classification affected, give preference first to employees 4482
under continuing contracts and ~~then to employees on the basis of~~ 4483
~~seniority~~shall not give preference on the basis of seniority 4484
except when making a decision between two employees with 4485
comparable evaluations. On a case-by-case basis, in lieu of 4486
suspending a contract in whole, a board may suspend a contract 4487
in part, so that an individual is required to work a percentage 4488
of the time the employee otherwise is required to work under the 4489
contract and receives a commensurate percentage of the full 4490
compensation the employee otherwise would receive under the 4491
contract. 4492

Any nonteaching employee whose continuing contract is 4493
suspended under this section shall have the right of restoration 4494
to continuing service status by the board of education or 4495
governing board that suspended that contract ~~in order of~~ 4496

~~seniority of service in the district or service center~~, if and 4497
when a nonteaching position for which the employee is qualified 4498
becomes vacant or is created. No nonteaching employee whose 4499
continuing contract has been suspended under this section shall 4500
lose that right of restoration to continuing service status by 4501
reason of having declined recall to a position requiring fewer 4502
regularly scheduled hours of work than required by the position 4503
the employee last held while employed in the district or service 4504
center. 4505

Notwithstanding any provision to the contrary in Chapter 4506
4117. of the Revised Code, the requirements of this section 4507
prevail over any conflicting provisions of agreements between 4508
employee organizations and public employers entered into after 4509
the effective date of this section. 4510

Sec. 3319.22. (A) (1) The state board of education shall 4511
issue the following educator licenses: 4512

(a) A resident educator license, which shall be valid for 4513
two years and shall be renewable for reasons specified by rules 4514
adopted by the state board pursuant to division (A) (3) of this 4515
section. The state board, on a case-by-case basis, may extend 4516
the license's duration as necessary to enable the license holder 4517
to complete the Ohio teacher residency program established under 4518
section 3319.223 of the Revised Code; 4519

(b) A professional educator license, which shall be valid 4520
for five years and shall be renewable; 4521

(c) A senior professional educator license, which shall be 4522
valid for five years and shall be renewable; 4523

(d) A lead professional educator license, which shall be 4524
valid for five years and shall be renewable. 4525

Licenses issued under division (A)(1) of this section on 4526
and after ~~the effective date of this amendment~~ December 29, 4527
2023, shall specify whether the educator is licensed to teach 4528
grades pre-kindergarten through eight or grades six through 4529
twelve. The changes to the grade band specifications under this 4530
section shall not apply to a person who holds a license under 4531
division (A)(1) of this section prior to ~~the effective date of~~ 4532
~~this amendment~~ December 29, 2023. Further, the changes to the 4533
grade band specifications under this section shall not apply to 4534
any license issued to teach in the area of computer information 4535
science, bilingual education, dance, drama or theater, world 4536
language, health, library or media, music, physical education, 4537
teaching English to speakers of other languages, career- 4538
technical education, or visual arts or to any license issued to 4539
an intervention specialist, including a gifted intervention 4540
specialist, or to any other license that does not align to the 4541
grade band specifications. 4542

(2)(a) Except as provided in division (A)(2)(b) of this 4543
section, the state board may issue any additional educator 4544
licenses of categories, types, and levels the board elects to 4545
provide. 4546

(b) Not later than December 31, 2024, the state board 4547
shall cease licensing school psychologists. The state board 4548
shall coordinate with the state board of psychology to 4549
transition to licensure under Chapter 4732. of the Revised Code 4550
any school psychologists licensed under rules adopted in 4551
accordance with sections 3301.07 and 3319.22 of the Revised 4552
Code. 4553

(3) Except as provided in division (I) of this section, 4554
the state board shall adopt rules establishing the standards and 4555

requirements for obtaining each educator license issued under 4556
this section. The rules shall also include the reasons for which 4557
a resident educator license may be renewed under division (A) (1) 4558
(a) of this section. 4559

(B) Except as provided in division (I) of this section, 4560
the rules adopted under this section shall require at least the 4561
following standards and qualifications for the educator licenses 4562
described in division (A) (1) of this section: 4563

(1) An applicant for a resident educator license shall 4564
hold at least a bachelor's degree from an accredited teacher 4565
preparation program or be a participant in the teach for America 4566
program and meet the qualifications required under section 4567
3319.227 of the Revised Code. 4568

(2) An applicant for a professional educator license 4569
shall: 4570

(a) Hold at least a bachelor's degree from an institution 4571
of higher education accredited by a regional accrediting 4572
organization; 4573

(b) Have successfully completed the Ohio teacher residency 4574
program established under section 3319.223 of the Revised Code, 4575
if the applicant's current or most recently issued license is a 4576
resident educator license issued under this section or an 4577
alternative resident educator license issued under section 4578
3319.26 of the Revised Code. 4579

(3) An applicant for a senior professional educator 4580
license shall: 4581

(a) Hold at least a ~~master's~~ bachelor's degree from an 4582
institution of higher education accredited by a regional 4583
accrediting organization; 4584

(b) Have previously held a professional educator license 4585
issued under this section or section 3319.222 or under former 4586
section 3319.22 of the Revised Code; 4587

(c) Meet the criteria for the accomplished or 4588
distinguished level of performance, as described in the 4589
standards for teachers adopted by the state board under section 4590
3319.61 of the Revised Code. 4591

(4) An applicant for a lead professional educator license 4592
shall: 4593

(a) Hold at least a ~~master's~~ bachelor's degree from an 4594
institution of higher education accredited by a regional 4595
accrediting organization; 4596

(b) Have previously held a professional educator license 4597
or a senior professional educator license issued under this 4598
section or a professional educator license issued under section 4599
3319.222 or former section 3319.22 of the Revised Code; 4600

(c) Meet the criteria for the distinguished level of 4601
performance, as described in the standards for teachers adopted 4602
by the state board under section 3319.61 of the Revised Code; 4603

(d) Either hold a valid certificate issued by the national 4604
board for professional teaching standards or meet the criteria 4605
for a master teacher or other criteria for a lead teacher 4606
adopted by the educator standards board under division (F) (4) or 4607
(5) of section 3319.61 of the Revised Code. 4608

(C) The state board shall align the standards and 4609
qualifications for obtaining a principal license with the 4610
standards for principals adopted by the state board under 4611
section 3319.61 of the Revised Code. 4612

(D) If the state board requires any examinations for 4613
educator licensure, the state board shall provide the results of 4614
such examinations received by the state board to the chancellor 4615
of higher education, in the manner and to the extent permitted 4616
by state and federal law. 4617

(E) Any rules the state board of education adopts, amends, 4618
or rescinds for educator licenses under this section or any 4619
other law shall be adopted, amended, or rescinded under Chapter 4620
119. of the Revised Code except as follows: 4621

(1) Notwithstanding division (E) of section 119.03 and 4622
division (A)(1) of section 119.04 of the Revised Code, in the 4623
case of the adoption of any rule or the amendment or rescission 4624
of any rule that necessitates institutions' offering preparation 4625
programs for educators and other school personnel that are 4626
approved by the chancellor of higher education under section 4627
3333.048 of the Revised Code to revise the curriculum of those 4628
programs, the effective date shall not be as prescribed in 4629
division (E) of section 119.03 and division (A)(1) of section 4630
119.04 of the Revised Code. Instead, the effective date of such 4631
rules, or the amendment or rescission of such rules, shall be 4632
the date prescribed by section 3333.048 of the Revised Code. 4633

(2) Notwithstanding the authority to adopt, amend, or 4634
rescind emergency rules in division (G) of section 119.03 of the 4635
Revised Code, this authority shall not apply to the state board 4636
of education with regard to rules for educator licenses. 4637

(F)(1) The rules adopted under this section establishing 4638
standards requiring additional coursework for the renewal of any 4639
educator license shall require a school district and a chartered 4640
nonpublic school to establish local professional development 4641
committees. In a nonpublic school, the chief administrative 4642

officer shall establish the committees in any manner acceptable 4643
to such officer. The committees established under this division 4644
shall determine whether coursework that a district or chartered 4645
nonpublic school teacher proposes to complete meets the 4646
requirement of the rules. The state board shall provide 4647
technical assistance and support to committees as the committees 4648
incorporate the professional development standards adopted 4649
pursuant to section 3319.61 of the Revised Code into their 4650
review of coursework that is appropriate for license renewal. 4651
The rules shall establish a procedure by which a teacher may 4652
appeal the decision of a local professional development 4653
committee. 4654

(2) In any school district in which there is no exclusive 4655
representative established under Chapter 4117. of the Revised 4656
Code, the professional development committees shall be 4657
established as described in division (F) (2) of this section. 4658

Not later than the effective date of the rules adopted 4659
under this section, the board of education of each school 4660
district shall establish the structure for one or more local 4661
professional development committees to be operated by such 4662
school district. The committee structure so established by a 4663
district board shall remain in effect unless within thirty days 4664
prior to an anniversary of the date upon which the current 4665
committee structure was established, the board provides notice 4666
to all affected district employees that the committee structure 4667
is to be modified. Professional development committees may have 4668
a district-level or building-level scope of operations, and may 4669
be established with regard to particular grade or age levels for 4670
which an educator license is designated. 4671

Each professional development committee shall consist of 4672

at least three classroom teachers employed by the district, one 4673
principal employed by the district, and one other employee of 4674
the district appointed by the district superintendent. For 4675
committees with a building-level scope, the teacher and 4676
principal members shall be assigned to that building, and the 4677
teacher members shall be elected by majority vote of the 4678
classroom teachers assigned to that building. For committees 4679
with a district-level scope, the teacher members shall be 4680
elected by majority vote of the classroom teachers of the 4681
district, and the principal member shall be elected by a 4682
majority vote of the principals of the district, unless there 4683
are two or fewer principals employed by the district, in which 4684
case the one or two principals employed shall serve on the 4685
committee. If a committee has a particular grade or age level 4686
scope, the teacher members shall be licensed to teach such grade 4687
or age levels, and shall be elected by majority vote of the 4688
classroom teachers holding such a license and the principal 4689
shall be elected by all principals serving in buildings where 4690
any such teachers serve. The district superintendent shall 4691
appoint a replacement to fill any vacancy that occurs on a 4692
professional development committee, except in the case of 4693
vacancies among the elected classroom teacher members, which 4694
shall be filled by vote of the remaining members of the 4695
committee so selected. 4696

Terms of office on professional development committees 4697
shall be prescribed by the district board establishing the 4698
committees. The conduct of elections for members of professional 4699
development committees shall be prescribed by the district board 4700
establishing the committees. A professional development 4701
committee may include additional members, except that the 4702
majority of members on each such committee shall be classroom 4703

teachers employed by the district. Any member appointed to fill 4704
a vacancy occurring prior to the expiration date of the term for 4705
which a predecessor was appointed shall hold office as a member 4706
for the remainder of that term. 4707

The initial meeting of any professional development 4708
committee, upon election and appointment of all committee 4709
members, shall be called by a member designated by the district 4710
superintendent. At this initial meeting, the committee shall 4711
select a chairperson and such other officers the committee deems 4712
necessary, and shall adopt rules for the conduct of its 4713
meetings. Thereafter, the committee shall meet at the call of 4714
the chairperson or upon the filing of a petition with the 4715
district superintendent signed by a majority of the committee 4716
members calling for the committee to meet. 4717

(3) In the case of a school district in which an exclusive 4718
representative has been established pursuant to Chapter 4117. of 4719
the Revised Code, professional development committees shall be 4720
established in accordance with any collective bargaining 4721
agreement in effect in the district that includes provisions for 4722
such committees. 4723

