

**As Reported by the House Education Committee**

**130th General Assembly  
Regular Session  
2013-2014**

**Sub. H. B. No. 193**

**Representative Brenner**

**Cosponsor: Representative Bishoff**

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**A B I L L**

To amend sections 3301.079, 3301.0710, 3301.0711, 1  
3301.0712, 3301.16, 3302.02, 3302.03, 3302.031, 2  
3310.14, 3310.522, 3313.532, 3313.603, 3313.61, 3  
3313.611, 3313.612, 3313.614, 3313.615, 3313.976, 4  
3314.017, 3314.03, 3314.36, 3325.08, 3326.11, 5  
3328.24, 3328.25, 3329.07, 3329.08, and 3333.123 6  
and to enact sections 3301.946, 3302.036, 7  
3313.618, 3314.019, 3329.081, and 3329.082 of the 8  
Revised Code with respect to state academic 9  
achievement assessments and high school graduation 10  
requirements; to amend the version of section 11  
3326.11 of the Revised Code that is scheduled to 12  
take effect July 1, 2014, to continue the 13  
provisions of this act on or after that effective 14  
date. 15

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

**Section 1.** That sections 3301.079, 3301.0710, 3301.0711, 16  
3301.0712, 3301.16, 3302.02, 3302.03, 3302.031, 3310.14, 3310.522, 17  
3313.532, 3313.603, 3313.61, 3313.611, 3313.612, 3313.614, 18  
3313.615, 3313.976, 3314.017, 3314.03, 3314.36, 3325.08, 3326.11, 19  
3328.24, 3328.25, 3329.07, 3329.08, and 3333.123 be amended and 20

sections 3301.946, 3302.036, 3313.618, 3314.019, 3329.081, and 21  
3329.082 of the Revised Code be enacted to read as follows: 22

**Sec. 3301.079.** (A)(1) The state board of education 23  
periodically shall adopt statewide academic standards with 24  
emphasis on coherence, focus, and rigor for each of grades 25  
kindergarten through twelve in English language arts, mathematics, 26  
science, and social studies. Prior to adopting or revising any 27  
academic content standards under division (A) of this section on 28  
or after the effective date of this amendment, the state board 29  
shall hold not less than three public hearings that allow public 30  
comment and testimony on the proposed academic standards or 31  
revisions. Not less than fourteen days prior to each public 32  
hearing, the state board shall provide notice of the hearing to 33  
all school districts, all public and chartered nonpublic schools, 34  
the news media, the governor, and all members of the general 35  
assembly. The notice shall also be posted in a prominent location 36  
on the department of education's web site. 37

(a) The standards shall specify the following: 38

(i) The core academic content and skills that students are 39  
expected to know and be able to do at each grade level that will 40  
allow each student to be prepared for postsecondary instruction 41  
and the workplace for success in the twenty-first century; 42

(ii) The development of skill sets that promote information, 43  
media, and technological literacy; 44

(iii) Interdisciplinary, project-based, real-world learning 45  
opportunities. 46

(b) Not later than July 1, 2012, the state board shall 47  
incorporate into the social studies standards for grades four to 48  
twelve academic content regarding the original texts of the 49  
Declaration of Independence, the Northwest Ordinance, the 50

Constitution of the United States and its amendments, with 51  
emphasis on the Bill of Rights, and the Ohio Constitution, and 52  
their original context. The state board shall revise the model 53  
curricula and achievement assessments adopted under divisions (B) 54  
and (C) of this section as necessary to reflect the additional 55  
American history and American government content. The state board 56  
shall make available a list of suggested grade-appropriate 57  
supplemental readings that place the documents prescribed by this 58  
division in their historical context, which teachers may use as a 59  
resource to assist students in reading the documents within that 60  
context. 61

(2) After completing the standards required by division 62  
(A)(1) of this section, the state board shall adopt standards and 63  
model curricula for instruction in technology, financial literacy 64  
and entrepreneurship, fine arts, and foreign language for grades 65  
kindergarten through twelve. The standards shall meet the same 66  
requirements prescribed in division (A)(1)(a) of this section. 67

(3) The state board shall adopt the most recent standards 68  
developed by the national association for sport and physical 69  
education for physical education in grades kindergarten through 70  
twelve or shall adopt its own standards for physical education in 71  
those grades and revise and update them periodically. 72

The department of education shall employ a full-time physical 73  
education coordinator to provide guidance and technical assistance 74  
to districts, community schools, and STEM schools in implementing 75  
the physical education standards adopted under this division. The 76  
superintendent of public instruction shall determine that the 77  
person employed as coordinator is qualified for the position, as 78  
demonstrated by possessing an adequate combination of education, 79  
license, and experience. 80

(4) When academic standards have been completed for any 81  
subject area required by this section, the state board shall 82

inform all school districts, all community schools established 83  
under Chapter 3314. of the Revised Code, all STEM schools 84  
established under Chapter 3326. of the Revised Code, and all 85  
nonpublic schools required to administer the assessments 86  
prescribed by sections 3301.0710 and 3301.0712 of the Revised Code 87  
of the content of those standards. 88

(B)(1) The state board shall adopt a model curriculum for 89  
instruction in each subject area for which updated academic 90  
standards are required by division (A)(1) of this section and for 91  
each of grades kindergarten through twelve that is sufficient to 92  
meet the needs of students in every community. The model 93  
curriculum shall be aligned with the standards, to ensure that the 94  
academic content and skills specified for each grade level are 95  
taught to students, and shall demonstrate vertical articulation 96  
and emphasize coherence, focus, and rigor. When any model 97  
curriculum has been completed, the state board shall inform all 98  
school districts, community schools, and STEM schools of the 99  
content of that model curriculum. 100

(2) Not later than June 30, 2013, the state board, in 101  
consultation with any office housed in the governor's office that 102  
deals with workforce development, shall adopt model curricula for 103  
grades kindergarten through twelve that embed career connection 104  
learning strategies into regular classroom instruction. 105

(3) All school districts, community schools, and STEM schools 106  
may utilize the state standards and the model curriculum 107  
established by the state board, together with other relevant 108  
resources, examples, or models to ensure that students have the 109  
opportunity to attain the academic standards. Upon request, the 110  
department shall provide technical assistance to any district, 111  
community school, or STEM school in implementing the model 112  
curriculum. 113

Nothing in this section requires any school district to 114

utilize all or any part of a model curriculum developed under this 115  
section. 116

(C) The state board shall develop achievement assessments 117  
aligned with the academic standards ~~and model curriculum~~ for each 118  
of the subject areas and grade levels required by divisions (A)(1) 119  
and (B)(1) of section 3301.0710 of the Revised Code. 120

When any achievement assessment has been completed, the state 121  
board shall inform all school districts, community schools, STEM 122  
schools, and nonpublic schools required to administer the 123  
assessment of its completion, and the department shall make the 124  
achievement assessment available to the districts and schools. 125

(D)(1) The state board shall adopt a diagnostic assessment 126  
aligned with the academic standards and model curriculum for each 127  
of grades kindergarten through two in reading, writing, and 128  
mathematics and for grade three in reading and writing. The 129  
diagnostic assessment shall be designed to measure student 130  
comprehension of academic content and mastery of related skills 131  
for the relevant subject area and grade level. Any diagnostic 132  
assessment shall not include components to identify gifted 133  
students. Blank copies of diagnostic assessments shall be public 134  
records. 135

(2) When each diagnostic assessment has been completed, the 136  
state board shall inform all school districts of its completion 137  
and the department shall make the diagnostic assessment available 138  
to the districts at no cost to the district. School districts 139  
shall administer the diagnostic assessment pursuant to section 140  
3301.0715 of the Revised Code beginning the first school year 141  
following the development of the assessment. 142

(E) The state board shall not adopt a diagnostic or 143  
achievement assessment for any grade level or subject area other 144  
than those specified in this section. 145

(F) ~~Whenever~~ When the state board or the department ~~consults~~ 146  
~~with persons for the purpose of drafting or reviewing drafts or~~ 147  
~~conducts a review of~~ any standards, diagnostic assessments, 148  
achievement assessments, or model curriculum required under this 149  
section, the state board or the department shall ~~first~~ consult 150  
with parents of students in kindergarten through twelfth grade ~~and~~ 151  
~~with active Ohio, currently employed~~ classroom teachers, other 152  
school personnel, ~~and~~ administrators with expertise in the 153  
~~appropriate~~ subject area, ~~and representatives of higher education.~~ 154  
~~Whenever practicable, the state board and department shall consult~~ 155  
~~with teachers recognized as outstanding in their fields.~~ 156

If the department contracts with more than one outside entity 157  
for the development of the achievement assessments required by 158  
this section, the department shall ensure the interchangeability 159  
of those assessments. 160

(G) Whenever the state board adopts standards or model 161  
curricula under this section, the department also shall provide 162  
information on the use of blended or digital learning in the 163  
delivery of the standards or curricula to students in accordance 164  
with division (A)(4) of this section. 165

(H) The fairness sensitivity review committee, established by 166  
rule of the state board of education, shall not allow any question 167  
on any achievement or diagnostic assessment developed under this 168  
section or any proficiency test prescribed by former section 169  
3301.0710 of the Revised Code, as it existed prior to September 170  
11, 2001, to include, be written to promote, or inquire as to 171  
individual moral or social values or beliefs. The decision of the 172  
committee shall be final. This section does not create a private 173  
cause of action. 174

(I) Not later than forty-five days prior to the adoption by 175  
the state board of updated academic standards under division 176  
(A)(1) of this section or updated model curricula under division 177

(B)(1) of this section, the superintendent of public instruction 178  
shall present the academic standards or model curricula, as 179  
applicable, to the respective committees of the house of 180  
representatives and senate that consider education legislation. 181

(J) As used in this section: 182

(1) "Blended learning" means the delivery of instruction in a 183  
combination of time in a supervised physical location away from 184  
home and online delivery whereby the student has some element of 185  
control over time, place, path, or pace of learning. 186

(2) "Coherence" means a reflection of the structure of the 187  
discipline being taught. 188