If the collective bargaining agreement does not specify a 4724
different method for the selection of teacher members of the 4725
committees, the exclusive representative of the district's 4726
teachers shall select the teacher members. 4727

If the collective bargaining agreement does not specify a 4728
different structure for the committees, the board of education 4729
of the school district shall establish the structure, including 4730
the number of committees and the number of teacher and 4731
administrative members on each committee; the specific 4732
administrative members to be part of each committee; whether the 4733

scope of the committees will be district levels, building 4734
levels, or by type of grade or age levels for which educator 4735
licenses are designated; the lengths of terms for members; the 4736
manner of filling vacancies on the committees; and the frequency 4737
and time and place of meetings. However, in all cases, except as 4738
provided in division (F) (4) of this section, there shall be a 4739
majority of teacher members of any professional development 4740
committee, there shall be at least five total members of any 4741
professional development committee, and the exclusive 4742
representative shall designate replacement members in the case 4743
of vacancies among teacher members, unless the collective 4744
bargaining agreement specifies a different method of selecting 4745
such replacements. 4746

(4) Whenever an administrator's coursework plan is being 4747
discussed or voted upon, the local professional development 4748
committee shall, at the request of one of its administrative 4749
members, cause a majority of the committee to consist of 4750
administrative members by reducing the number of teacher members 4751
voting on the plan. 4752

(5) A professional development committee may grant an 4753
individual seeking to renew a license under this section credit 4754
towards continuing education requirements for completion of a 4755
statutorily required professional development training. Such an 4756
individual shall receive continuing education credit for one 4757
completed professional development course per licensure renewal 4758
period. To qualify for continuing education credit under this 4759
division, a professional development course shall be completed 4760
during the time in which an individual holds a valid license 4761
under this section. 4762

(G) (1) The department of education and workforce, 4763

educational service centers, county boards of developmental 4764
disabilities, college and university departments of education, 4765
head start programs, and the Ohio education computer network may 4766
establish local professional development committees to determine 4767
whether the coursework proposed by their employees who are 4768
licensed or certificated under this section or section 3319.222 4769
of the Revised Code, or under the former version of either 4770
section as it existed prior to October 16, 2009, meet the 4771
requirements of the rules adopted under this section. They may 4772
establish local professional development committees on their own 4773
or in collaboration with a school district or other agency 4774
having authority to establish them. 4775

Local professional development committees established by 4776
county boards of developmental disabilities shall be structured 4777
in a manner comparable to the structures prescribed for school 4778
districts in divisions (F)(2) and (3) of this section, as shall 4779
the committees established by any other entity specified in 4780
division (G)(1) of this section that provides educational 4781
services by employing or contracting for services of classroom 4782
teachers licensed or certificated under this section or section 4783
3319.222 of the Revised Code, or under the former version of 4784
either section as it existed prior to October 16, 2009. All 4785
other entities specified in division (G)(1) of this section 4786
shall structure their committees in accordance with guidelines 4787
which shall be issued by the department. 4788

(2) Educational service centers may establish local 4789
professional development committees to serve educators who are 4790
not employed in schools in this state, including pupil services 4791
personnel who are licensed under this section. Local 4792
professional development committees shall be structured in a 4793
manner comparable to the structures prescribed for school 4794

districts in divisions (F) (2) and (3) of this section. 4795

These committees may agree to review the coursework, 4796
continuing education units, or other equivalent activities 4797
related to classroom teaching or the area of licensure that is 4798
proposed by an individual who satisfies both of the following 4799
conditions: 4800

(a) The individual is licensed or certificated under this 4801
section or under the former version of this section as it 4802
existed prior to October 16, 2009. 4803

(b) The individual is not currently employed as an 4804
educator or is not currently employed by an entity that operates 4805
a local professional development committee under this section. 4806

Any committee that agrees to work with such an individual 4807
shall work to determine whether the proposed coursework, 4808
continuing education units, or other equivalent activities meet 4809
the requirements of the rules adopted by the state board under 4810
this section. 4811

(3) Any public agency that is not specified in division 4812
(G) (1) or (2) of this section but provides educational services 4813
and employs or contracts for services of classroom teachers 4814
licensed or certificated under this section or section 3319.222 4815
of the Revised Code, or under the former version of either 4816
section as it existed prior to October 16, 2009, may establish a 4817
local professional development committee, subject to the 4818
approval of the department of education and workforce. The 4819
committee shall be structured in accordance with guidelines 4820
issued by the department. 4821

(H) Not later than July 1, 2016, the state board, in 4822
accordance with Chapter 119. of the Revised Code, shall adopt 4823

rules pursuant to division (A) (3) of this section that do both 4824
of the following: 4825

(1) Exempt consistently high-performing teachers from the 4826
requirement to complete any additional coursework for the 4827
renewal of an educator license issued under this section or 4828
section 3319.26 of the Revised Code. The rules also shall 4829
specify that such teachers are exempt from any requirements 4830
prescribed by professional development committees established 4831
under divisions (F) and (G) of this section. 4832

(2) For purposes of division (H) (1) of this section, the 4833
state board shall define the term "consistently high-performing 4834
teacher." 4835

(I) The state board shall issue a resident educator 4836
license, professional educator license, senior professional 4837
educator license, lead professional educator license, or any 4838
other educator license in accordance with Chapter 4796. of the 4839
Revised Code to an applicant if either of the following applies: 4840

(1) The applicant holds a license in another state. 4841

(2) The applicant has satisfactory work experience, a 4842
government certification, or a private certification as 4843
described in that chapter as a resident educator, professional 4844
educator, senior professional educator, lead professional 4845
educator, or any other type of educator in a state that does not 4846
issue one or more of those licenses. 4847

Sec. 3319.225. (A) The board of education of any school 4848
district, governing authority of a community school established 4849
under Chapter 3314. of the Revised Code, or governing body of a 4850
STEM school established under Chapter 3326. of the Revised Code, 4851
may employ an individual who is not certificated or licensed as 4852

required by Chapter 3319. of the Revised Code, but who meets 4853
both of the following qualifications, as a teacher in the 4854
schools of the district or school: 4855

(1) The individual holds at least a master's degree from 4856
an institution of higher education accredited by a regional 4857
accrediting agency; 4858

(2) The individual has successfully completed an 4859
examination prescribed by the state board of education for the 4860
subject area in which the individual will teach. 4861

(B) A person employed by a school district or school in 4862
accordance with this section shall be required to apply for and 4863
receive a registration from the state board. As a condition of 4864
registration under this section, an individual shall be subject 4865
to a criminal records check as prescribed by section 3319.391 of 4866
the Revised Code. In the manner prescribed by the state board, 4867
the individual shall submit the criminal records check to the 4868
state board. The state board shall use the information submitted 4869
to enroll the individual in the retained applicant fingerprint 4870
database, established under section 109.5721 of the Revised 4871
Code, in the same manner as any teacher licensed under sections 4872
3319.22 to 3319.31 of the Revised Code. 4873

If the state board receives notification of the arrest or 4874
conviction of an individual registered under division (B) of 4875
this section, the state board shall promptly notify the 4876
employing district or school and may take any action authorized 4877
under sections 3319.31 and 3319.311 of the Revised Code that it 4878
considers appropriate. No district or school shall employ any 4879
individual under division (A) of this section if the district or 4880
school learns that the individual has plead guilty to, has been 4881
found guilty by a jury or court of, or has been convicted of any 4882

of the offenses listed in division (C) of section 3319.31 of the
Revised Code.

(C) Each individual employed under this section shall meet
the requirement to successfully complete fifteen hours, or the
equivalent, of coursework every five years that is approved by
the local professional development committee as is required of
other teachers licensed in accordance with Chapter 3319. of the
Revised Code.

Sec. 3319.2210. (A) The state board of education shall
issue a one-year nonrenewable out-of-state educator license,
valid for teaching the grade levels and curriculum areas named
in such license, upon the request of an employing school
district to a qualified applicant who meets all of the following
requirements:

(1) Is deemed to be of good moral character;

(2) Is an out-of-state applicant and the holder of a valid
out-of-state teaching license who has completed a baccalaureate
degree, an approved teacher preparation program, and the
examination prescribed by the state in which the licensure is
held, but who has not yet successfully completed the examination
prescribed by the state board for Ohio licensure;

(3) Except as provided in division (B) of this section,
has completed at least six of the required twelve semester hours
of coursework in the teaching of reading as described in section
3319.24 of the Revised Code for educators requesting an early
childhood, primary, middle childhood, pre-kindergarten through
eight, intervention specialist, early childhood intervention
specialist, or primary intervention specialist license. The
remaining coursework requirement shall be listed as a limitation

on the license and must be completed before the out-of-state 4912
license expires. 4913

(B) An applicant for a one-year nonrenewable out-of-state 4914
educator license who successfully completes Ohio's foundations 4915
of reading exam on the applicant's first attempt shall not be 4916
required to have completed at least six of the required twelve 4917
semester hours of coursework in the teaching of reading as 4918
described in section 3319.24 of the Revised Code prior to 4919
receipt of the license. 4920

Sec. 3319.27. (A) Except as provided in division (C) of 4921
this section, the state board of education shall adopt rules 4922
that establish an alternative principal license. The rules 4923
establishing an alternative principal license shall include a 4924
requirement that an applicant have obtained classroom teaching 4925
experience. Beginning on the effective date of the rules, the 4926
state board shall cease to issue temporary educator licenses 4927
pursuant to former section 3319.225 as it existed prior to April 4928
12, 2021, of the Revised Code for employment as a principal. Any 4929
person who on the effective date of the rules holds a valid 4930
temporary educator license issued under that section and is 4931
employed as a principal shall be allowed to continue employment 4932
as a principal until the expiration of the license. Employment 4933
of any such person as a principal by a school district after the 4934
expiration of the temporary educator license shall be contingent 4935
upon the state board issuing the person an alternative principal 4936
license in accordance with the rules adopted under this 4937
division. 4938

(B) Except as provided in division (C) of this section, 4939
the state board shall adopt rules that establish an alternative 4940
administrator license, which shall be valid for employment as a 4941

superintendent or in any other administrative position except 4942
principal. Beginning on the effective date of the rules, the 4943
state board shall cease to issue temporary educator licenses 4944
pursuant to former section 3319.225 of the Revised Code as it 4945
existed prior to April 12, 2021, for employment as a 4946
superintendent or in any other administrative position except 4947
principal. Any person who on the effective date of the rules 4948
holds a valid temporary educator license issued under that 4949
section and is employed as a superintendent or in any other 4950
administrative position except principal shall be allowed to 4951
continue employment in that position until the expiration of the 4952
license. Employment of any such person as a superintendent or in 4953
any other administrative position except principal by a school 4954
district after the expiration of the temporary educator license 4955
shall be contingent upon the state board issuing the person an 4956
alternative administrator license in accordance with the rules 4957
adopted under this division. 4958

(C) The state board shall issue an alternative principal 4959
or alternative administrator license in accordance with Chapter 4960
4796. of the Revised Code to an applicant if either of the 4961
following applies: 4962

(1) The applicant holds a license in another state. 4963

(2) The applicant has satisfactory work experience, a 4964
government certification, or a private certification as 4965
described in that chapter as a school principal or school 4966
administrator in a state that does not issue one or both of 4967
those licenses. 4968

Sec. 3319.273. (A) A professional administrator license 4969
shall be issued to an individual who holds at least a bachelor's 4970
degree from an institution of higher education accredited by a 4971

regional accrediting agency, provided the individual satisfies 4972
all other criteria for that license prescribed by rule of the 4973
state board of education. 4974