(3) "Digital learning" means learning facilitated by 189  
technology that gives students some element of control over time, 190  
place, path, or pace of learning. 191

(4) "Focus" means limiting the number of items included in a 192  
curriculum to allow for deeper exploration of the subject matter. 193

(5) "Rigor" means more challenging and demanding when 194  
compared to international standards. 195

(6) "Vertical articulation" means key academic concepts and 196  
skills associated with mastery in particular content areas should 197  
be articulated and reinforced in a developmentally appropriate 198  
manner at each grade level so that over time students acquire a 199  
depth of knowledge and understanding in the core academic 200  
disciplines. 201

**Sec. 3301.0710.** The state board of education shall adopt 202  
rules establishing a statewide program to assess student 203  
achievement. The state board shall ensure that all assessments 204  
administered under the program are aligned with the academic 205  
standards ~~and model curricula~~ adopted by the state board and are 206  
created with input from Ohio parents, Ohio classroom teachers, 207

Ohio school administrators, and other Ohio school personnel	208
pursuant to section 3301.079 of the Revised Code.	209
The assessment program shall be designed to ensure that	210
students who receive a high school diploma demonstrate at least	211
high school levels of achievement in English language arts,	212
mathematics, science, and social studies.	213
(A)(1) The state board shall prescribe all of the following:	214
(a) Two statewide achievement assessments, one each designed	215
to measure the level of English language arts and mathematics	216
skill expected at the end of third grade;	217
(b) Three statewide achievement assessments, one each	218
designed to measure the level of English language arts,	219
mathematics, and social studies skill expected at the end of	220
fourth grade;	221
(c) Three statewide achievement assessments, one each	222
designed to measure the level of English language arts,	223
mathematics, and science skill expected at the end of fifth grade;	224
(d) Three statewide achievement assessments, one each	225
designed to measure the level of English language arts,	226
mathematics, and social studies skill expected at the end of sixth	227
grade;	228
(e) Two statewide achievement assessments, one each designed	229
to measure the level of English language arts and mathematics	230
skill expected at the end of seventh grade;	231
(f) Three statewide achievement assessments, one each	232
designed to measure the level of English language arts,	233
mathematics, and science skill expected at the end of eighth	234
grade.	235
(2) The state board shall determine and designate at least	236
five ranges of scores on each of the achievement assessments	237



described in divisions (A)(1) and (B)(1) of this section. Each 238  
range of scores shall be deemed to demonstrate a level of 239  
achievement so that any student attaining a score within such 240  
range has achieved one of the following: 241

(a) ~~An advanced~~ A superior level of skill; 242

(b) ~~An accelerated~~ A commended level of skill; 243

(c) A proficient level of skill; 244

(d) A basic level of skill; 245

(e) A limited level of skill. 246

(3) For the purpose of implementing division (A) of section 247  
3313.608 of the Revised Code, the state board shall determine and 248  
designate a level of achievement, not lower than the level 249  
designated in division (A)(2)(e) of this section, on the third 250  
grade English language arts assessment for a student to be 251  
promoted to the fourth grade. The state board shall review and 252  
adjust upward the level of achievement designated under this 253  
division each year the test is administered until the level is set 254  
equal to the level designated in division (A)(2)(c) of this 255  
section. 256

(B)(1) The assessments prescribed under division (B)(1) of 257  
this section shall collectively be known as the Ohio graduation 258  
tests. The state board shall prescribe five statewide high school 259  
achievement assessments, one each designed to measure the level of 260  
reading, writing, mathematics, science, and social studies skill 261  
expected at the end of tenth grade. The state board shall 262  
designate a score in at least the range designated under division 263  
(A)(2)(c) of this section on each such assessment that shall be 264  
deemed to be a passing score on the assessment as a condition 265  
toward granting high school diplomas under sections 3313.61, 266  
3313.611, 3313.612, and 3325.08 of the Revised Code until the 267  
assessment system prescribed by section 3301.0712 of the Revised 268

Code is implemented in accordance with rules adopted by the state board under division ~~(D)~~(G) of that section.

(2) The state board shall prescribe an assessment system in accordance with section 3301.0712 of the Revised Code that shall replace the Ohio graduation tests in the manner prescribed by rules adopted by the state board under division ~~(D)~~(G) of that section.

(3) The state board may enter into a reciprocal agreement with the appropriate body or agency of any other state that has similar statewide achievement assessment requirements for receiving high school diplomas, under which any student who has met an achievement assessment requirement of one state is recognized as having met the similar requirement of the other state for purposes of receiving a high school diploma. For purposes of this section and sections 3301.0711 and 3313.61 of the Revised Code, any student enrolled in any public high school in this state who has met an achievement assessment requirement specified in a reciprocal agreement entered into under this division shall be deemed to have attained at least the applicable score designated under this division on each assessment required by division (B)(1) or (2) of this section that is specified in the agreement.

(C) The superintendent of public instruction shall designate dates and times for the administration of the assessments prescribed by divisions (A) and (B) of this section.

In prescribing administration dates pursuant to this division, the superintendent shall designate the dates in such a way as to allow a reasonable length of time between the administration of assessments prescribed under this section and any administration of the national assessment of educational progress given to students in the same grade level pursuant to section 3301.27 of the Revised Code or federal law.

(D) The state board shall prescribe a practice version of 301  
each Ohio graduation test described in division (B)(1) of this 302  
section that is of comparable length to the actual test. 303

(E) Any committee established by the department of education 304  
for the purpose of making recommendations to the state board 305  
regarding the state board's designation of scores on the 306  
assessments described by this section shall inform the state board 307  
of the probable percentage of students who would score in each of 308  
the ranges established under division (A)(2) of this section on 309  
the assessments if the committee's recommendations are adopted by 310  
the state board. To the extent possible, these percentages shall 311  
be disaggregated by gender, major racial and ethnic groups, 312  
limited English proficient students, economically disadvantaged 313  
students, students with disabilities, and migrant students. 314

**Sec. 3301.0711.** (A) The department of education shall: 315

(1) Annually furnish to, grade, and score all assessments 316  
required by divisions (A)(1) and (B)(1) of section 3301.0710 of 317  
the Revised Code to be administered by city, local, exempted 318  
village, and joint vocational school districts, except that each 319  
district shall score any assessment administered pursuant to 320  
division (B)(10) of this section. Each assessment so furnished 321  
shall include the data verification code of the student to whom 322  
the assessment will be administered, as assigned pursuant to 323  
division (D)(2) of section 3301.0714 of the Revised Code. In 324  
furnishing the practice versions of Ohio graduation tests 325  
prescribed by division (D) of section 3301.0710 of the Revised 326  
Code, the department shall make the tests available on its web 327  
site for reproduction by districts. In awarding contracts for 328  
grading assessments, the department shall give preference to 329  
Ohio-based entities employing Ohio residents. 330

(2) Adopt rules for the ethical use of assessments and 331

prescribing the manner in which the assessments prescribed by 332  
section 3301.0710 of the Revised Code shall be administered to 333  
students. 334

(B) Except as provided in divisions (C) and (J) of this 335  
section, the board of education of each city, local, and exempted 336  
village school district shall, in accordance with rules adopted 337  
under division (A) of this section: 338

(1) Administer the English language arts assessments 339  
prescribed under division (A)(1)(a) of section 3301.0710 of the 340  
Revised Code twice annually to all students in the third grade who 341  
have not attained the score designated for that assessment under 342  
division (A)(2)(c) of section 3301.0710 of the Revised Code. 343

(2) Administer the mathematics assessment prescribed under 344  
division (A)(1)(a) of section 3301.0710 of the Revised Code at 345  
least once annually to all students in the third grade. 346

(3) Administer the assessments prescribed under division 347  
(A)(1)(b) of section 3301.0710 of the Revised Code at least once 348  
annually to all students in the fourth grade. 349

(4) Administer the assessments prescribed under division 350  
(A)(1)(c) of section 3301.0710 of the Revised Code at least once 351  
annually to all students in the fifth grade. 352

(5) Administer the assessments prescribed under division 353  
(A)(1)(d) of section 3301.0710 of the Revised Code at least once 354  
annually to all students in the sixth grade. 355

(6) Administer the assessments prescribed under division 356  
(A)(1)(e) of section 3301.0710 of the Revised Code at least once 357  
annually to all students in the seventh grade. 358

(7) Administer the assessments prescribed under division 359  
(A)(1)(f) of section 3301.0710 of the Revised Code at least once 360  
annually to all students in the eighth grade. 361

(8) Except as provided in division (B)(9) of this section, 362  
administer any assessment prescribed under division (B)(1) of 363  
section 3301.0710 of the Revised Code as follows: 364

(a) At least once annually to all tenth grade students and at 365  
least twice annually to all students in eleventh or twelfth grade 366  
who have not yet attained the score on that assessment designated 367  
under that division; 368

(b) To any person who has successfully completed the 369  
curriculum in any high school or the individualized education 370  
program developed for the person by any high school pursuant to 371  
section 3323.08 of the Revised Code but has not received a high 372  
school diploma and who requests to take such assessment, at any 373  
time such assessment is administered in the district. 374

(9) In lieu of the board of education of any city, local, or 375  
exempted village school district in which the student is also 376  
enrolled, the board of a joint vocational school district shall 377  
administer any assessment prescribed under division (B)(1) of 378  
section 3301.0710 of the Revised Code at least twice annually to 379  
any student enrolled in the joint vocational school district who 380  
has not yet attained the score on that assessment designated under 381  
that division. A board of a joint vocational school district may 382  
also administer such an assessment to any student described in 383  
division (B)(8)(b) of this section. 384

(10) If the district has a three-year average graduation rate 385  
of not more than seventy-five per cent, administer each assessment 386  
prescribed by division (D) of section 3301.0710 of the Revised 387  
Code in September to all ninth grade students, beginning in the 388  
school year that starts July 1, 2005. 389

Except as provided in section 3313.614 of the Revised Code 390  
for administration of an assessment to a person who has fulfilled 391  
the curriculum requirement for a high school diploma but has not 392

passed one or more of the required assessments, the assessments 393  
prescribed under division (B)(1) of section 3301.0710 of the 394  
Revised Code and the practice assessments prescribed under 395  
division (D) of that section and required to be administered under 396  
divisions (B)(8), (9), and (10) of this section shall not be 397  
administered after ~~the assessment system prescribed by division~~ 398  
~~(B)(2) of section 3301.0710 and section 3301.0712 of the Revised~~ 399  
~~Code is implemented under rule of the state board adopted under~~ 400  
~~division (D)(1) of section 3301.0712 of the Revised Code July 1,~~ 401  
2016. 402

(11) Administer the assessments prescribed by division (B)(2) 403  
of section 3301.0710 and section 3301.0712 of the Revised Code in 404  
accordance with the timeline and plan for implementation of those 405  
assessments prescribed by rule of the state board adopted under 406  
division ~~(D)~~(G)(1) of section 3301.0712 of the Revised Code. 407

(C)(1)(a) In the case of a student receiving special 408  
education services under Chapter 3323. of the Revised Code, the 409  
individualized education program developed for the student under 410  
that chapter shall specify the manner in which the student will 411  
participate in the assessments administered under this section. 412  
The individualized education program may excuse the student from 413  
taking any particular assessment required to be administered under 414  
this section if it instead specifies an alternate assessment 415  
method approved by the department of education as conforming to 416  
requirements of federal law for receipt of federal funds for 417  
disadvantaged pupils. To the extent possible, the individualized 418  
education program shall not excuse the student from taking an 419  
assessment unless no reasonable accommodation can be made to 420  
enable the student to take the assessment. 421

(b) Any alternate assessment approved by the department for a 422  
student under this division shall produce measurable results 423  
comparable to those produced by the assessment it replaces in 424

order to allow for the student's results to be included in the 425  
data compiled for a school district or building under section 426  
3302.03 of the Revised Code. 427

(c) Any student enrolled in a chartered nonpublic school who 428  
has been identified, based on an evaluation conducted in 429  
accordance with section 3323.03 of the Revised Code or section 504 430  
of the "Rehabilitation Act of 1973," 87 Stat. 355, 29 U.S.C.A. 431  
794, as amended, as a child with a disability shall be excused 432  
from taking any particular assessment required to be administered 433  
under this section if a plan developed for the student pursuant to 434  
rules adopted by the state board excuses the student from taking 435  
that assessment. In the case of any student so excused from taking 436  
an assessment, the chartered nonpublic school shall not prohibit 437  
the student from taking the assessment. 438

(2) A district board may, for medical reasons or other good 439  
cause, excuse a student from taking an assessment administered 440  
under this section on the date scheduled, but that assessment 441  
shall be administered to the excused student not later than nine 442  
days following the scheduled date. The district board shall 443  
annually report the number of students who have not taken one or 444  
more of the assessments required by this section to the state 445  
board of education not later than the thirtieth day of June. 446

(3) As used in this division, "limited English proficient 447  
student" has the same meaning as in 20 U.S.C. 7801. 448

No school district board shall excuse any limited English 449  
proficient student from taking any particular assessment required 450  
to be administered under this section, except that any limited 451  
English proficient student who has been enrolled in United States 452  
schools for less than one full school year shall not be required 453  
to take any reading, writing, or English language arts assessment. 454  
However, no board shall prohibit a limited English proficient 455  
student who is not required to take an assessment under this 456

division from taking the assessment. A board may permit any 457  
limited English proficient student to take an assessment required 458  
to be administered under this section with appropriate 459  
accommodations, as determined by the department. For each limited 460  
English proficient student, each school district shall annually 461  
assess that student's progress in learning English, in accordance 462  
with procedures approved by the department. 463

The governing authority of a chartered nonpublic school may 464  
excuse a limited English proficient student from taking any 465  
assessment administered under this section. However, no governing 466  
authority shall prohibit a limited English proficient student from 467  
taking the assessment. 468

(D)(1) In the school year next succeeding the school year in 469  
which the assessments prescribed by division (A)(1) or (B)(1) of 470  
section 3301.0710 of the Revised Code or former division (A)(1), 471  
(A)(2), or (B) of section 3301.0710 of the Revised Code as it 472  
existed prior to September 11, 2001, are administered to any 473  
student, the board of education of any school district in which 474  
the student is enrolled in that year shall provide to the student 475  
intervention services commensurate with the student's performance, 476  
including any intensive intervention required under section 477  
3313.608 of the Revised Code, in any skill in which the student 478  
failed to demonstrate at least a score at the proficient level on 479  
the assessment. 480

(2) Following any administration of the assessments 481  
prescribed by division (D) of section 3301.0710 of the Revised 482  
Code to ninth grade students, each school district that has a 483  
three-year average graduation rate of not more than seventy-five 484  
per cent shall determine for each high school in the district 485  
whether the school shall be required to provide intervention 486  
services to any students who took the assessments. In determining 487  
which high schools shall provide intervention services based on 488



the resources available, the district shall consider each school's 489  
graduation rate and scores on the practice assessments. The 490  
district also shall consider the scores received by ninth grade 491  
students on the English language arts and mathematics assessments 492  
prescribed under division (A)(1)(f) of section 3301.0710 of the 493  
Revised Code in the eighth grade in determining which high schools 494  
shall provide intervention services. 495

Each high school selected to provide intervention services 496  
under this division shall provide intervention services to any 497  
student whose results indicate that the student is failing to make 498  
satisfactory progress toward being able to attain scores at the 499  
proficient level on the Ohio graduation tests. Intervention 500  
services shall be provided in any skill in which a student 501  
demonstrates unsatisfactory progress and shall be commensurate 502  
with the student's performance. Schools shall provide the 503  
intervention services prior to the end of the school year, during 504  
the summer following the ninth grade, in the next succeeding 505  
school year, or at any combination of those times. 506

(E) Except as provided in section 3313.608 of the Revised 507  
Code and division (M) of this section, no school district board of 508  
education shall utilize any student's failure to attain a 509  
specified score on an assessment administered under this section 510  
as a factor in any decision to deny the student promotion to a 511  
higher grade level. However, a district board may choose not to 512  
promote to the next grade level any student who does not take an 513  
assessment administered under this section or make up an 514  
assessment as provided by division (C)(2) of this section and who 515  
is not exempt from the requirement to take the assessment under 516  
division (C)(3) of this section. 517

(F) No person shall be charged a fee for taking any 518  
assessment administered under this section. 519

(G)(1) Each school district board shall designate one 520

location for the collection of assessments administered in the 521  
spring under division (B)(1) of this section and those 522  
administered under divisions (B)(2) to (7) of this section. Each 523  
district board shall submit the assessments to the entity with 524  
which the department contracts for the scoring of the assessments 525  
as follows: 526

(a) If the district's total enrollment in grades kindergarten 527  
through twelve during the first full school week of October was 528  
less than two thousand five hundred, not later than the Friday 529  
after all of the assessments have been administered; 530

(b) If the district's total enrollment in grades kindergarten 531  
through twelve during the first full school week of October was 532  
two thousand five hundred or more, but less than seven thousand, 533  
not later than the Monday after all of the assessments have been 534  
administered; 535

(c) If the district's total enrollment in grades kindergarten 536  
through twelve during the first full school week of October was 537  
seven thousand or more, not later than the Tuesday after all of 538  
the assessments have been administered. 539

However, any assessment that a student takes during the 540  
make-up period described in division (C)(2) of this section shall 541  
be submitted not later than the Friday following the day the 542  
student takes the assessment. 543

(2) The department or an entity with which the department 544  
contracts for the scoring of the assessment shall send to each 545  
school district board a list of the individual scores of all 546  
persons taking an assessment prescribed by division (A)(1) or 547  
(B)(1) of section 3301.0710 of the Revised Code within sixty days 548  
after its administration, but in no case shall the scores be 549  
returned later than the fifteenth day of June following the 550  
administration. For assessments administered under this section by 551

a joint vocational school district, the department or entity shall 552  
also send to each city, local, or exempted village school district 553  
a list of the individual scores of any students of such city, 554  
local, or exempted village school district who are attending 555  
school in the joint vocational school district. 556

(H) Individual scores on any assessments administered under 557  
this section shall be released by a district board only in 558  
accordance with section 3319.321 of the Revised Code and the rules 559  
adopted under division (A) of this section. No district board or 560  
its employees shall utilize individual or aggregate results in any 561  
manner that conflicts with rules for the ethical use of 562  
assessments adopted pursuant to division (A) of this section. 563

(I) Except as provided in division (G) of this section, the 564  
department or an entity with which the department contracts for 565  
the scoring of the assessment shall not release any individual 566  
scores on any assessment administered under this section. The 567  
state board of education shall adopt rules to ensure the 568  
protection of student confidentiality at all times. The rules may 569  
require the use of the data verification codes assigned to 570  
students pursuant to division (D)(2) of section 3301.0714 of the 571  
Revised Code to protect the confidentiality of student scores. 572

(J) Notwithstanding division (D) of section 3311.52 of the 573  
Revised Code, this section does not apply to the board of 574  
education of any cooperative education school district except as 575  
provided under rules adopted pursuant to this division. 576

(1) In accordance with rules that the state board of 577  
education shall adopt, the board of education of any city, 578  
exempted village, or local school district with territory in a 579  
cooperative education school district established pursuant to 580  
divisions (A) to (C) of section 3311.52 of the Revised Code may 581  
enter into an agreement with the board of education of the 582  
cooperative education school district for administering any 583

assessment prescribed under this section to students of the city, 584  
exempted village, or local school district who are attending 585  
school in the cooperative education school district. 586

(2) In accordance with rules that the state board of 587  
education shall adopt, the board of education of any city, 588  
exempted village, or local school district with territory in a 589  
cooperative education school district established pursuant to 590  
section 3311.521 of the Revised Code shall enter into an agreement 591  
with the cooperative district that provides for the administration 592  
of any assessment prescribed under this section to both of the 593  
following: 594