(B) An alternative superintendent license shall be issued 4975
to an individual who holds at least a bachelor's degree from an 4976
institution of higher education accredited by a regional 4977
accrediting agency, provided the individual satisfies all other 4978
criteria for that license prescribed by rule of the state board. 4979

Sec. 3319.291. (A) The state board of education shall 4980
require each of the following persons, at the times prescribed 4981
by division (A) of this section, to undergo a criminal records 4982
check, unless the person has undergone a records check under 4983
this section or a former version of this section less than five 4984
years prior to that time. 4985

(1) Any person initially applying for any certificate, 4986
license, or permit described in this chapter or in division (B) 4987
of section 3301.071 or in section 3301.074 of the Revised Code 4988
at the time that application is made; 4989

(2) Any person applying for renewal of any certificate, 4990
license, or permit described in division (A)(1) of this section 4991
at the time that application is made; 4992

(3) Any person who is teaching under a professional 4993
teaching certificate issued under former section 3319.222 of the 4994
Revised Code upon a date prescribed by the state board; 4995

(4) Any person who is teaching under a permanent teaching 4996
certificate issued under former section 3319.22 as it existed 4997
prior to October 29, 1996, or under former section 3319.222 of 4998
the Revised Code upon a date prescribed by the state board and 4999
every five years thereafter; 5000

(5) Any person employed in accordance with section 5001
3319.225 of the Revised Code. 5002

(B) (1) Except as otherwise provided in division (B) (2) of 5003
this section, the state board shall require each person subject 5004
to a criminal records check under this section to submit two 5005
complete sets of fingerprints and written permission that 5006
authorizes the superintendent of public instruction to forward 5007
the fingerprints to the bureau of criminal identification and 5008
investigation pursuant to division (F) of section 109.57 of the 5009
Revised Code and that authorizes that bureau to forward the 5010
fingerprints to the federal bureau of investigation for purposes 5011
of obtaining any criminal records that the federal bureau 5012
maintains on the person. 5013

(2) If both of the following conditions apply to a person 5014
subject to a criminal records check under this section, the 5015
state board shall require the person to submit one complete set 5016
of fingerprints and written permission that authorizes the 5017
superintendent of public instruction to forward the fingerprints 5018
to the bureau of criminal identification and investigation so 5019
that bureau may forward the fingerprints to the federal bureau 5020
of investigation for purposes of obtaining any criminal records 5021
that the federal bureau maintains on the person: 5022

(a) Under this section or any former version of this 5023
section, the state board or the superintendent of public 5024
instruction previously requested the superintendent of the 5025
bureau of criminal identification and investigation to determine 5026
whether the bureau has any information, gathered pursuant to 5027
division (A) of section 109.57 of the Revised Code, on the 5028
person. 5029

(b) The person presents proof that the person has been a 5030

resident of this state for the five-year period immediately 5031
prior to the date upon which the person becomes subject to a 5032
criminal records check under this section. 5033

(C) Except as provided in division (D) of this section, 5034
prior to issuing or renewing any certificate, license, or permit 5035
for a person described in division (A) (1) or (2) of this section 5036
who is subject to a criminal records check and in the case of a 5037
person described in division (A) (3) or (4) of this section who 5038
is subject to a criminal records check, the state board or the 5039
superintendent of public instruction shall do one of the 5040
following: 5041

(1) If the person is required to submit fingerprints and 5042
written permission under division (B) (1) of this section, 5043
request the superintendent of the bureau of criminal 5044
identification and investigation to determine whether the bureau 5045
has any information, gathered pursuant to division (A) of 5046
section 109.57 of the Revised Code, pertaining to the person and 5047
to obtain any criminal records that the federal bureau of 5048
investigation has on the person. 5049

(2) If the person is required to submit fingerprints and 5050
written permission under division (B) (2) of this section, 5051
request the superintendent of the bureau of criminal 5052
identification and investigation to obtain any criminal records 5053
that the federal bureau of investigation has on the person. 5054

(D) The state board or the superintendent of public 5055
instruction may choose not to request any information about a 5056
person required by division (C) of this section if the person 5057
provides proof that a criminal records check that satisfies the 5058
requirements of that division was conducted on the person as a 5059
condition of employment pursuant to section 3319.39 of the 5060

Revised Code within the immediately preceding year. The state
board or the superintendent of public instruction may accept a
certified copy of records that were issued by the bureau of
criminal identification and investigation and that are presented
by the person in lieu of requesting that information under
division (C) of this section if the records were issued by the
bureau within the immediately preceding year.

(E) (1) If a person described in division (A) (3) or (4) of
this section who is subject to a criminal records check fails to
submit fingerprints and written permission by the date specified
in the applicable division, and the state board or the
superintendent of public instruction does not apply division (D)
of this section to the person, or if a person who is subject to
division (G) of this section fails to submit fingerprints and
written permission by the date prescribed under that division,
the superintendent shall prepare a written notice to be sent to
the person by mail or electronically stating that if the person
does not submit the fingerprints and written permission within
fifteen days after the date the notice was mailed or sent
electronically, the person's application will be rejected or the
person's professional or permanent teaching certificate or
license will be inactivated. The superintendent shall send the
notification by regular mail to the person's last known
residence address or last known place of employment, as
indicated in the state board's records, or both. If the notice
is sent electronically, the notification shall be sent via
electronic mail to the person's last known electronic mail
address.

If the person fails to submit the fingerprints and written
permission within fifteen days after the date the notice was
mailed, the superintendent of public instruction, on behalf of

the state board, shall issue a written order rejecting the 5092
application or inactivating the person's professional or 5093
permanent teaching certificate or license. The rejection or 5094
inactivation shall remain in effect until the person submits the 5095
fingerprints and written permission. The superintendent shall 5096
send the order by regular mail or electronic mail to the 5097
person's last known residence address, last known electronic 5098
mail address, or last known place of employment, as indicated in 5099
the state board's records. The order shall state the reason for 5100
the rejection or inactivation and shall explain that the 5101
rejection or inactivation remains in effect until the person 5102
submits the fingerprints and written permission. 5103

The rejection or inactivation of a professional or 5104
permanent teaching certificate or license under division (E) (1) 5105
of this section does not constitute a suspension or revocation 5106
of the certificate or license by the state board under section 5107
3319.31 of the Revised Code and the state board and the 5108
superintendent of public instruction need not provide the person 5109
with an opportunity for a hearing with respect to the rejection 5110
or inactivation. 5111

(2) If a person whose professional or permanent teaching 5112
certificate or license has been rejected or inactivated under 5113
division (E) (1) of this section submits fingerprints and written 5114
permission as required by division (B) or (G) of this section, 5115
the superintendent of public instruction, on behalf of the state 5116
board, shall issue a written order issuing or reactivating the 5117
certificate or license. The superintendent shall send the order 5118
to the person by regular mail or electronic mail. 5119

(F) Notwithstanding divisions (A) to (C) of this section, 5120
if a person holds more than one certificate, license, or permit 5121

described in division (A) (1) of this section, the following 5122
shall apply: 5123

(1) If the certificates, licenses, or permits are of 5124
different durations, the person shall be subject to divisions 5125
(A) to (C) of this section only when applying for renewal of the 5126
certificate, license, or permit that is of the longest duration. 5127
Prior to renewing any certificate, license, or permit with a 5128
shorter duration, the state board or the superintendent of 5129
public instruction shall determine whether the state board has 5130
received any information about the person pursuant to section 5131
109.5721 of the Revised Code, but the person shall not be 5132
subject to divisions (A) to (C) of this section as long as the 5133
person's certificate, license, or permit with the longest 5134
duration is valid. 5135

(2) If the certificates, licenses, or permits are of the 5136
same duration but do not expire in the same year, the person 5137
shall designate one of the certificates, licenses, or permits as 5138
the person's primary certificate, license, or permit and shall 5139
notify the state board of that designation. The person shall be 5140
subject to divisions (A) to (C) of this section only when 5141
applying for renewal of the person's primary certificate, 5142
license, or permit. Prior to renewing any certificate, license, 5143
or permit that is not the person's primary certificate, license, 5144
or permit, the state board or the superintendent of public 5145
instruction shall determine whether the state board has received 5146
any information about the person pursuant to section 109.5721 of 5147
the Revised Code, but the person shall not be subject to 5148
divisions (A) to (C) of this section as long as the person's 5149
primary certificate, license, or permit is valid. 5150

(3) If the certificates, licenses, or permits are of the 5151

same duration and expire in the same year and the person applies 5152
for renewal of the certificates, licenses, or permits at the 5153
same time, the state board or the superintendent of public 5154
instruction shall request only one criminal records check of the 5155
person under division (C) of this section. 5156

(G) If the state board is unable to enroll a person who 5157
has submitted an application for licensure, or to whom the state 5158
board has issued a license, in the retained applicant 5159
fingerprint database established under section 109.5721 of the 5160
Revised Code because the person has not satisfied the 5161
requirements for enrollment, the board shall require the person 5162
to satisfy the requirements for enrollment, including requiring 5163
the person to submit, by a date prescribed by the state board, 5164
one complete set of fingerprints and written permission that 5165
authorizes the superintendent of public instruction to forward 5166
the fingerprints to the bureau of criminal identification and 5167
investigation for the purpose of enrolling the person in the 5168
database. If the person fails to comply by the prescribed date, 5169
the state board shall reject the application or shall take 5170
action to inactivate the person's license in accordance with 5171
division (E) of this section. 5172

Sec. 3319.316. The state board of education shall be a 5173
participating public office for purposes of the retained 5174
applicant fingerprint database established under section 5175
109.5721 of the Revised Code and shall receive notification from 5176
the bureau of criminal identification and investigation of the 5177
arrest or conviction of the following persons: 5178

(A) Persons to whom the state board has issued a license, 5179
as defined in section 3319.31 of the Revised Code; 5180

(B) On behalf of ~~employers~~ a school district, educational 5181

service center, or chartered nonpublic school described in 5182
section 3319.391 or 3327.10 of the Revised Code, persons who are 5183
not required to hold a license issued by the state board and are 5184
employed in or contracted for a position that the district, 5185
service center, or school reasonably determines may involve 5186
routine interaction with a child or regular responsibility for 5187
the care, custody, or control of a child, including persons who 5188
operate a school bus or motor van. Notwithstanding anything to 5189
the contrary in division (E) of section 109.5721 of the Revised 5190
Code, the state board is authorized to and promptly shall 5191
transmit any notification received regarding a person under this 5192
division to the ~~person's employer~~ employing or contracting 5193
district, service center, or school. 5194

Sec. 3319.391. This section applies to any person hired by 5195
a school district, educational service center, or chartered 5196
nonpublic school and any contractor or person hired by a 5197
contractor engaged in providing services that may involve 5198
routine interaction with a child or regular responsibility for 5199
the care, custody, or control of a child to a school district, 5200
educational service center, or chartered nonpublic school in any 5201
position that does not require a "license" issued by the state 5202
board of education, as defined in section 3319.31 of the Revised 5203
Code, or a registration issued by the state board of education 5204
under Chapter 3319. of the Revised Code, and is not for the 5205
operation of a vehicle for pupil transportation. This section 5206
does not apply to any person who volunteers at a school building 5207
within a district, educational service center, or chartered 5208
nonpublic school, including a parent volunteer in a student's 5209
classroom. 5210

(A) (1) For each person to whom this section applies who is 5211
hired on or after November 14, 2007, the employer shall request 5212

a criminal records check in accordance with section 3319.39 of 5213
the Revised Code and shall request a subsequent criminal records 5214
check by the fifth day of September every fifth year thereafter. 5215