(a) Students who are attending school in the cooperative 595  
district and who, if the cooperative district were not 596  
established, would be entitled to attend school in the city, 597  
local, or exempted village school district pursuant to section 598  
3313.64 or 3313.65 of the Revised Code; 599

(b) Persons described in division (B)(8)(b) of this section. 600

Any assessment of students pursuant to such an agreement 601  
shall be in lieu of any assessment of such students or persons 602  
pursuant to this section. 603

(K)(1)(a) Except as otherwise provided in division (K)(1)(a) 604  
of this section, each chartered nonpublic school for which at 605  
least sixty-five per cent of its total enrollment is made up of 606  
students who are participating in state scholarship programs shall 607  
administer the applicable elementary assessments prescribed by 608  
division (A) of section 3301.0710 of the Revised Code. In 609  
accordance with procedures and deadlines prescribed by the 610  
department, the parent or guardian of a student enrolled in the 611  
school who is not participating in a state scholarship program may 612  
submit notice to the chief administrative officer of the school 613  
that the parent or guardian does not wish to have the student take 614

the elementary assessments prescribed for the student's grade 615  
level under division (A) of section 3301.0710 of the Revised Code. 616  
If a parent or guardian submits an opt-out notice, the school 617  
shall not administer the assessments to that student. ~~This option~~ 618  
~~does not apply to any assessment required for a high school~~ 619  
~~diploma under section 3313.612 of the Revised Code.~~ 620

(b) If a chartered nonpublic school ~~is not subject to~~ 621  
~~division (K)(1)(a) of this section and~~ is educating students in 622  
grades nine through twelve, it shall administer the applicable 623  
assessments prescribed by ~~divisions~~ division (B)(1) ~~and (2)~~ of 624  
section 3301.0710 or division (B) of section 3301.0712 of the 625  
Revised Code ~~as a condition of compliance with section 3313.612 of~~ 626  
~~the Revised Code. Any~~ 627

(c) Any chartered nonpublic school that is not subject to 628  
division (K)(1)(a) of this section may participate in the 629  
assessment program by administering any of the assessments 630  
prescribed by division (A) of section 3301.0710 of the Revised 631  
Code. The chief administrator of the school shall specify which 632  
assessments the school will administer. Such specification shall 633  
be made in writing to the superintendent of public instruction 634  
prior to the first day of August of any school year in which 635  
assessments are administered and shall include a pledge that the 636  
nonpublic school will administer the specified assessments in the 637  
same manner as public schools are required to do under this 638  
section and rules adopted by the department. 639

(2) The department of education shall furnish the applicable 640  
assessments prescribed by section 3301.0710 or 3301.0712 of the 641  
Revised Code to each chartered nonpublic school ~~that is subject to~~ 642  
~~division (K)(1)(a) of this section or participates for~~ 643  
administration by the school under division (K)(1)(b) of this 644  
section. 645

(L)(1) The superintendent of the state school for the blind 646

and the superintendent of the state school for the deaf shall 647  
administer the assessments described by sections 3301.0710 and 648  
3301.0712 of the Revised Code. Each superintendent shall 649  
administer the assessments in the same manner as district boards 650  
are required to do under this section and rules adopted by the 651  
department of education and in conformity with division (C)(1)(a) 652  
of this section. 653

(2) The department of education shall furnish the assessments 654  
described by sections 3301.0710 and 3301.0712 of the Revised Code 655  
to each superintendent. 656

(M) Notwithstanding division (E) of this section, a school 657  
district may use a student's failure to attain a score in at least 658  
the proficient range on the mathematics assessment described by 659  
division (A)(1)(a) of section 3301.0710 of the Revised Code or on 660  
an assessment described by division (A)(1)(b), (c), (d), (e), or 661  
(f) of section 3301.0710 of the Revised Code as a factor in 662  
retaining that student in the current grade level. 663

(N)(1) In the manner specified in divisions (N)(3) and (4) of 664  
this section, the assessments required by division (A)(1) of 665  
section 3301.0710 of the Revised Code shall become public records 666  
pursuant to section 149.43 of the Revised Code on the first day of 667  
July following the school year that the assessments were 668  
administered. 669

(2) The department may field test proposed questions with 670  
samples of students to determine the validity, reliability, or 671  
appropriateness of questions for possible inclusion in a future 672  
year's assessment. The department also may use anchor questions on 673  
assessments to ensure that different versions of the same 674  
assessment are of comparable difficulty. 675

Field test questions and anchor questions shall not be 676  
considered in computing scores for individual students. Field test 677

questions and anchor questions may be included as part of the 678  
administration of any assessment required by division (A)(1) or 679  
(B)~~(1)~~ of section 3301.0710 and division (B) of section 3301.0712 680  
of the Revised Code. 681

(3) Any field test question or anchor question administered 682  
under division (N)(2) of this section shall not be a public 683  
record. Such field test questions and anchor questions shall be 684  
redacted from any assessments which are released as a public 685  
record pursuant to division (N)(1) of this section. 686

(4) This division applies to the assessments prescribed by 687  
division (A) of section 3301.0710 of the Revised Code. 688

(a) The first administration of each assessment, as specified 689  
in former section 3301.0712 of the Revised Code, shall be a public 690  
record. 691

(b) For subsequent administrations of each assessment prior 692  
to the 2011-2012 school year, not less than forty per cent of the 693  
questions on the assessment that are used to compute a student's 694  
score shall be a public record. The department shall determine 695  
which questions will be needed for reuse on a future assessment 696  
and those questions shall not be public records and shall be 697  
redacted from the assessment prior to its release as a public 698  
record. However, for each redacted question, the department shall 699  
inform each city, local, and exempted village school district of 700  
the statewide academic standard adopted by the state board of 701  
education under section 3301.079 of the Revised Code and the 702  
corresponding benchmark to which the question relates. The 703  
preceding sentence does not apply to field test questions that are 704  
redacted under division (N)(3) of this section. 705

(c) The administrations of each assessment in the 2011-2012 706  
school year and later shall not be a public record. 707

(5) Each assessment prescribed by division (B)(1) of section 708

3301.0710 of the Revised Code shall not be a public record. 709

(0) As used in this section: 710

(1) "Three-year average" means the average of the most recent 711  
consecutive three school years of data. 712

(2) "Dropout" means a student who withdraws from school 713  
before completing course requirements for graduation and who is 714  
not enrolled in an education program approved by the state board 715  
of education or an education program outside the state. "Dropout" 716  
does not include a student who has departed the country. 717

(3) "Graduation rate" means the ratio of students receiving a 718  
diploma to the number of students who entered ninth grade four 719  
years earlier. Students who transfer into the district are added 720  
to the calculation. Students who transfer out of the district for 721  
reasons other than dropout are subtracted from the calculation. If 722  
a student who was a dropout in any previous year returns to the 723  
same school district, that student shall be entered into the 724  
calculation as if the student had entered ninth grade four years 725  
before the graduation year of the graduating class that the 726  
student joins. 727

(4) "State scholarship programs" means the educational choice 728  
scholarship pilot program established under sections 3310.01 to 729  
3310.17 of the Revised Code, the autism scholarship program 730  
established under section 3310.41 of the Revised Code, the Jon 731  
Peterson special needs scholarship program established under 732  
sections 3310.51 to 3310.64 of the Revised Code, and the pilot 733  
project scholarship program established under sections 3313.974 to 734  
3313.979 of the Revised Code. 735

**Sec. 3301.0712.** (A) The state board of education, the 736  
superintendent of public instruction, and the chancellor of the 737  
Ohio board of regents shall develop a system of college and work 738



ready assessments as described in ~~divisions~~ division (B)(1) and 739  
(2) of this section to assess whether each student upon graduating 740  
from high school is ready to enter college or the workforce. The 741  
system shall replace the Ohio graduation tests prescribed in 742  
division (B)(1) of section 3301.0710 of the Revised Code as a 743  
measure of student academic performance and a ~~prerequisite for one~~ 744  
determinant of eligibility for a high school diploma in the manner 745  
prescribed by rule of the state board adopted under division 746  
(D)(G) of this section as follows: 747

(1) For students who have not yet entered the ninth grade on 748  
July 1, 2014, and for students in grades nine through twelve who 749  
wish to earn course credit under division (J)(2) of section 750  
3313.603 of the Revised Code, beginning in the 2014-2015 school 751  
year; 752

(2) For students who enter the ninth grade for the first time 753  
on or after July 1, 2015, beginning in the 2015-2016 school year. 754

(B) The college and work ready assessment system shall 755  
consist of the following: 756

(1) A nationally standardized assessment that measures 757  
college and career readiness selected jointly by the state 758  
superintendent and the chancellor. 759

(2) A series of end-of-course examinations ~~in the areas of~~ 760  
~~science, mathematics, English language arts, American history, and~~ 761  
~~American government~~ as follows: 762

(a) One examination in each of the areas of science, American 763  
history, and American government; 764

(b) One examination in the area of mathematics, which shall 765  
be in algebra II or its equivalent; 766

(c) One examination in the area of English language arts III, 767  
as designated by the state board. 768

If the superintendent of public instruction determines that 769  
the department of education has sufficient funds to pay the costs 770  
of developing and furnishing additional end-of-course 771  
examinations, the department may offer an additional end-of-course 772  
examination, in each of mathematics and English language arts. 773  
School districts, public schools, and chartered nonpublic schools 774  
may, but shall not be required to, administer one or both of the 775  
additional examinations. 776

The end-of-course examinations shall be selected jointly by 777  
the state superintendent and the chancellor in consultation with 778  
faculty in the appropriate subject areas at institutions of higher 779  
education of the university system of Ohio. ~~For~~ 780

(3) Not later than sixty days after the effective date of 781  
this amendment, for each subject area, the state superintendent 782  
and chancellor board shall select compile a list of multiple 783  
assessments that are equivalent to the end-of-course examinations 784  
prescribed under divisions (B)(2)(a) to (c) of this section, 785  
including nationally norm-referenced achievement tests, that 786  
school districts, public schools, and chartered nonpublic schools 787  
may use ~~as~~ instead of the end-of-course examinations prescribed 788  
under that division. Subject to division (B)~~(3)~~(5)(b) of this 789  
section, ~~those assessments~~ the equivalent examinations shall 790  
include nationally recognized subject area assessments, such as 791  
advanced placement examinations, SAT subject tests, international 792  
baccalaureate examinations, ACT end-of-course examinations, and 793  
other assessments of college and work readiness. The state board 794  
may update or revise the list of equivalent examinations. 795

In lieu of any of the end-of-course examinations prescribed 796  
under divisions (B)(2)(a) to (c) of this section, a school 797  
district or school may opt to administer instead the equivalent 798  
examinations approved by the state board under division (B)(3) of 799  
this section for any required examination subject area. 800

School districts, public schools, and chartered nonpublic schools may form a consortium to facilitate the purchase and administration of equivalent examinations. The consortium may designate an educational service center to serve as fiscal agent for the consortium. School districts and schools that elect to administer the equivalent examinations prescribed under (B)(3) of this section in lieu of the end-of-course examinations prescribed under divisions (B)(2)(a) to (c) of this section shall be reimbursed the lesser of the actual cost to administer the equivalent examinations or the cost that the state would have incurred if the end-of-course examinations were administered.

Beginning with the 2014-2015 school year, a school district or school shall notify the department which assessment or assessments the district or school selects for each subject area not later than the first day of August of each school year. For any examination selected under division (B)(3) of this section, the state board may require the entity that scores that examination to provide the student score data on that examination on behalf of the district or school, for purposes of calculating measures for the state report card under section 3302.03 of the Revised Code.

(4) Not later than October 31, 2014, the state board shall adopt rules in accordance with Chapter 119. of the Revised Code to do all of the following:

(a) Determine and designate at least five ranges of scores on each of the end-of-course examinations prescribed under division (B)(2) of this section, and equivalent examinations prescribed under division (B)(3) of this section. Each range of scores shall be deemed to demonstrate a level of achievement so that any student attaining a score within such range has achieved one of the following:

(i) A superior level of skill;

<u>(ii) A commended level of skill;</u>	833
<u>(iii) A proficient level of skill;</u>	834
<u>(iv) A basic level of skill;</u>	835
<u>(v) A limited level of skill.</u>	836
<u>(b) Determine a method by which to calculate a cumulative performance score based on the results of a student's end-of-course examinations, or equivalent examinations, prescribed by divisions (B)(2) and (3) of this section.</u>	837 838 839 840
<u>(c) Determine the minimum cumulative performance score that demonstrates the level of academic achievement necessary to earn a high school diploma.</u>	841 842 843
<u>(d) Develop a table of corresponding score equivalents for all of the examinations prescribed in divisions (B)(2) and (3) of this section in order to calculate student performance consistently across the different examinations.</u>	844 845 846 847
<del>(3)(5)</del> (a) Not later than July 1, 2013, each school district board of education shall adopt interim end-of-course examinations that comply with the requirements of divisions (B) <del>(3)(5)</del> (b)(i) and (ii) of this section to assess mastery of American history and American government standards adopted under division (A)(1)(b) of section 3301.079 of the Revised Code and the topics required under division (M) of section 3313.603 of the Revised Code. Each high school of the district shall use the interim examinations until the state superintendent and chancellor select end-of-course examinations in American history and American government under division (B)(2) of this section.	848 849 850 851 852 853 854 855 856 857 858
(b) Not later than July 1, 2014, the state superintendent and the chancellor shall select the end-of-course examinations in American history and American government.	859 860 861
(i) The end-of-course examinations in American history and	862

American government shall require demonstration of mastery of the American history and American government content for social studies standards adopted under division (A)(1)(b) of section 3301.079 of the Revised Code and the topics required under division (M) of section 3313.603 of the Revised Code.

(ii) At least twenty per cent of the end-of-course examination in American government shall address the topics on American history and American government described in division (M) of section 3313.603 of the Revised Code.

(c) Notwithstanding anything to the contrary in this section, each school district board of education shall administer the end-of-course examinations in American history and American government on and after July 1, 2014.

(C) The state board shall convene a group of national experts, state experts, and local practitioners to provide advice, guidance, and recommendations for the alignment of standards ~~and model curricula~~ to the assessments and in the design of the end-of-course examinations prescribed by this section.

~~(D) Upon completion of the development of the assessment system,~~ Not later than December 31, 2014, the state board shall select at least one nationally recognized job skills assessment. Each school district shall administer that assessment to those students who opt to take it. The state shall reimburse a school district for the costs of administering that assessment. The state board shall establish the minimum score a student must attain on the job skills assessment in order to demonstrate a student's workforce readiness and employability. The administration of the job skills assessment to a student under this division shall not exempt a school district from administering the assessments prescribed in division (B) of this section to that student.

(E) No school district shall charge a student for any assessment, end-of-course examination, or equivalent examination administered under division (B) or (D) of this section.

(F) A school district may use the end-of-course examinations, or equivalent examinations, administered under division (B) of this section as final examinations for the related subject-area class or course of study.

(G) The state board shall adopt rules prescribing all of the following:

(1) A timeline and plan for implementation of the assessment system, including a phased implementation if the state board determines such a phase-in is warranted;

~~(2) The date after which a person entering ninth grade shall meet the requirements of the entire assessment system as a prerequisite for a high school diploma under section 3313.61, 3313.612, or 3325.08 of the Revised Code;~~

~~(3) The date after which a person shall meet the requirements of the entire assessment system as a prerequisite for a diploma of adult education under section 3313.611 of the Revised Code;~~

~~(4)~~(3) Whether and the extent to which a person may be excused from an American history end-of-course examination and an American government end-of-course examination under division ~~(H)~~(I) of section 3313.61 and division (B)~~(3)~~(2) of section 3313.612 of the Revised Code;

~~(5)~~(4) The date after which a person who has fulfilled the curriculum requirement for a diploma but has not passed one or more of the required assessments at the time the person fulfilled the curriculum requirement shall meet the requirements of the entire assessment system as a prerequisite for a high school diploma under division (B) of section 3313.614 of the Revised Code;

~~(6) The extent to which the assessment system applies to students enrolled in a dropout recovery and prevention program for purposes of division (F) of section 3313.603 and section 3314.36 of the Revised Code.~~

~~No rule adopted under this division shall be effective earlier than one year after the date the rule is filed in final form pursuant to Chapter 119. of the Revised Code.~~

~~(E)~~(H) Not later than forty-five days prior to the state board's adoption of a resolution directing the department of education to file the rules prescribed by division ~~(D)~~(G) of this section in final form under section 119.04 of the Revised Code, the superintendent of public instruction shall present the assessment system developed under this section to the respective committees of the house of representatives and senate that consider education legislation.

**Sec. 3301.16.** Pursuant to standards prescribed by the state board of education as provided in division (D) of section 3301.07 of the Revised Code, the state board shall classify and charter school districts and individual schools within each district except that no charter shall be granted to a nonpublic school unless the school complies with ~~division~~ divisions (K)(1)(a) and (b) of section 3301.0711, ~~if~~ as applicable, and section 3313.612 of the Revised Code.

In the course of considering the charter of a new school district created under section 3311.26 or 3311.38 of the Revised Code, the state board shall require the party proposing creation of the district to submit to the board a map, certified by the county auditor of the county in which the proposed new district is located, showing the boundaries of the proposed new district. In the case of a proposed new district located in more than one county, the map shall be certified by the county auditor of each

county in which the proposed district is located. 956

The state board shall revoke the charter of any school 957  
district or school which fails to meet the standards for 958  
elementary and high schools as prescribed by the board. The state 959  
board shall also revoke the charter of any nonpublic school that 960  
does not comply with division (K)(1)(a) of section 3301.0711, if 961  
applicable, and section 3313.612 of the Revised Code. 962

In the issuance and revocation of school district or school 963  
charters, the state board shall be governed by the provisions of 964  
Chapter 119. of the Revised Code. 965

No school district, or individual school operated by a school 966  
district, shall operate without a charter issued by the state 967  
board under this section. 968

In case a school district charter is revoked pursuant to this 969  
section, the state board may dissolve the school district and 970  
transfer its territory to one or more adjacent districts. An 971  
equitable division of the funds, property, and indebtedness of the 972  
school district shall be made by the state board among the 973  
receiving districts. The board of education of a receiving 974  
district shall accept such territory pursuant to the order of the 975  
state board. Prior to dissolving the school district, the state 976  
board shall notify the appropriate educational service center 977  
governing board and all adjacent school district boards of 978  
education of its intention to do so. Boards so notified may make 979  
recommendations to the state board regarding the proposed 980  
dissolution and subsequent transfer of territory. Except as 981  
provided in section 3301.161 of the Revised Code, the transfer 982  
ordered by the state board shall become effective on the date 983  
specified by the state board, but the date shall be at least 984  
thirty days following the date of issuance of the order. 985

A high school is one of higher grade than an elementary 986



school, in which instruction and training are given in accordance 987  
with sections 3301.07 and 3313.60 of the Revised Code and which 988  
also offers other subjects of study more advanced than those 989  
taught in the elementary schools and such other subjects as may be 990  
approved by the state board of education. 991

An elementary school is one in which instruction and training 992  
are given in accordance with sections 3301.07 and 3313.60 of the 993  
Revised Code and which offers such other subjects as may be 994  
approved by the state board of education. In districts wherein a 995  
junior high school is maintained, the elementary schools in that 996  
district may be considered to include only the work of the first 997  
six school years inclusive, plus the kindergarten year. 998

Sec. 3301.946. Notwithstanding anything in the Revised Code 999  
to the contrary, the department of education, any school district, 1000  
any school, or any third party under contract with the state, a 1001  
school district, or a school shall not provide student names and 1002  
addresses to any multi-state consortium that offers summative 1003  
assessments without written permission from the student's parent 1004  
or guardian. 1005