(2) For each person to whom this section applies who is 5216
hired prior to November 14, 2007, the employer shall request a 5217
criminal records check by a date prescribed by the state board 5218
and shall request a subsequent criminal records check by the 5219
fifth day of September every fifth year thereafter. 5220

(3) If, ~~on the effective date of this amendment~~ October 3, 5221
2023, the most recent criminal records check requested for a 5222
person under division (A) (1) or (2) of this section was 5223
completed more than one year prior to that date or does not 5224
include information gathered pursuant to division (A) of section 5225
109.57 of the Revised Code, the employer shall request a new 5226
criminal records check that includes information gathered 5227
pursuant to division (A) of section 109.57 of the Revised Code 5228
by a date prescribed by the state board and shall request a 5229
subsequent criminal records check by the fifth day of September 5230
every fifth year thereafter. 5231

(B) (1) Each request for a criminal records check under 5232
this section shall be made to the superintendent of the bureau 5233
of criminal identification and investigation in the manner 5234
prescribed in section 3319.39 of the Revised Code, except that 5235
if both of the following conditions apply to the person subject 5236
to the records check, the employer shall request the 5237
superintendent only to obtain any criminal records that the 5238
federal bureau of investigation has on the person: 5239

(a) The employer previously requested the superintendent 5240
to determine whether the bureau of criminal identification and 5241
investigation has any information, gathered pursuant to division 5242

(A) of section 109.57 of the Revised Code, on the person in 5243
conjunction with a criminal records check requested under 5244
section 3319.39 of the Revised Code or under this section. 5245

(b) The person presents proof that the person has been a 5246
resident of this state for the five-year period immediately 5247
prior to the date upon which the person becomes subject to a 5248
criminal records check under this section. 5249

(2) Upon receipt of a request under division (B) (1) of 5250
this section, the superintendent of the bureau of criminal 5251
identification and investigation shall conduct the criminal 5252
records check in accordance with section 109.572 of the Revised 5253
Code as if the request had been made under section 3319.39 of 5254
the Revised Code. However, as specified in division (B) (2) of 5255
section 109.572 of the Revised Code, if the employer requests 5256
the superintendent only to obtain any criminal records that the 5257
federal bureau of investigation has on the person for whom the 5258
request is made, the superintendent shall not conduct the review 5259
prescribed by division (B) (1) of that section. 5260

(C) Notwithstanding division (D) of section 3319.39 of the 5261
Revised Code, the bureau of criminal identification and 5262
investigation shall make the initial criminal records check of a 5263
person requested by an employer under division (A) of this 5264
section on or after ~~the effective date of this amendment~~ October 5265
3, 2023, available to the state board. The state board shall use 5266
the information received to enroll the person in the retained 5267
applicant fingerprint database, established under section 5268
109.5721 of the Revised Code, in the same manner as any teacher 5269
licensed under sections 3319.22 to 3319.31 of the Revised Code. 5270
If the state board is unable to enroll the person in the 5271
retained applicant fingerprint database because the person has 5272

not satisfied the requirements for enrollment, the state board 5273
shall notify the employer that the person has not satisfied the 5274
requirements for enrollment. However, the bureau shall not be 5275
required to make available to the state board the criminal 5276
records check of any person who is already enrolled in the 5277
retained applicant fingerprint database on the date the person's 5278
employer requests a records check of the person under division 5279
(A) of this section. 5280

If the state board receives notification of the arrest, 5281
guilty plea, or conviction of a person who is subject to this 5282
section, the state board shall promptly notify the employing 5283
school district, chartered nonpublic school, or educational 5284
service center in accordance with division (B) of section 5285
3319.316 of the Revised Code. 5286

(D) Any person who is the subject of a criminal records 5287
check under this section and has been convicted of or pleaded 5288
guilty to any offense described in division (B)(1) of section 5289
3319.39 of the Revised Code shall not be hired or shall be 5290
released from employment, as applicable, unless the person meets 5291
the rehabilitation standards adopted by the state board under 5292
division (E) of that section. 5293

Sec. 3326.11. Each science, technology, engineering, and 5294
mathematics school established under this chapter and its 5295
governing body shall comply with sections 9.90, 9.91, 109.65, 5296
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 5297
3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 5298
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 5299
3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.5318, 5300
3313.5319, 3313.608, 3313.6012, 3313.6013, 3313.6014, ~~3313.6015,~~ 5301
3313.6020, 3313.6021, 3313.6024, 3313.6025, 3313.6026, 5302

3313.6028, 3313.6029, 3313.61, 3313.611, 3313.614, 3313.615, 5303
3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411, 5304
3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 5305
3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 5306
3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 5307
3313.7112, 3313.7117, 3313.721, 3313.80, 3313.801, 3313.814, 5308
3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 3313.89, 5309
3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.21, 5310
3319.238, 3319.318, 3319.32, 3319.321, 3319.324, 3319.35, 5311
3319.39, 3319.391, 3319.393, 3319.41, 3319.45, 3319.46, 3320.01, 5312
3320.02, 3320.03, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 5313
3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 3322.20, 3322.24, 5314
3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5315
5705.391 and Chapters 102., 117., 1347., 2744., 3307., 3309., 5316
3365., 3742., 4112., 4123., 4141., and 4167. of the Revised Code 5317
as if it were a school district. 5318

Sec. 3327.01. Notwithstanding division (D) of section 5319
3311.19 and division (D) of section 3311.52 of the Revised Code, 5320
this section and sections 3327.011, 3327.012, and 3327.02 of the 5321
Revised Code do not apply to any joint vocational or cooperative 5322
education school district. 5323

In all city, local, and exempted village school districts 5324
where resident school pupils in grades kindergarten through 5325
eight live more than two miles from the school for which the 5326
director of education and workforce prescribes minimum standards 5327
pursuant to division (D) of section 3301.07 of the Revised Code 5328
and to which they are assigned by the board of education of the 5329
district of residence or to and from the nonpublic or community 5330
school which they attend, the board of education shall provide 5331
transportation for such pupils to and from that school except as 5332
provided in section 3327.02 of the Revised Code. 5333

In all city, local, and exempted village school districts 5334
where pupil transportation is required under a career-technical 5335
plan approved by the department of education and workforce under 5336
section 3313.90 of the Revised Code, for any student attending a 5337
career-technical program operated by another school district, 5338
including a joint vocational school district, as prescribed 5339
under that section, the board of education of the student's 5340
district of residence shall provide transportation from the 5341
public high school operated by that district to which the 5342
student is assigned to the career-technical program. 5343

In all city, local, and exempted village school districts, 5344
the board may provide transportation for resident school pupils 5345
in grades nine through twelve to and from the high school to 5346
which they are assigned by the board of education of the 5347
district of residence or to and from the nonpublic or community 5348
high school which they attend for which the director of 5349
education and workforce prescribes minimum standards pursuant to 5350
division (D) of section 3301.07 of the Revised Code. 5351

A board of education shall not be required to transport 5352
elementary or high school pupils to and from a nonpublic or 5353
community school where such transportation would require more 5354
than thirty minutes of direct travel time as measured by school 5355
bus from the public school building to which the pupils would be 5356
assigned if attending the public school designated by the 5357
district of residence. 5358

Where it is impractical to transport a pupil by school 5359
conveyance, a board of education may offer payment, in lieu of 5360
providing such transportation in accordance with section 3327.02 5361
of the Revised Code. 5362

A board of education shall provide transportation to 5363

students enrolled in a community school or nonpublic school in 5364
accordance with this section on each day in which that school is 5365
open for operation with students in attendance, regardless of 5366
whether the district's own schools are open for operation with 5367
students in attendance on that day. However, a board of 5368
education shall not be required to transport elementary or high 5369
school pupils to and from a nonpublic or community school on 5370
Saturday or Sunday, unless a board of education and a nonpublic 5371
or community school have an agreement in place to do so before 5372
the first day of July of the school year in which the agreement 5373
takes effect. 5374

In all city, local, and exempted village school districts, 5375
the board shall provide transportation for all children who are 5376
so disabled that they are unable to walk to and from the school 5377
for which the director of education and workforce prescribes 5378
minimum standards pursuant to division (D) of section 3301.07 of 5379
the Revised Code and which they attend. In case of dispute 5380
whether the child is able to walk to and from the school, the 5381
health commissioner shall be the judge of such ability. In all 5382
city, exempted village, and local school districts, the board 5383
shall provide transportation to and from school or special 5384
education classes for mentally disabled children in accordance 5385
with standards adopted by the department of education and 5386
workforce. 5387

When transportation of pupils is provided the conveyance 5388
shall be run on a time schedule that shall be adopted and put in 5389
force by the board not later than ten days after the beginning 5390
of the school term. The operator of every school bus or motor 5391
van owned and operated by any school district or educational 5392
service center or privately owned and operated under contract 5393
with any school district or service center in this state shall 5394

deliver students enrolled in preschool through twelfth grades to 5395
their respective public and nonpublic schools not sooner than 5396
thirty minutes prior to the beginning of school and to be 5397
available to pick them up not later than thirty minutes after 5398
the close of their respective schools each day. If the school 5399
offers academic services immediately after school that are 5400
supervised by a school employee, the end of the school day shall 5401
be considered to begin one-half hour after the commencement of 5402
those services. Further, operators shall not deliver students 5403
late to school. 5404

The cost of any transportation service authorized by this 5405
section shall be paid first out of federal funds, if any, 5406
available for the purpose of pupil transportation, and secondly 5407
out of state appropriations, in accordance with regulations 5408
adopted by the department. 5409

No transportation of any pupils shall be provided by any 5410
board of education to or from any school which in the selection 5411
of pupils, faculty members, or employees, practices 5412
discrimination against any person on the grounds of race, color, 5413
religion, or national origin. 5414

A board of education shall provide transportation as a 5415
related service for all children with disabilities living in the 5416
school district who are enrolled in a nonpublic school if the 5417
school district is provided with supporting documentation from 5418
the child's individual education program developed pursuant to 5419
Chapter 3323. of the Revised Code or an individual service plan 5420
developed pursuant to section 5126.41 of the Revised Code. 5421

Sec. 3327.021. (A) As used in this section, "out of 5422
compliance" means that, for a period of five consecutive school 5423
days or ten school days within a school year, at least one of 5424

the following has occurred on each of those days: 5425

(1) Students transported to and from school by a school 5426
bus arrive more than thirty minutes late to school; 5427

(2) Students transported to and from school by a school 5428
bus are picked up more than thirty minutes after the end of the 5429
school day~~;~~. If a school provides academic services immediately 5430
after school that are supervised by a school employee, the end 5431
of the school day shall be considered to begin one-half hour 5432
after the commencement of such services. 5433

(3) Students scheduled to be transported to and from 5434
school by a school bus are not transported by school bus at all 5435
due to the failure of the bus to arrive; 5436

(4) A school district has been noncompliant with any other 5437
transportation requirements under Chapter 3327. of the Revised 5438
Code. 5439

Any school day in which any of the conditions in divisions 5440
(A) (1) to (4) of this section occur due to inclement weather 5441
shall not be counted towards the determination of noncompliance 5442
under this section. 5443

(B) The department of education and workforce shall 5444
monitor whether each city, local, or exempted village school 5445
district is out of compliance. If the department determines that 5446
a district is out of compliance, the department shall notify a 5447
school district that it is out of compliance. The first time a 5448
district receives notification of noncompliance, it shall create 5449
a corrective action plan and submit that plan to the department 5450
within one week of receiving notification of the department's 5451
determination. If a district is subsequently found to be out of 5452
compliance, the department shall withhold twenty-five per cent 5453

of the district's daily payment for student transportation under 5454
Chapter 3317. of the Revised Code, as computed by the 5455
department, for each day that the district is determined to be 5456
out of compliance, beginning with the first day after the 5457
district has submitted the corrective action plan. A district 5458
may be found out of compliance two more times within the same 5459
school year, with twenty-five per cent of its daily state 5460
transportation funding withheld for each day it is determined to 5461
be out of compliance. 5462