~~Sec. 3302.02. Not later than one year after the adoption of 1006~~  
~~rules under division (D) of section 3301.0712 of the Revised Code 1007~~  
~~and at least every sixth year thereafter, upon recommendations of 1008~~  
~~the superintendent of public instruction, the The state board of 1009~~  
education shall establish a set of performance indicators that 1010  
considered as a unit will be used as one of the performance 1011  
categories for the report cards required by section 3302.03 of the 1012  
Revised Code. In establishing these indicators, the superintendent 1013  
shall consider inclusion of student performance on assessments 1014  
prescribed under section 3301.0710 or 3301.0712 of the Revised 1015  
Code, rates of student improvement on such assessments, the 1016  
breadth of coursework available within the district, and other 1017

indicators of student success. 1018

Beginning with the report card for the 2014-2015 school year, 1019  
the performance indicators shall include an indicator that 1020  
reflects the level of services provided to, and the performance 1021  
of, students identified as gifted under Chapter 3324. of the 1022  
Revised Code. The indicator shall include the performance of 1023  
students identified as gifted on state assessments and value-added 1024  
growth measure disaggregated for students identified as gifted. 1025

For the 2013-2014 school year, except as otherwise provided 1026  
in this section, for any indicator based on the percentage of 1027  
students attaining a proficient score on the assessments 1028  
prescribed by divisions (A) and (B)(1) of section 3301.0710 of the 1029  
Revised Code, a school district or building shall be considered to 1030  
have met the indicator if at least eighty per cent of the tested 1031  
students attain a score of proficient or higher on the assessment. 1032  
A school district or building shall be considered to have met the 1033  
indicator for the assessments prescribed by division (B)(1) of 1034  
section 3301.0710 of the Revised Code and only as administered to 1035  
eleventh grade students, if at least eighty-five per cent of the 1036  
tested students attain a score of proficient or higher on the 1037  
assessment. Not later than July 1, 2014, the state board may adopt 1038  
rules, under Chapter 119. of the Revised Code, to establish 1039  
different proficiency percentages to meet each indicator that is 1040  
based on a state assessment, prescribed under section 3301.0710 or 1041  
3301.0712 of the Revised Code, for the 2014-2015 school year and 1042  
thereafter. 1043

The superintendent shall not establish any performance 1044  
indicator for passage of the third or fourth grade English 1045  
language arts assessment that is solely based on the assessment 1046  
given in the fall for the purpose of determining whether students 1047  
have met the reading guarantee provisions of section 3313.608 of 1048  
the Revised Code. 1049

**Sec. 3302.03.** Annually, not later than the fifteenth day of 1050  
September or the preceding Friday when that day falls on a 1051  
Saturday or Sunday, the department of education shall assign a 1052  
letter grade for overall academic performance and for each 1053  
separate performance measure for each school district, and each 1054  
school building in a district, in accordance with this section. 1055  
The state board shall adopt rules pursuant to Chapter 119. of the 1056  
Revised Code to establish performance criteria for each letter 1057  
grade and prescribe a method by which the department assigns each 1058  
letter grade. For a school building to which any of the 1059  
performance measures do not apply, due to grade levels served by 1060  
the building, the state board shall designate the performance 1061  
measures that are applicable to the building and that must be 1062  
calculated separately and used to calculate the building's overall 1063  
grade. The department shall issue annual report cards reflecting 1064  
the performance of each school district, each building within each 1065  
district, and for the state as a whole using the performance 1066  
measures and letter grade system described in this section. The 1067  
department shall include on the report card for each district and 1068  
each building within each district the most recent two-year trend 1069  
data in student achievement for each subject and each grade. 1070

(A)(1) For the 2012-2013 school year, the department shall 1071  
issue grades as described in division (E) of this section for each 1072  
of the following performance measures: 1073

(a) Annual measurable objectives; 1074

(b) Performance index score for a school district or 1075  
building. Grades shall be awarded as a percentage of the total 1076  
possible points on the performance index system as adopted by the 1077  
state board. In adopting benchmarks for assigning letter grades 1078  
under division (A)(1)(b) of this section, the state board of 1079  
education shall designate ninety per cent or higher for an "A," at 1080

least seventy per cent but not more than eighty per cent for a 1081  
"C," and less than fifty per cent for an "F." 1082

(c) The extent to which the school district or building meets 1083  
each of the applicable performance indicators established by the 1084  
state board under section 3302.02 of the Revised Code and the 1085  
percentage of applicable performance indicators that have been 1086  
achieved. In adopting benchmarks for assigning letter grades under 1087  
division (A)(1)(c) of this section, the state board shall 1088  
designate ninety per cent or higher for an "A." 1089

(d) The four- and five-year adjusted cohort graduation rates. 1090

In adopting benchmarks for assigning letter grades under 1091  
division (A)(1)(d), (B)(1)(d), or (C)(1)(d) of this section, the 1092  
department shall designate a four-year adjusted cohort graduation 1093  
rate of ninety-three per cent or higher for an "A" and a five-year 1094  
cohort graduation rate of ninety-five per cent or higher for an 1095  
"A." 1096

(e) The overall score under the value-added progress 1097  
dimension of a school district or building, for which the 1098  
department shall use up to three years of value-added data as 1099  
available. The letter grade assigned for this growth measure shall 1100  
be as follows: 1101

(i) A score that is at least two standard errors of measure 1102  
above the mean score shall be designated as an "A." 1103

(ii) A score that is at least one standard error of measure 1104  
but less than two standard errors of measure above the mean score 1105  
shall be designated as a "B." 1106

(iii) A score that is less than one standard error of measure 1107  
above the mean score but greater than or equal to one standard 1108  
error of measure below the mean score shall be designated as a 1109  
"C." 1110

(iv) A score that is not greater than one standard error of 1111  
measure below the mean score but is greater than or equal to two 1112  
standard errors of measure below the mean score shall be 1113  
designated as a "D." 1114

(v) A score that is not greater than two standard errors of 1115  
measure below the mean score shall be designated as an "F." 1116

Whenever the value-added progress dimension is used as a 1117  
graded performance measure, whether as an overall measure or as a 1118  
measure of separate subgroups, the grades for the measure shall be 1119  
calculated in the same manner as prescribed in division (A)(1)(e) 1120  
of this section. 1121

(f) The value-added progress dimension score for a school 1122  
district or building disaggregated for each of the following 1123  
subgroups: students identified as gifted, students with 1124  
disabilities, and students whose performance places them in the 1125  
lowest quintile for achievement on a statewide basis. Each 1126  
subgroup shall be a separate graded measure. 1127

(2) Not later than April 30, 2013, the state board of 1128  
education shall adopt a resolution describing the performance 1129  
measures, benchmarks, and grading system for the 2012-2013 school 1130  
year and, not later than June 30, 2013, shall adopt rules in 1131  
accordance with Chapter 119. of the Revised Code that prescribe 1132  
the methods by which the performance measures under division 1133  
(A)(1) of this section shall be assessed and assigned a letter 1134  
grade, including performance benchmarks for each letter grade. 1135

At least forty-five days prior to the state board's adoption 1136  
of rules to prescribe the methods by which the performance 1137  
measures under division (A)(1) of this section shall be assessed 1138  
and assigned a letter grade, the department shall conduct a public 1139  
presentation before the standing committees of the house of 1140  
representatives and the senate that consider education legislation 1141

describing such methods, including performance benchmarks. 1142

(3) There shall not be an overall letter grade for a school 1143  
district or building for the 2012-2013 school year. 1144

(B)(1) For the 2013-2014 school year, the department shall 1145  
issue grades as described in division (E) of this section for each 1146  
of the following performance measures: 1147

(a) Annual measurable objectives; 1148

(b) Performance index score for a school district or 1149  
building. Grades shall be awarded as a percentage of the total 1150  
possible points on the performance index system as created by the 1151  
department. In adopting benchmarks for assigning letter grades 1152  
under division (B)(1)(b) of this section, the state board shall 1153  
designate ninety per cent or higher for an "A," at least seventy 1154  
per cent but not more than eighty per cent for a "C," and less 1155  
than fifty per cent for an "F." 1156

(c) The extent to which the school district or building meets 1157  
each of the applicable performance indicators established by the 1158  
state board under section 3302.03 of the Revised Code and the 1159  
percentage of applicable performance indicators that have been 1160  
achieved. In adopting benchmarks for assigning letter grades under 1161  
division (B)(1)(c) of this section, the state board shall 1162  
designate ninety per cent or higher for an "A." 1163

(d) The four- and five-year adjusted cohort graduation rates; 1164

(e) The overall score under the value-added progress 1165  
dimension of a school district or building, for which the 1166  
department shall use up to three years of value-added data as 1167  
available. 1168

(f) The value-added progress dimension score for a school 1169  
district or building disaggregated for each of the following 1170  
subgroups: students identified as gifted in superior cognitive 1171

ability and specific academic ability fields under Chapter 3324. 1172  
of the Revised Code, students with disabilities, and students 1173  
whose performance places them in the lowest quintile for 1174  
achievement on a statewide basis. Each subgroup shall be a 1175  
separate graded measure. 1176

(g) Whether a school district or building is making progress 1177  
in improving literacy in grades kindergarten through three, as 1178  
determined using a method prescribed by the state board. The state 1179  
board shall adopt rules to prescribe benchmarks and standards for 1180  
assigning grades to districts and buildings for purposes of 1181  
division (B)(1)(g) of this section. In adopting benchmarks for 1182  
assigning letter grades under divisions (B)(1)(g) and (C)(1)(g) of 1183  
this section, the state board shall determine progress made based 1184  
on the reduction in the percentage of students scoring below grade 1185  
level, or below proficient, compared from year to year on the 1186  
reading and writing diagnostic assessments administered under 1187  
section 3301.0715 of the Revised Code and the third grade English 1188  
language arts assessment under section 3301.0710 of the Revised 1189  
Code, as applicable. The state board shall designate for a "C" 1190  
grade a value that is not lower than the statewide average value 1191  
for this measure. No grade shall be issued under divisions 1192  
(B)(1)(g) and (C)(1)(g) of this section for a district or building 1193  
in which less than five per cent of students have scored below 1194  
grade level on the diagnostic assessment administered to students 1195  
in kindergarten under division (B)(1) of section 3313.608 of the 1196  
Revised Code. 1197

(2) In addition to the graded measures in division (B)(1) of 1198  
this section, the department shall include on a school district's 1199  
or building's report card all of the following without an assigned 1200  
letter grade: 1201

(a) The percentage of students enrolled in a district or 1202  
building participating in advanced placement classes and the 1203

percentage of those students who received a score of three or better on advanced placement examinations;

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

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

(d) The percentage of the district's or the building's students who receive ~~industry~~ industry-recognized credentials. The state board shall adopt criteria for acceptable ~~industry~~ industry-recognized credentials.

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

(f) The percentage of the district's or building's students who receive an honors diploma under division (B) of section



3313.61 of the Revised Code. 1235

(3) Not later than December 31, 2013, the state board shall 1236  
adopt rules in accordance with Chapter 119. of the Revised Code 1237  
that prescribe the methods by which the performance measures under 1238  
divisions (B)(1)(f) and (B)(1)(g) of this section will be assessed 1239  
and assigned a letter grade, including performance benchmarks for 1240  
each grade. 1241

At least forty-five days prior to the state board's adoption 1242  
of rules to prescribe the methods by which the performance 1243  
measures under division (B)(1) of this section shall be assessed 1244  
and assigned a letter grade, the department shall conduct a public 1245  
presentation before the standing committees of the house of 1246  
representatives and the senate that consider education legislation 1247  
describing such methods, including performance benchmarks. 1248

(4) There shall not be an overall letter grade for a school 1249  
district or building for the 2013-2014 school year. 1250

(C)(1) For the 2014-2015 school year and each school year 1251  
thereafter, the department shall issue grades as described in 1252  
division (E) of this section for each of the following performance 1253  
measures and an overall letter grade based on an aggregate of 1254  
those measures: 1255

(a) Annual measurable objectives; 1256

(b) Performance index score for a school district or 1257  
building. Grades shall be awarded as a percentage of the total 1258  
possible points on the performance index system as created by the 1259  
department. In adopting benchmarks for assigning letter grades 1260  
under division (C)(1)(b) of this section, the state board shall 1261  
designate ninety per cent or higher for an "A," at least seventy 1262  
per cent but not more than eighty per cent for a "C," and less 1263  
than fifty per cent for an "F." 1264

(c) The extent to which the school district or building meets 1265

each of the applicable performance indicators established by the 1266  
state board under section 3302.03 of the Revised Code and the 1267  
percentage of applicable performance indicators that have been 1268  
achieved. In adopting benchmarks for assigning letter grades under 1269  
division (C)(1)(c) of this section, the state board shall 1270  
designate ninety per cent or higher for an "A." 1271

(d) The four- and five-year adjusted cohort graduation rates; 1272

(e) The overall score under the value-added progress 1273  
dimension, or another measure of student academic progress if 1274  
adopted by the state board, of a school district or building, for 1275  
which the department shall use up to three years of value-added 1276  
data as available. 1277

In adopting benchmarks for assigning letter grades for 1278  
overall score on value-added progress dimension under division 1279  
(C)(1)(e) of this section, the state board shall prohibit the 1280  
assigning of a grade of "A" for that measure unless the district's 1281  
or building's grade assigned for value-added progress dimension 1282  
for all subgroups under division (C)(1)(f) of this section is a 1283  
"B" or higher. 1284

For the metric prescribed by division (C)(1)(e) of this 1285  
section, the state board may adopt a student academic progress 1286  
measure to be used instead of the value-added progress dimension. 1287  
If the state board adopts such a measure, it also shall prescribe 1288  
a method for assigning letter grades for the new measure that is 1289  
comparable to the method prescribed in division (A)(1)(e) of this 1290  
section. 1291

(f) The value-added progress dimension score of a school 1292  
district or building disaggregated for each of the following 1293  
subgroups: students identified as gifted in superior cognitive 1294  
ability and specific academic ability fields under Chapter 3324. 1295  
of the Revised Code, students with disabilities, and students 1296

whose performance places them in the lowest quintile for 1297  
achievement on a statewide basis, as determined by a method 1298  
prescribed by the state board. Each subgroup shall be a separate 1299  
graded measure. 1300

The state board may adopt student academic progress measures 1301  
to be used instead of the value-added progress dimension. If the 1302  
state board adopts such measures, it also shall prescribe a method 1303  
for assigning letter grades for the new measures that is 1304  
comparable to the method prescribed in division (A)(1)(e) of this 1305  
section. 1306

(g) Whether a school district or building is making progress 1307  
in improving literacy in grades kindergarten through three, as 1308  
determined using a method prescribed by the state board. The state 1309  
board shall adopt rules to prescribe benchmarks and standards for 1310  
assigning grades to a district or building for purposes of 1311  
division (C)(1)(g) of this section. The state board shall 1312  
designate for a "C" grade a value that is not lower than the 1313  
statewide average value for this measure. No grade shall be issued 1314  
under division (C)(1)(g) of this section for a district or 1315  
building in which less than five per cent of students have scored 1316  
below grade level on the kindergarten diagnostic assessment under 1317  
division (B)(1) of section 3313.608 of the Revised Code. 1318

(2) In addition to the graded measures in division (C)(1) of 1319  
this section, the department shall include on a school district's 1320  
or building's report card all of the following without an assigned 1321  
letter grade: 1322

(a) The percentage of students enrolled in a district or 1323  
building who have taken a national standardized test used for 1324  
college admission determinations and the percentage of those 1325  
students who are determined to be remediation-free in accordance 1326  
with the standards adopted under division (F) of section 3345.061 1327  
of the Revised Code; 1328

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

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

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

(e) The percentage of the district's or building's students who receive ~~industry~~ industry-recognized credentials;

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

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

(3) The state board shall adopt rules pursuant to Chapter 119. of the Revised Code that establish a method to assign an

overall grade for a school district or school building for the 1360  
2014-2015 school year and each school year thereafter. The rules 1361  
shall group the performance measures in divisions (C)(1) and (2) 1362  
of this section into the following components: 1363

(a) Gap closing, which shall include the performance measure 1364  
in division (C)(1)(a) of this section; 1365

(b) Achievement, which shall include the performance measures 1366  
in divisions (C)(1)(b) and (c) of this section; 1367

(c) Progress, which shall include the performance measures in 1368  
divisions (C)(1)(e) and (f) of this section; 1369

(d) Graduation, which shall include the performance measure 1370  
in division (C)(1)(d) of this section; 1371

(e) Kindergarten through third-grade literacy, which shall 1372  
include the performance measure in division (C)(1)(g) of this 1373  
section; 1374

(f) Prepared for success, which shall include the performance 1375  
measures in divisions (C)(2)(a), (b), (c), (d), (e), and (f) of 1376  
this section. The state board shall develop a method to determine 1377  
a grade for the component in division (C)(3)(f) of this section 1378  
using the performance measures in divisions (C)(2)(a), (b), (c), 1379  
(d), (e), and (f) of this section. When available, the state board 1380  
may incorporate the performance measure under division (C)(2)(g) 1381  
of this section into the component under division (C)(3)(f) of 1382  
this section. When determining the overall grade for the prepared 1383  
for success component prescribed by division (C)(3)(f) of this 1384  
section, no individual student shall be counted in more than one 1385  
performance measure. However, if a student qualifies for more than 1386  
one performance measure in the component, the state board may, in 1387  
its method to determine a grade for the component, specify an 1388  
additional weight for such a student that is not greater than or 1389  
equal to 1.0. In determining the overall score under division 1390

(C)(3)(f) of this section, the state board shall ensure that the 1391  
pool of students included in the performance measures aggregated 1392  
under that division are all of the students included in the four- 1393  
and five-year adjusted graduation cohort. 1394

In the rules adopted under division (C)(3) of this section, 1395  
the state board shall adopt a method for determining a grade for 1396  
each component in divisions (C)(3)(a) to (f) of this section. The 1397  
state board also shall establish a method to assign an overall 1398  
grade of "A," "B," "C," "D," or "F" using the grades assigned for 1399  
each component. The method the state board adopts for assigning an 1400  
overall grade shall give equal weight to the components in 1401  
divisions (C)(3)(b) and (c) of this section. 1402

At least forty-five days prior to the state board's adoption 1403  
of rules to prescribe the methods for calculating the overall 1404  
grade for the report card, as required by this division, the 1405  
department shall conduct a public presentation before the standing 1406  
committees of the house of representatives and the senate that 1407  
consider education legislation describing the format for the 1408  
report card, weights that will be assigned to the components of 1409  
the overall grade, and the method for calculating the overall 1410  
grade. 1411

(D) ~~Not later than~~ On or after July 1, 2015, the state board 1412  
~~shall~~ may develop a measure of student academic progress for high 1413  
school students. ~~Beginning with the report card for the 2015-2016~~ 1414  
~~school year~~ If the state board develops this measure, each school 1415  
district and applicable school building shall be assigned a 1416  
separate letter grade for ~~this measure and the~~ it. The district's 1417  
or building's grade for that measure shall not be included in 1418  
determining the district's or building's overall letter grade. 1419  
~~This measure shall be included within the measure prescribed in~~ 1420  
~~division (C)(3)(e) of this section in the calculation for the~~ 1421  
~~overall letter grade.~~ 1422

(E) The letter grades assigned to a school district or building under this section shall be as follows:	1423 1424
(1) "A" for a district or school making excellent progress;	1425
(2) "B" for a district or school making above average progress;	1426 1427
(3) "C" for a district or school making average progress;	1428
(4) "D" for a district or school making below average progress;	1429 1430
(5) "F" for a district or school failing to meet minimum progress.	1431 1432
(F) When reporting data on student achievement and progress, the department shall disaggregate that data according to the following categories:	1433 1434 1435
(1) Performance of students by grade-level;	1436
(2) Performance of students by race and ethnic group;	1437
(3) Performance of students by gender;	1438
(4) Performance of students grouped by those who have been enrolled in a district or school for three or more years;	1439 1440
(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;	1441 1442 1443
(6) Performance of students grouped by those who have been enrolled in a district or school for one year or less;	1444 1445
(7) Performance of students grouped by those who are economically disadvantaged;	1446 1447
(8) Performance of students grouped by those who are enrolled in a conversion community school established under Chapter 3314. of the Revised Code;	1448 1449 1450