If a district is determined to be out of compliance for a 5463
fifth time in the course of a school year, the department shall 5464
withhold one hundred per cent of its daily state transportation 5465
aid until the department determines that a district is no longer 5466
out of compliance. 5467

The department shall reset the calculation of a district's 5468
noncompliance to zero at the beginning of each school year. 5469

(C) For each day, including the initial period that 5470
determined noncompliance, that the district is found to be out 5471
of compliance under this section and any of the conditions in 5472
divisions (A) (1) to (4) of this section occur, the department of 5473
education and workforce shall calculate the daily amount of that 5474
payment on a per-pupil basis and disburse that per-pupil amount 5475
to the district or school in which the pupil is enrolled. The 5476
district or school shall then remit those funds to the parent, 5477
guardian, or other person in charge of each pupil who did not 5478
receive proper transportation while the district was out of 5479
compliance. Funds shall be disbursed out of the amount withheld 5480
by the department under division (B) of this section. 5481

(D) This section does not affect the authority of a school 5482
district to provide payment in lieu of transportation in 5483

accordance with section 3327.02 of the Revised Code. 5484

Beginning with disputes regarding determinations of school 5485
district noncompliance with transportation obligations arising 5486
after December 1, 2023, the department shall issue a 5487
determination within thirty days of receiving notice of the 5488
dispute. The department may delay a determination to within 5489
forty-five days of receiving a dispute notice if the department 5490
notifies all affected parties in advance that the determination 5491
will be delayed. 5492

Sec. 5502.70. (A) There is hereby created in the 5493
department of public safety the Ohio mobile training team, which 5494
shall be administered by a chief mobile training officer. The 5495
team shall provide services to public and nonpublic schools 5496
regarding school safety and security. 5497

(B) Not later than ~~ninety days after the effective date of~~ 5498
~~this section~~ December 11, 2022, the director of public safety 5499
shall appoint an individual who satisfies the criteria specified 5500
in division (B) of section 5502.701 of the Revised Code as the 5501
chief mobile training officer, who shall serve at the pleasure 5502
of the director. To carry out the duties prescribed by this 5503
section or sections 5502.702 and 5502.703 of the Revised Code, 5504
the chief mobile training officer may hire and maintain 5505
necessary staff and may enter into any necessary agreements. 5506

(C) Not later than ninety days after the appointment of 5507
the chief mobile training officer, the director of public safety 5508
shall appoint sixteen regional mobile training officers, each of 5509
whom shall satisfy the criteria specified in division (B) of 5510
section 5502.701 of the Revised Code, to conduct the duties 5511
described in sections 5502.702 and 5502.703 of the Revised Code. 5512

The regions shall be the same as those described in 5513
~~division (A) of~~ section 3312.02 of the Revised Code. To carry 5514
out the duties prescribed by sections 5502.702 and 5502.703 of 5515
the Revised Code, a regional mobile training officer may hire 5516
and maintain necessary staff and may enter into any necessary 5517
agreements. 5518

(D) Except as otherwise provided by law, nothing in this 5519
section or in sections 5502.702 and 5502.703 of the Revised Code 5520
shall be construed to give the director of public safety, the 5521
chief mobile training officer, or a regional mobile training 5522
officer authority over the incident management structure or 5523
responsibilities of local emergency response personnel. 5524

(E) The department of public safety, in accordance with 5525
Chapter 119. of the Revised Code, shall adopt rules with respect 5526
to the Ohio mobile training team. The rules shall be made 5527
available for public inspection at the department of public 5528
safety and at other places and during reasonable hours as fixed 5529
by the chief mobile training officer of the Ohio mobile training 5530
team. 5531

Section 2. That existing sections 3301.0714, 3301.28, 5532
3302.03, 3302.12, 3302.151, 3307.353, 3309.345, 3311.80, 5533
3312.02, 3313.26, 3313.413, 3313.48, 3313.92, 3313.984, 5534
3314.012, 3314.015, 3314.016, 3314.017, 3314.0211, 3314.03, 5535
3314.11, 3314.29, 3314.35, 3319.077, 3319.0811, 3319.111, 5536
3319.112, 3319.172, 3319.22, 3319.2210, 3319.27, 3319.291, 5537
3319.316, 3319.391, 3326.11, 3327.01, 3327.021, and 5502.70 of 5538
the Revised Code are hereby repealed. 5539

Section 3. That sections 3301.0717, 3301.131, 3301.134, 5540
3301.14, 3301.30, 3302.22, 3313.6015, 3314.20, 3317.50, 3317.51, 5541
3319.234, 3319.55, 3319.56, and 3319.57 of the Revised Code are 5542

hereby repealed. 5543

Section 4. That the versions of sections 3301.0714 and 5544
3314.03 of the Revised Code that are scheduled to take effect on 5545
January 1, 2025, be amended to read as follows: 5546

Sec. 3301.0714. (A) The department of education and 5547
workforce shall adopt rules for a statewide education management 5548
information system. The rules shall require the department to 5549
establish guidelines for the establishment and maintenance of 5550
the system in accordance with this section and the rules adopted 5551
under this section. The guidelines shall include: 5552

(1) Standards identifying and defining the types of data 5553
in the system in accordance with divisions (B) and (C) of this 5554
section; 5555

(2) Procedures for annually collecting and reporting the 5556
data to the department in accordance with division (D) of this 5557
section; 5558

(3) Procedures for annually compiling the data in 5559
accordance with division (G) of this section; 5560

(4) Procedures for annually reporting the data to the 5561
public in accordance with division (H) of this section; 5562

(5) Standards to provide strict safeguards to protect the 5563
confidentiality of personally identifiable student data. 5564

(B) The guidelines adopted under this section shall 5565
require the data maintained in the education management 5566
information system to include at least the following: 5567

(1) Student participation and performance data, for each 5568
grade in each school district as a whole and for each grade in 5569
each school building in each school district, that includes: 5570

(a) The numbers of students receiving each category of 5571
instructional service offered by the school district, such as 5572
regular education instruction, vocational education instruction, 5573
specialized instruction programs or enrichment instruction that 5574
is part of the educational curriculum, instruction for gifted 5575
students, instruction for students with disabilities, and 5576
remedial instruction. The guidelines shall require instructional 5577
services under this division to be divided into discrete 5578
categories if an instructional service is limited to a specific 5579
subject, a specific type of student, or both, such as regular 5580
instructional services in mathematics, remedial reading 5581
instructional services, instructional services specifically for 5582
students gifted in mathematics or some other subject area, or 5583
instructional services for students with a specific type of 5584
disability. The categories of instructional services required by 5585
the guidelines under this division shall be the same as the 5586
categories of instructional services used in determining cost 5587
units pursuant to division (C) (3) of this section. 5588

(b) The numbers of students receiving support or 5589
extracurricular services for each of the support services or 5590
extracurricular programs offered by the school district, such as 5591
counseling services, health services, and extracurricular sports 5592
and fine arts programs. The categories of services required by 5593
the guidelines under this division shall be the same as the 5594
categories of services used in determining cost units pursuant 5595
to division (C) (4) (a) of this section. 5596

(c) Average student grades in each subject in grades nine 5597
through twelve; 5598

(d) Academic achievement levels as assessed under sections 5599
3301.0710, 3301.0711, and 3301.0712 of the Revised Code; 5600

(e) The number of students designated as having a 5601
disabling condition pursuant to division (C) (1) of section 5602
3301.0711 of the Revised Code; 5603

(f) The numbers of students reported to the department 5604
pursuant to division (C) (2) of section 3301.0711 of the Revised 5605
Code; 5606

(g) Attendance rates and the average daily attendance for 5607
the year. For purposes of this division, a student shall be 5608
counted as present for any field trip that is approved by the 5609
school administration. 5610

(h) Expulsion rates; 5611

(i) Suspension rates; 5612

(j) Dropout rates; 5613

(k) Rates of retention in grade; 5614

(l) For pupils in grades nine through twelve, the average 5615
number of carnegie units, as calculated in accordance with the 5616
director's rules; 5617

(m) Graduation rates, to be calculated in a manner 5618
specified by the department that reflects the rate at which 5619
students who were in the ninth grade three years prior to the 5620
current year complete school and that is consistent with 5621
nationally accepted reporting requirements; 5622

(n) Results of diagnostic assessments administered to 5623
kindergarten students as required under section 3301.0715 of the 5624
Revised Code to permit a comparison of the academic readiness of 5625
kindergarten students. However, no district shall be required to 5626
report to the department the results of any diagnostic 5627
assessment administered to a kindergarten student, except for 5628

the language and reading assessment described in division (A) (2) 5629
of section 3301.0715 of the Revised Code, if the parent of that 5630
student requests the district not to report those results. 5631

~~(o) Beginning on July 1, 2018, for each disciplinary 5632
action which is required to be reported under division (B) (5) of 5633
this section, districts and schools also shall include an 5634
identification of the person or persons, if any, at whom the 5635
student's violent behavior that resulted in discipline was 5636
directed. The person or persons shall be identified by the 5637
respective classification at the district or school, such as 5638
student, teacher, or nonteaching employee, but shall not be 5639
identified by name. 5640~~

~~Division (B) (1) (o) of this section does not apply after 5641
the date that is two years following the submission of the 5642
report required by Section 733.13 of H.B. 49 of the 132nd 5643
general assembly. 5644~~

~~(p)~~ The number of students earning each state diploma seal 5645
included in the system prescribed under division (A) of section 5646
3313.6114 of the Revised Code; 5647

~~(q)~~ (p) The number of students demonstrating competency 5648
for graduation using each option described in divisions (B) (1) 5649
(a) to (d) of section 3313.618 of the Revised Code; 5650

~~(r)~~ (q) The number of students completing each 5651
foundational and supporting option as part of the demonstration 5652
of competency for graduation pursuant to division (B) (1) (b) of 5653
section 3313.618 of the Revised Code; 5654

~~(s)~~ (r) The number of students enrolled in all-day 5655
kindergarten, as defined in section 3321.05 of the Revised Code. 5656

(2) Personnel and classroom enrollment data for each 5657

school district, including: 5658

(a) The total numbers of licensed employees and 5659
nonlicensed employees and the numbers of full-time equivalent 5660
licensed employees and nonlicensed employees providing each 5661
category of instructional service, instructional support 5662
service, and administrative support service used pursuant to 5663
division (C) (3) of this section. The guidelines adopted under 5664
this section shall require these categories of data to be 5665
maintained for the school district as a whole and, wherever 5666
applicable, for each grade in the school district as a whole, 5667
for each school building as a whole, and for each grade in each 5668
school building. 5669

(b) The total number of employees and the number of full- 5670
time equivalent employees providing each category of service 5671
used pursuant to divisions (C) (4) (a) and (b) of this section, 5672
and the total numbers of licensed employees and nonlicensed 5673
employees and the numbers of full-time equivalent licensed 5674
employees and nonlicensed employees providing each category used 5675
pursuant to division (C) (4) (c) of this section. The guidelines 5676
adopted under this section shall require these categories of 5677
data to be maintained for the school district as a whole and, 5678
wherever applicable, for each grade in the school district as a 5679
whole, for each school building as a whole, and for each grade 5680
in each school building. 5681

(c) The total number of regular classroom teachers 5682
teaching classes of regular education and the average number of 5683
pupils enrolled in each such class, in each of grades 5684
kindergarten through five in the district as a whole and in each 5685
school building in the school district. 5686

(d) The number of lead teachers employed by each school 5687

district and each school building. 5688

(3) (a) Student demographic data for each school district, 5689
including information regarding the gender ratio of the school 5690
district's pupils, the racial make-up of the school district's 5691
pupils, the number of English learners in the district, and an 5692
appropriate measure of the number of the school district's 5693
pupils who reside in economically disadvantaged households. The 5694
demographic data shall be collected in a manner to allow 5695
correlation with data collected under division (B) (1) of this 5696
section. Categories for data collected pursuant to division (B) 5697
(3) of this section shall conform, where appropriate, to 5698
standard practices of agencies of the federal government. 5699

(b) With respect to each student entering kindergarten, 5700
whether the student previously participated in a public 5701
preschool program, a private preschool program, or a head start 5702
program, and the number of years the student participated in 5703
each of these programs. 5704

(4) (a) The core curriculum and instructional materials 5705
being used for English language arts in each of grades pre- 5706
kindergarten to five; 5707

(b) The reading intervention programs being used in each 5708
of grades pre-kindergarten to twelve. 5709

(5) Any data required to be collected pursuant to federal 5710
law. 5711

(C) The education management information system shall 5712
include cost accounting data for each district as a whole and 5713
for each school building in each school district. The guidelines 5714
adopted under this section shall require the cost data for each 5715
school district to be maintained in a system of mutually 5716

exclusive cost units and shall require all of the costs of each 5717
school district to be divided among the cost units. The 5718
guidelines shall require the system of mutually exclusive cost 5719
units to include at least the following: 5720

(1) Administrative costs for the school district as a 5721
whole. The guidelines shall require the cost units under this 5722
division (C) (1) to be designed so that each of them may be 5723
compiled and reported in terms of average expenditure per pupil 5724
in enrolled ADM in the school district, as determined pursuant 5725
to section 3317.03 of the Revised Code. 5726

(2) Administrative costs for each school building in the 5727
school district. The guidelines shall require the cost units 5728
under this division (C) (2) to be designed so that each of them 5729
may be compiled and reported in terms of average expenditure per 5730
full-time equivalent pupil receiving instructional or support 5731
services in each building. 5732

(3) Instructional services costs for each category of 5733
instructional service provided directly to students and required 5734
by guidelines adopted pursuant to division (B) (1) (a) of this 5735
section. The guidelines shall require the cost units under 5736
division (C) (3) of this section to be designed so that each of 5737
them may be compiled and reported in terms of average 5738
expenditure per pupil receiving the service in the school 5739
district as a whole and average expenditure per pupil receiving 5740
the service in each building in the school district and in terms 5741
of a total cost for each category of service and, as a breakdown 5742
of the total cost, a cost for each of the following components: 5743

(a) The cost of each instructional services category 5744
required by guidelines adopted under division (B) (1) (a) of this 5745
section that is provided directly to students by a classroom 5746

teacher; 5747

(b) The cost of the instructional support services, such 5748
as services provided by a speech-language pathologist, classroom 5749
aide, multimedia aide, or librarian, provided directly to 5750
students in conjunction with each instructional services 5751
category; 5752

(c) The cost of the administrative support services 5753
related to each instructional services category, such as the 5754
cost of personnel that develop the curriculum for the 5755
instructional services category and the cost of personnel 5756
supervising or coordinating the delivery of the instructional 5757
services category. 5758

(4) Support or extracurricular services costs for each 5759
category of service directly provided to students and required 5760
by guidelines adopted pursuant to division (B) (1) (b) of this 5761
section. The guidelines shall require the cost units under 5762
division (C) (4) of this section to be designed so that each of 5763
them may be compiled and reported in terms of average 5764
expenditure per pupil receiving the service in the school 5765
district as a whole and average expenditure per pupil receiving 5766
the service in each building in the school district and in terms 5767
of a total cost for each category of service and, as a breakdown 5768
of the total cost, a cost for each of the following components: 5769

(a) The cost of each support or extracurricular services 5770
category required by guidelines adopted under division (B) (1) (b) 5771
of this section that is provided directly to students by a 5772
licensed employee, such as services provided by a guidance 5773
counselor or any services provided by a licensed employee under 5774
a supplemental contract; 5775

(b) The cost of each such services category provided 5776
directly to students by a nonlicensed employee, such as 5777
janitorial services, cafeteria services, or services of a sports 5778
trainer; 5779

(c) The cost of the administrative services related to 5780
each services category in division (C) (4) (a) or (b) of this 5781
section, such as the cost of any licensed or nonlicensed 5782
employees that develop, supervise, coordinate, or otherwise are 5783
involved in administering or aiding the delivery of each 5784
services category. 5785

(D) (1) The guidelines adopted under this section shall 5786
require school districts to collect information about individual 5787
students, staff members, or both in connection with any data 5788
required by division (B) or (C) of this section or other 5789
reporting requirements established in the Revised Code. The 5790
guidelines may also require school districts to report 5791
information about individual staff members in connection with 5792
any data required by division (B) or (C) of this section or 5793
other reporting requirements established in the Revised Code. 5794
The guidelines shall not authorize school districts to request 5795
social security numbers of individual students. The guidelines 5796
shall prohibit the reporting under this section of a student's 5797
name, address, and social security number to the department. The 5798
guidelines shall also prohibit the reporting under this section 5799
of any personally identifiable information about any student, 5800
except for the purpose of assigning the data verification code 5801
required by division (D) (2) of this section, to any other person 5802
unless such person is employed by the school district or the 5803
information technology center operated under section 3301.075 of 5804
the Revised Code and is authorized by the district or technology 5805
center to have access to such information or is employed by an 5806

entity with which the department contracts for the scoring or 5807
the development of state assessments. The guidelines may require 5808
school districts to provide the social security numbers of 5809
individual staff members and the county of residence for a 5810
student. Nothing in this section prohibits the department from 5811
providing a student's county of residence to the department of 5812
taxation to facilitate the distribution of tax revenue. 5813

(2) (a) The guidelines shall provide for each school 5814
district or community school to assign a data verification code 5815
that is unique on a statewide basis over time to each student 5816
whose initial Ohio enrollment is in that district or school and 5817
to report all required individual student data for that student 5818
utilizing such code. The guidelines shall also provide for 5819
assigning data verification codes to all students enrolled in 5820
districts or community schools on the effective date of the 5821
guidelines established under this section. The assignment of 5822
data verification codes for other entities, as described in 5823
division (D) (2) (d) of this section, the use of those codes, and 5824
the reporting and use of associated individual student data 5825
shall be coordinated by the department of education and 5826
workforce in accordance with state and federal law. 5827

School districts shall report individual student data to 5828
the department through the information technology centers 5829
utilizing the code. The entities described in division (D) (2) (d) 5830
of this section shall report individual student data to the 5831
department in the manner prescribed by the department. 5832

(b) (i) Except as provided in sections 3301.941, 3310.11, 5833
3310.42, 3310.63, 3313.978, 3317.20, and 5747.057 of the Revised 5834
Code, and in division (D) (2) (b) (ii) of this section, at no time 5835
shall the department have access to information that would 5836

enable any data verification code to be matched to personally 5837
identifiable student data. 5838

(ii) For the purpose of making per-pupil payments to 5839
community schools under section 3317.022 of the Revised Code, 5840
the department shall have access to information that would 5841
enable any data verification code to be matched to personally 5842
identifiable student data. 5843

(c) Each school district and community school shall ensure 5844
that the data verification code is included in the student's 5845
records reported to any subsequent school district, community 5846
school, or state institution of higher education, as defined in 5847
section 3345.011 of the Revised Code, in which the student 5848
enrolls. Any such subsequent district or school shall utilize 5849
the same identifier in its reporting of data under this section. 5850

(d) (i) The director of any state agency that administers a 5851
publicly funded program providing services to children who are 5852
younger than compulsory school age, as defined in section 5853
3321.01 of the Revised Code, including the directors of health, 5854
job and family services, mental health and addiction services, 5855
children and youth, and developmental disabilities, shall 5856
request and receive, pursuant to sections 3301.0723 and 5180.33 5857
of the Revised Code, a data verification code for a child who is 5858
receiving those services. 5859

(ii) The director of developmental disabilities, director 5860
of health, director of job and family services, director of 5861
mental health and addiction services, medicaid director, 5862
executive director of the commission on minority health, 5863
executive director of the opportunities for Ohioans with 5864
disabilities agency, or director of education and workforce, on 5865
behalf of a program that receives public funds and provides 5866

services to children who are younger than compulsory school age, 5867
may request and receive, pursuant to section 3301.0723 of the 5868
Revised Code, a data verification code for a child who is 5869
receiving services from the program. 5870

(E) The guidelines adopted under this section may require 5871
school districts to collect and report data, information, or 5872
reports other than that described in divisions (A), (B), and (C) 5873
of this section for the purpose of complying with other 5874
reporting requirements established in the Revised Code. The 5875
other data, information, or reports may be maintained in the 5876
education management information system but are not required to 5877
be compiled as part of the profile formats required under 5878
division (G) of this section or the annual statewide report 5879
required under division (H) of this section. 5880

(F) The board of education of each school district shall 5881
annually collect and report to the department, in accordance 5882
with the guidelines established by the department, the data 5883
required pursuant to this section. A school district may collect 5884
and report these data notwithstanding section 2151.357 or 5885
3319.321 of the Revised Code. 5886

(G) The department shall, in accordance with the 5887
procedures it adopts, annually compile the data reported by each 5888
school district pursuant to division (D) of this section. The 5889
department shall design formats for profiling each school 5890
district as a whole and each school building within each 5891
district and shall compile the data in accordance with these 5892
formats. These profile formats shall: 5893

(1) Include all of the data gathered under this section in 5894
a manner that facilitates comparison among school districts and 5895
among school buildings within each school district; 5896

(2) Present the data on academic achievement levels as 5897
assessed by the testing of student achievement maintained 5898
pursuant to division (B) (1) (d) of this section. 5899

(H) (1) The department shall, in accordance with the 5900
procedures it adopts, annually prepare a statewide report for 5901
all school districts and the general public that includes the 5902
profile of each of the school districts developed pursuant to 5903
division (G) of this section. Copies of the report shall be sent 5904
to each school district. 5905

(2) The department shall, in accordance with the 5906
procedures it adopts, annually prepare an individual report for 5907
each school district and the general public that includes the 5908
profiles of each of the school buildings in that school district 5909
developed pursuant to division (G) of this section. ~~Copies of~~ 5910
~~the report shall be sent to the superintendent of the district~~ 5911
~~and to each member of the district board of education.~~ 5912

~~(3) Copies of the reports prescribed in divisions (H) (1)~~ 5913
~~and (2) of this section shall be made available to the general~~ 5914
~~public at each school district's offices. Each district board of~~ 5915
~~education shall make copies of each report available to any~~ 5916
~~person upon request and payment of a reasonable fee for the cost~~ 5917
~~of reproducing the report. The board shall annually publish in a~~ 5918
~~newspaper of general circulation in the school district, at~~ 5919
~~least twice during the two weeks prior to the week in which the~~ 5920
~~reports will first be available, a notice containing the address~~ 5921
~~where the reports are available and the date on which the~~ 5922
~~reports will be available.~~ 5923

(I) Any data that is collected or maintained pursuant to 5924
this section and that identifies an individual pupil is not a 5925
public record for the purposes of section 149.43 of the Revised 5926

Code. 5927

(J) As used in this section: 5928

(1) "School district" means any city, local, exempted 5929
village, or joint vocational school district and, in accordance 5930
with section 3314.17 of the Revised Code, any community school. 5931
As used in division (L) of this section, "school district" also 5932
includes any educational service center or other educational 5933
entity required to submit data using the system established 5934
under this section. 5935

(2) "Cost" means any expenditure for operating expenses 5936
made by a school district excluding any expenditures for debt 5937
retirement except for payments made to any commercial lending 5938
institution for any loan approved pursuant to section 3313.483 5939
of the Revised Code. 5940

(K) Any person who removes data from the information 5941
system established under this section for the purpose of 5942
releasing it to any person not entitled under law to have access 5943
to such information is subject to section 2913.42 of the Revised 5944
Code prohibiting tampering with data. 5945

(L) (1) In accordance with division (L) (2) of this section 5946
and the rules adopted under division (L) (10) of this section, 5947
the department may sanction any school district that reports 5948
incomplete or inaccurate data, reports data that does not 5949
conform to data requirements and descriptions published by the 5950
department, fails to report data in a timely manner, or 5951
otherwise does not make a good faith effort to report data as 5952
required by this section. 5953

(2) If the department decides to sanction a school 5954
district under this division, the department shall take the 5955

following sequential actions: 5956

(a) Notify the district in writing that the department has 5957
determined that data has not been reported as required under 5958
this section and require the district to review its data 5959
submission and submit corrected data by a deadline established 5960
by the department. The department also may require the district 5961
to develop a corrective action plan, which shall include 5962
provisions for the district to provide mandatory staff training 5963
on data reporting procedures. 5964

(b) Withhold up to ten per cent of the total amount of 5965
state funds due to the district for the current fiscal year and, 5966
if not previously required under division (L) (2) (a) of this 5967
section, require the district to develop a corrective action 5968
plan in accordance with that division; 5969

(c) Withhold an additional amount of up to twenty per cent 5970
of the total amount of state funds due to the district for the 5971
current fiscal year; 5972

(d) Direct department staff or an outside entity to 5973
investigate the district's data reporting practices and make 5974
recommendations for subsequent actions. The recommendations may 5975
include one or more of the following actions: 5976

(i) Arrange for an audit of the district's data reporting 5977
practices by department staff or an outside entity; 5978

(ii) Conduct a site visit and evaluation of the district; 5979

(iii) Withhold an additional amount of up to thirty per 5980
cent of the total amount of state funds due to the district for 5981
the current fiscal year; 5982

(iv) Continue monitoring the district's data reporting; 5983

(v) Assign department staff to supervise the district's data management system; 5984
5985

(vi) Conduct an investigation to determine whether to suspend or revoke the license of any district employee in accordance with division (N) of this section; 5986
5987
5988

(vii) If the district is issued a report card under section 3302.03 of the Revised Code, indicate on the report card that the district has been sanctioned for failing to report data as required by this section; 5989
5990
5991
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(viii) If the district is issued a report card under section 3302.03 of the Revised Code and incomplete or inaccurate data submitted by the district likely caused the district to receive a higher performance rating than it deserved under that section, issue a revised report card for the district; 5993
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(ix) Any other action designed to correct the district's data reporting problems. 5998
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(3) Any time the department takes an action against a school district under division (L)(2) of this section, the department shall make a report of the circumstances that prompted the action. The department shall send a copy of the report to the district superintendent or chief administrator and maintain a copy of the report in its files. 6000
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(4) If any action taken under division (L)(2) of this section resolves a school district's data reporting problems to the department's satisfaction, the department shall not take any further actions described by that division. If the department withheld funds from the district under that division, the department may release those funds to the district, except that if the department withheld funding under division (L)(2)(c) of 6006
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this section, the department shall not release the funds 6013
withheld under division (L) (2) (b) of this section and, if the 6014
department withheld funding under division (L) (2) (d) of this 6015
section, the department shall not release the funds withheld 6016
under division (L) (2) (b) or (c) of this section. 6017

(5) Notwithstanding anything in this section to the 6018
contrary, the department may use its own staff or an outside 6019
entity to conduct an audit of a school district's data reporting 6020
practices any time the department has reason to believe the 6021
district has not made a good faith effort to report data as 6022
required by this section. If any audit conducted by an outside 6023
entity under division (L) (2) (d) (i) or (5) of this section 6024
confirms that a district has not made a good faith effort to 6025
report data as required by this section, the district shall 6026
reimburse the department for the full cost of the audit. The 6027
department may withhold state funds due to the district for this 6028
purpose. 6029

(6) Prior to issuing a revised report card for a school 6030
district under division (L) (2) (d) (viii) of this section, the 6031
department may hold a hearing to provide the district with an 6032
opportunity to demonstrate that it made a good faith effort to 6033
report data as required by this section. The hearing shall be 6034
conducted by a referee appointed by the department. Based on the 6035
information provided in the hearing, the referee shall recommend 6036
whether the department should issue a revised report card for 6037
the district. If the referee affirms the department's contention 6038
that the district did not make a good faith effort to report 6039
data as required by this section, the district shall bear the 6040
full cost of conducting the hearing and of issuing any revised 6041
report card. 6042

(7) If the department determines that any inaccurate data 6043
reported under this section caused a school district to receive 6044
excess state funds in any fiscal year, the district shall 6045
reimburse the department an amount equal to the excess funds, in 6046
accordance with a payment schedule determined by the department. 6047
The department may withhold state funds due to the district for 6048
this purpose. 6049

(8) Any school district that has funds withheld under 6050
division (L) (2) of this section may appeal the withholding in 6051
accordance with Chapter 119. of the Revised Code. 6052

(9) In all cases of a disagreement between the department 6053
and a school district regarding the appropriateness of an action 6054
taken under division (L) (2) of this section, the burden of proof 6055
shall be on the district to demonstrate that it made a good 6056
faith effort to report data as required by this section. 6057

(10) The director of education and workforce shall adopt 6058
rules under Chapter 119. of the Revised Code to implement 6059
division (L) of this section. 6060

(M) No information technology center or school district 6061
shall acquire, change, or update its student administration 6062
software package to manage and report data required to be 6063
reported to the department unless it converts to a student 6064
software package that is certified by the department. 6065

(N) The state board of education, in accordance with 6066
sections 3319.31 and 3319.311 of the Revised Code, may suspend 6067
or revoke a license as defined under division (A) of section 6068
3319.31 of the Revised Code that has been issued to any school 6069
district employee found to have willfully reported erroneous, 6070
inaccurate, or incomplete data to the education management 6071

information system. 6072

(O) No person shall release or maintain any information 6073
about any student in violation of this section. Whoever violates 6074
this division is guilty of a misdemeanor of the fourth degree. 6075

(P) The department shall disaggregate the data collected 6076
under division (B) (1) (n) of this section according to the race 6077
and socioeconomic status of the students assessed. 6078

(Q) If the department cannot compile any of the 6079
information required by division (I) of section 3302.03 of the 6080
Revised Code based upon the data collected under this section, 6081
the department shall develop a plan and a reasonable timeline 6082
for the collection of any data necessary to comply with that 6083
division. 6084

Sec. 3314.03. A copy of every contract entered into under 6085
this section shall be filed with the director of education and 6086
workforce. The department of education and workforce shall make 6087
available on its web site a copy of every approved, executed 6088
contract filed with the director under this section. 6089

(A) Each contract entered into between a sponsor and the 6090
governing authority of a community school shall specify the 6091
following: 6092

(1) That the school shall be established as either of the 6093
following: 6094

(a) A nonprofit corporation established under Chapter 6095
1702. of the Revised Code, if established prior to April 8, 6096
2003; 6097

(b) A public benefit corporation established under Chapter 6098
1702. of the Revised Code, if established after April 8, 2003. 6099

(2) The education program of the school, including the 6100
school's mission, the characteristics of the students the school 6101
is expected to attract, the ages and grades of students, and the 6102
focus of the curriculum; 6103

(3) The academic goals to be achieved and the method of 6104
measurement that will be used to determine progress toward those 6105
goals, which shall include the statewide achievement 6106
assessments; 6107

(4) Performance standards, including but not limited to 6108
all applicable report card measures set forth in section 3302.03 6109
or 3314.017 of the Revised Code, by which the success of the 6110
school will be evaluated by the sponsor; 6111

(5) The admission standards of section 3314.06 of the 6112
Revised Code and, if applicable, section 3314.061 of the Revised 6113
Code; 6114

(6) (a) Dismissal procedures; 6115

(b) A requirement that the governing authority adopt an 6116
attendance policy that includes a procedure for automatically 6117
withdrawing a student from the school if the student without a 6118
legitimate excuse fails to participate in seventy-two 6119
consecutive hours of the learning opportunities offered to the 6120
student. 6121

(7) The ways by which the school will achieve racial and 6122
ethnic balance reflective of the community it serves; 6123

(8) Requirements for financial audits by the auditor of 6124
state. The contract shall require financial records of the 6125
school to be maintained in the same manner as are financial 6126
records of school districts, pursuant to rules of the auditor of 6127
state. Audits shall be conducted in accordance with section 6128

117.10 of the Revised Code. 6129

(9) An addendum to the contract outlining the facilities 6130
to be used that contains at least the following information: 6131

(a) A detailed description of each facility used for 6132
instructional purposes; 6133

(b) The annual costs associated with leasing each facility 6134
that are paid by or on behalf of the school; 6135

(c) The annual mortgage principal and interest payments 6136
that are paid by the school; 6137

(d) The name of the lender or landlord, identified as 6138
such, and the lender's or landlord's relationship to the 6139
operator, if any. 6140

(10) Qualifications of employees, including both of the 6141
following: 6142

(a) A requirement that the school's classroom teachers be 6143
licensed in accordance with sections 3319.22 to 3319.31 of the 6144
Revised Code, except that a community school may engage 6145
noncertificated persons to teach up to twelve hours or forty 6146
hours per week pursuant to section 3319.301 of the Revised Code; 6147

(b) A prohibition against the school employing an 6148
individual described in section 3314.104 of the Revised Code in 6149
any position. 6150

(11) That the school will comply with the following 6151
requirements: 6152

(a) The school will provide learning opportunities to a 6153
minimum of twenty-five students for a minimum of nine hundred 6154
twenty hours per school year. 6155

(b) The governing authority will purchase liability 6156
insurance, or otherwise provide for the potential liability of 6157
the school. 6158

(c) The school will be nonsectarian in its programs, 6159
admission policies, employment practices, and all other 6160
operations, and will not be operated by a sectarian school or 6161
religious institution. 6162

(d) The school will comply with sections 9.90, 9.91, 6163
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 6164
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 6165
3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 6166
3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, ~~3313.6015,~~ 6167
3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 6168
3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 6169
3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 6170
3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 6171
3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 6172
3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 6173
3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 6174
3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 6175
3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3320.01, 3320.02, 6176
3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 6177
3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 6178
4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 117., 6179
1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. of 6180
the Revised Code as if it were a school district and will comply 6181
with section 3301.0714 of the Revised Code in the manner 6182
specified in section 3314.17 of the Revised Code. 6183

(e) The school shall comply with Chapter 102. and section 6184
2921.42 of the Revised Code. 6185

(f) The school will comply with sections 3313.61, 6186
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 6187
Revised Code, except that for students who enter ninth grade for 6188
the first time before July 1, 2010, the requirement in sections 6189
3313.61 and 3313.611 of the Revised Code that a person must 6190
successfully complete the curriculum in any high school prior to 6191
receiving a high school diploma may be met by completing the 6192
curriculum adopted by the governing authority of the community 6193
school rather than the curriculum specified in Title XXXIII of 6194
the Revised Code or any rules of the department. Beginning with 6195
students who enter ninth grade for the first time on or after 6196
July 1, 2010, the requirement in sections 3313.61 and 3313.611 6197
of the Revised Code that a person must successfully complete the 6198
curriculum of a high school prior to receiving a high school 6199
diploma shall be met by completing the requirements prescribed 6200
in section 3313.6027 and division (C) of section 3313.603 of the 6201
Revised Code, unless the person qualifies under division (D) or 6202
(F) of that section. Each school shall comply with the plan for 6203
awarding high school credit based on demonstration of subject 6204
area competency, and beginning with the 2017-2018 school year, 6205
with the updated plan that permits students enrolled in seventh 6206
and eighth grade to meet curriculum requirements based on 6207
subject area competency adopted by the department under 6208
divisions (J) (1) and (2) of section 3313.603 of the Revised 6209
Code. Beginning with the 2018-2019 school year, the school shall 6210
comply with the framework for granting units of high school 6211
credit to students who demonstrate subject area competency 6212
through work-based learning experiences, internships, or 6213
cooperative education developed by the department under division 6214
(J) (3) of section 3313.603 of the Revised Code. 6215

(g) The school governing authority will submit within four 6216

months after the end of each school year a report of its 6217
activities and progress in meeting the goals and standards of 6218
divisions (A) (3) and (4) of this section and its financial 6219
status to the sponsor and the parents of all students enrolled 6220
in the school. 6221

(h) The school, unless it is an internet- or computer- 6222
based community school, will comply with section 3313.801 of the 6223
Revised Code as if it were a school district. 6224

(i) If the school is the recipient of moneys from a grant 6225
awarded under the federal race to the top program, Division (A), 6226
Title XIV, Sections 14005 and 14006 of the "American Recovery 6227
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 6228
the school will pay teachers based upon performance in 6229
accordance with section 3317.141 and will comply with section 6230
3319.111 of the Revised Code as if it were a school district. 6231

(j) If the school operates a preschool program that is 6232
licensed by the department under sections 3301.52 to 3301.59 of 6233
the Revised Code, the school shall comply with sections 3301.50 6234
to 3301.59 of the Revised Code and the minimum standards for 6235
preschool programs prescribed in rules adopted by the department 6236
of children and youth under section 3301.53 of the Revised Code. 6237

(k) The school will comply with sections 3313.6021 and 6238
3313.6023 of the Revised Code as if it were a school district 6239
unless it is either of the following: 6240

(i) An internet- or computer-based community school; 6241

(ii) A community school in which a majority of the 6242
enrolled students are children with disabilities as described in 6243
division ~~(A) (4) (b)~~ (B) (2) of section 3314.35 of the Revised 6244
Code. 6245

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

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

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

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

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

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

(17) Whether the school is to be created by converting all or part of an existing public school or educational service center building or is to be a new start-up school, and if it is a converted public school or service center building, specification of any duties or responsibilities of an employer that the board of education or service center governing board that operated the school or building before conversion is delegating to the governing authority of the community school with respect to all or any specified group of employees provided the delegation is not prohibited by a collective bargaining

agreement applicable to such employees; 6275

(18) Provisions establishing procedures for resolving 6276
disputes or differences of opinion between the sponsor and the 6277
governing authority of the community school; 6278

(19) A provision requiring the governing authority to 6279
adopt a policy regarding the admission of students who reside 6280
outside the district in which the school is located. That policy 6281
shall comply with the admissions procedures specified in 6282
sections 3314.06 and 3314.061 of the Revised Code and, at the 6283
sole discretion of the authority, shall do one of the following: 6284

(a) Prohibit the enrollment of students who reside outside 6285
the district in which the school is located; 6286

(b) Permit the enrollment of students who reside in 6287
districts adjacent to the district in which the school is 6288
located; 6289

(c) Permit the enrollment of students who reside in any 6290
other district in the state. 6291

(20) A provision recognizing the authority of the 6292
department to take over the sponsorship of the school in 6293
accordance with the provisions of division (C) of section 6294
3314.015 of the Revised Code; 6295

(21) A provision recognizing the sponsor's authority to 6296
assume the operation of a school under the conditions specified 6297
in division (B) of section 3314.073 of the Revised Code; 6298

(22) A provision recognizing both of the following: 6299

(a) The authority of public health and safety officials to 6300
inspect the facilities of the school and to order the facilities 6301
closed if those officials find that the facilities are not in 6302

compliance with health and safety laws and regulations; 6303

(b) The authority of the department as the community 6304
school oversight body to suspend the operation of the school 6305
under section 3314.072 of the Revised Code if the department has 6306
evidence of conditions or violations of law at the school that 6307
pose an imminent danger to the health and safety of the school's 6308
students and employees and the sponsor refuses to take such 6309
action. 6310

(23) A description of the learning opportunities that will 6311
be offered to students including both classroom-based and non- 6312
classroom-based learning opportunities that is in compliance 6313
with criteria for student participation established by the 6314
department under division (H) (2) of section 3314.08 of the 6315
Revised Code; 6316

(24) The school will comply with sections 3302.04 and 6317
3302.041 of the Revised Code, except that any action required to 6318
be taken by a school district pursuant to those sections shall 6319
be taken by the sponsor of the school. 6320

(25) Beginning in the 2006-2007 school year, the school 6321
will open for operation not later than the thirtieth day of 6322
September each school year, unless the mission of the school as 6323
specified under division (A) (2) of this section is solely to 6324
serve dropouts. In its initial year of operation, if the school 6325
fails to open by the thirtieth day of September, or within one 6326
year after the adoption of the contract pursuant to division (D) 6327
of section 3314.02 of the Revised Code if the mission of the 6328
school is solely to serve dropouts, the contract shall be void. 6329

(26) Whether the school's governing authority is planning 6330
to seek designation for the school as a STEM school equivalent 6331

under section 3326.032 of the Revised Code; 6332

(27) That the school's attendance and participation 6333
policies will be available for public inspection; 6334

(28) That the school's attendance and participation 6335
records shall be made available to the department, auditor of 6336
state, and school's sponsor to the extent permitted under and in 6337
accordance with the "Family Educational Rights and Privacy Act 6338
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 6339
regulations promulgated under that act, and section 3319.321 of 6340
the Revised Code; 6341

(29) If a school operates using the blended learning 6342
model, as defined in section 3301.079 of the Revised Code, all 6343
of the following information: 6344

(a) An indication of what blended learning model or models 6345
will be used; 6346

(b) A description of how student instructional needs will 6347
be determined and documented; 6348

(c) The method to be used for determining competency, 6349
granting credit, and promoting students to a higher grade level; 6350

(d) The school's attendance requirements, including how 6351
the school will document participation in learning 6352
opportunities; 6353

(e) A statement describing how student progress will be 6354
monitored; 6355

(f) A statement describing how private student data will 6356
be protected; 6357

(g) A description of the professional development 6358

activities that will be offered to teachers. 6359

(30) A provision requiring that all moneys the school's 6360
operator loans to the school, including facilities loans or cash 6361
flow assistance, must be accounted for, documented, and bear 6362
interest at a fair market rate; 6363

(31) A provision requiring that, if the governing 6364
authority contracts with an attorney, accountant, or entity 6365
specializing in audits, the attorney, accountant, or entity 6366
shall be independent from the operator with which the school has 6367
contracted. 6368

(32) A provision requiring the governing authority to 6369
adopt an enrollment and attendance policy that requires a 6370
student's parent to notify the community school in which the 6371
student is enrolled when there is a change in the location of 6372
the parent's or student's primary residence. 6373

(33) A provision requiring the governing authority to 6374
adopt a student residence and address verification policy for 6375
students enrolling in or attending the school. 6376

(B) The community school shall also submit to the sponsor 6377
a comprehensive plan for the school. The plan shall specify the 6378
following: 6379

(1) The process by which the governing authority of the 6380
school will be selected in the future; 6381

(2) The management and administration of the school; 6382

(3) If the community school is a currently existing public 6383
school or educational service center building, alternative 6384
arrangements for current public school students who choose not 6385
to attend the converted school and for teachers who choose not 6386

to teach in the school or building after conversion; 6387

(4) The instructional program and educational philosophy 6388
of the school; 6389

(5) Internal financial controls. 6390

When submitting the plan under this division, the school 6391
shall also submit copies of all policies and procedures 6392
regarding internal financial controls adopted by the governing 6393
authority of the school. 6394

(C) A contract entered into under section 3314.02 of the 6395
Revised Code between a sponsor and the governing authority of a 6396
community school may provide for the community school governing 6397
authority to make payments to the sponsor, which is hereby 6398
authorized to receive such payments as set forth in the contract 6399
between the governing authority and the sponsor. The total 6400
amount of such payments for monitoring, oversight, and technical 6401
assistance of the school shall not exceed three per cent of the 6402
total amount of payments for operating expenses that the school 6403
receives from the state. 6404

(D) The contract shall specify the duties of the sponsor 6405
which shall be in accordance with the written agreement entered 6406
into with the department under division (B) of section 3314.015 6407
of the Revised Code and shall include the following: 6408

(1) Monitor the community school's compliance with all 6409
laws applicable to the school and with the terms of the 6410
contract; 6411

(2) Monitor and evaluate the academic and fiscal 6412
performance and the organization and operation of the community 6413
school on at least an annual basis; 6414

~~(3) Report on an annual basis the results of the~~ 6415
~~evaluation conducted under division (D) (2) of this section to~~ 6416
~~the department and to the parents of students enrolled in the~~ 6417
~~community school;~~ 6418

~~(4)~~ Provide technical assistance to the community school 6419
in complying with laws applicable to the school and terms of the 6420
contract; 6421

~~(5)~~ (4) Take steps to intervene in the school's operation 6422
to correct problems in the school's overall performance, declare 6423
the school to be on probationary status pursuant to section 6424
3314.073 of the Revised Code, suspend the operation of the 6425
school pursuant to section 3314.072 of the Revised Code, or 6426
terminate the contract of the school pursuant to section 3314.07 6427
of the Revised Code as determined necessary by the sponsor; 6428

~~(6)~~ (5) Have in place a plan of action to be undertaken in 6429
the event the community school experiences financial 6430
difficulties or closes prior to the end of a school year. 6431

(E) Upon the expiration of a contract entered into under 6432
this section, the sponsor of a community school may, with the 6433
approval of the governing authority of the school, renew that 6434
contract for a period of time determined by the sponsor, but not 6435
ending earlier than the end of any school year, if the sponsor 6436
finds that the school's compliance with applicable laws and 6437
terms of the contract and the school's progress in meeting the 6438
academic goals prescribed in the contract have been 6439
satisfactory. Any contract that is renewed under this division 6440
remains subject to the provisions of sections 3314.07, 3314.072, 6441
and 3314.073 of the Revised Code. 6442

(F) If a community school fails to open for operation 6443

within one year after the contract entered into under this 6444
section is adopted pursuant to division (D) of section 3314.02 6445
of the Revised Code or permanently closes prior to the 6446
expiration of the contract, the contract shall be void and the 6447
school shall not enter into a contract with any other sponsor. A 6448
school shall not be considered permanently closed because the 6449
operations of the school have been suspended pursuant to section 6450
3314.072 of the Revised Code. 6451

Section 5. That the existing versions of sections 6452
3301.0714 and 3314.03 of the Revised Code that are scheduled to 6453
take effect January 1, 2025, are hereby repealed. 6454

Section 6. Sections 4 and 5 of this act take effect on 6455
January 1, 2025. 6456