(9) Performance of students grouped by those who are 1451  
classified as limited English proficient; 1452

(10) Performance of students grouped by those who have 1453  
disabilities; 1454

(11) Performance of students grouped by those who are 1455  
classified as migrants; 1456

(12) Performance of students grouped by those who are 1457  
identified as gifted in superior cognitive ability and the 1458  
specific academic ability fields of reading and math pursuant to 1459  
Chapter 3324. of the Revised Code. In disaggregating specific 1460  
academic ability fields for gifted students, the department shall 1461  
use data for those students with specific academic ability in math 1462  
and reading. If any other academic field is assessed, the 1463  
department shall also include data for students with specific 1464  
academic ability in that field as well. 1465

(13) Performance of students grouped by those who perform in 1466  
the lowest quintile for achievement on a statewide basis, as 1467  
determined by a method prescribed by the state board. 1468

The department may disaggregate data on student performance 1469  
according to other categories that the department determines are 1470  
appropriate. To the extent possible, the department shall 1471  
disaggregate data on student performance according to any 1472  
combinations of two or more of the categories listed in divisions 1473  
(F)(1) to (13) of this section that it deems relevant. 1474

In reporting data pursuant to division (F) of this section, 1475  
the department shall not include in the report cards any data 1476  
statistical in nature that is statistically unreliable or that 1477  
could result in the identification of individual students. For 1478  
this purpose, the department shall not report student performance 1479  
data for any group identified in division (F) of this section that 1480  
contains less than ten students. If the department does not report 1481



student performance data for a group because it contains less than 1482  
ten students, the department shall indicate on the report card 1483  
that is why data was not reported. 1484

(G) The department may include with the report cards any 1485  
additional education and fiscal performance data it deems 1486  
valuable. 1487

(H) The department shall include on each report card a list 1488  
of additional information collected by the department that is 1489  
available regarding the district or building for which the report 1490  
card is issued. When available, such additional information shall 1491  
include student mobility data disaggregated by race and 1492  
socioeconomic status, college enrollment data, and the reports 1493  
prepared under section 3302.031 of the Revised Code. 1494

The department shall maintain a site on the world wide web. 1495  
The report card shall include the address of the site and shall 1496  
specify that such additional information is available to the 1497  
public at that site. The department shall also provide a copy of 1498  
each item on the list to the superintendent of each school 1499  
district. The district superintendent shall provide a copy of any 1500  
item on the list to anyone who requests it. 1501

(I) Division (I) of this section does not apply to conversion 1502  
community schools that primarily enroll students between sixteen 1503  
and twenty-two years of age who dropped out of high school or are 1504  
at risk of dropping out of high school due to poor attendance, 1505  
disciplinary problems, or suspensions. 1506

(1) For any district that sponsors a conversion community 1507  
school under Chapter 3314. of the Revised Code, the department 1508  
shall combine data regarding the academic performance of students 1509  
enrolled in the community school with comparable data from the 1510  
schools of the district for the purpose of determining the 1511  
performance of the district as a whole on the report card issued 1512

for the district under this section or section 3302.033 of the Revised Code. 1513  
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(2) Any district that leases a building to a community school located in the district or that enters into an agreement with a community school located in the district whereby the district and the school endorse each other's programs may elect to have data regarding the academic performance of students enrolled in the community school combined with comparable data from the schools of the district for the purpose of determining the performance of the district as a whole on the district report card. Any district that so elects shall annually file a copy of the lease or agreement with the department. 1515  
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(3) Any municipal school district, as defined in section 3311.71 of the Revised Code, that sponsors a community school located within the district's territory, or that enters into an agreement with a community school located within the district's territory whereby the district and the community school endorse each other's programs, may exercise either or both of the following elections: 1525  
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(a) To have data regarding the academic performance of students enrolled in that community school combined with comparable data from the schools of the district for the purpose of determining the performance of the district as a whole on the district's report card; 1532  
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(b) To have the number of students attending that community school noted separately on the district's report card. 1537  
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The election authorized under division (I)(3)(a) of this section is subject to approval by the governing authority of the community school. 1539  
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Any municipal school district that exercises an election to combine or include data under division (I)(3) of this section, by 1542  
1543

the first day of October of each year, shall file with the 1544  
department documentation indicating eligibility for that election, 1545  
as required by the department. 1546

(J) The department shall include on each report card the 1547  
percentage of teachers in the district or building who are highly 1548  
qualified, as defined by the "No Child Left Behind Act of 2001," 1549  
and a comparison of that percentage with the percentages of such 1550  
teachers in similar districts and buildings. 1551

(K)(1) In calculating English language arts, mathematics, 1552  
social studies, or science assessment passage rates used to 1553  
determine school district or building performance under this 1554  
section, the department shall include all students taking an 1555  
assessment with accommodation or to whom an alternate assessment 1556  
is administered pursuant to division (C)(1) or (3) of section 1557  
3301.0711 of the Revised Code. 1558

(2) In calculating performance index scores, rates of 1559  
achievement on the performance indicators established by the state 1560  
board under section 3302.02 of the Revised Code, and annual 1561  
measurable objectives for determining adequate yearly progress for 1562  
school districts and buildings under this section, the department 1563  
shall do all of the following: 1564

(a) Include for each district or building only those students 1565  
who are included in the ADM certified for the first full school 1566  
week of October and are continuously enrolled in the district or 1567  
building through the time of the spring administration of any 1568  
assessment prescribed by division (A)(1) or (B)(1) of section 1569  
3301.0710 or division (B) of section 3301.0712 of the Revised Code 1570  
that is administered to the student's grade level; 1571

(b) Include cumulative totals from both the fall and spring 1572  
administrations of the third grade English language arts 1573  
achievement assessment; 1574

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

(L) Beginning with the 2015-2016 school year and at least once every three years thereafter, the state board of education shall review and may adjust the benchmarks for assigning letter grades to the performance measures and components prescribed under ~~divisions~~ division (C)(3) ~~and (D)~~ of this section and under division (D) of this section, if applicable.

**Sec. 3302.031.** In addition to the report cards required under section 3302.03 of the Revised Code, the department of education shall annually prepare the following reports for each school district and make a copy of each report available to the superintendent of each district:

(A) A funding and expenditure accountability report which shall consist of the amount of state aid payments the school district will receive during the fiscal year under Chapter 3317. of the Revised Code and any other fiscal data the department determines is necessary to inform the public about the financial status of the district;

(B) A school safety and discipline report which shall consist of statistical information regarding student safety and discipline in each school building, including the number of suspensions and expulsions disaggregated according to race and gender;

(C) A student equity report which shall consist of at least a description of the status of teacher qualifications, library and media resources, textbooks, classroom materials and supplies, and technology resources for each district. To the extent possible, the information included in the report required under this division shall be disaggregated according to grade level, race,

gender, disability, and scores attained on assessments required 1606  
under ~~section~~ sections 3301.0710 and 3301.0712 of the Revised 1607  
Code. 1608

(D) A school enrollment report which shall consist of 1609  
information about the composition of classes within each district 1610  
by grade and subject disaggregated according to race, gender, and 1611  
scores attained on assessments required under ~~section~~ sections 1612  
3301.0710 and 3301.0712 of the Revised Code; 1613

(E) A student retention report which shall consist of the 1614  
number of students retained in their respective grade levels in 1615  
the district disaggregated by grade level, subject area, race, 1616  
gender, and disability; 1617

(F) A school district performance report which shall describe 1618  
for the district and each building within the district the extent 1619  
to which the district or building meets each of the applicable 1620  
performance indicators established under section 3302.02 of the 1621  
Revised Code, the number of performance indicators that have been 1622  
achieved, and the performance index score. In calculating the 1623  
rates of achievement on the performance indicators and the 1624  
performance index scores for each report, the department shall 1625  
exclude all students with disabilities. 1626

Sec. 3302.036. (A) Notwithstanding anything in the Revised 1627  
Code to the contrary, the report card ratings issued for the 1628  
2014-2015 school year shall not be considered in determining 1629  
whether a school district or a school is subject to sanctions or 1630  
penalties. However, the report card ratings of any previous or 1631  
subsequent years shall be considered in determining whether a 1632  
school district or building is subject to sanctions or penalties. 1633  
Accordingly, the report card ratings for the 2014-2015 school year 1634  
shall have no effect in determining sanctions or penalties, but 1635  
shall not create a new starting point for determinations that are 1636

based on ratings over multiple years. 1637

(B) The provisions from which a district or school is exempt 1638  
under division (A) of this section include, but are not limited 1639  
to, the following: 1640

(1) Any restructuring provisions established under this 1641  
chapter, except as required under the "No Child Left Behind Act of 1642  
2001"; 1643

(2) Provisions for the Columbus city school pilot project 1644  
under section 3302.042 of the Revised Code; 1645

(3) Provisions for academic distress commissions under 1646  
section 3302.10 of the Revised Code; 1647

(4) Provisions prescribing new buildings where students are 1648  
eligible for the educational choice scholarships under section 1649  
3310.03 of the Revised Code; 1650

(5) Provisions defining "challenged school districts" in 1651  
which new start-up community schools may be located, as prescribed 1652  
in section 3314.02 of the Revised Code; 1653

(6) Provisions prescribing community school closure 1654  
requirements under section 3314.35 or 3314.351 of the Revised 1655  
Code. 1656

**Sec. 3310.14.** Each chartered nonpublic school that is not 1657  
subject to division (K)(1)(a) of section 3301.0711 of the Revised 1658  
Code and enrolls students awarded scholarships under sections 1659  
3310.01 to 3310.17 of the Revised Code annually shall administer 1660  
the assessments prescribed by section 3301.0710 or 3301.0712 of 1661  
the Revised Code to each scholarship student enrolled in the 1662  
school in accordance with section 3301.0711 of the Revised Code. 1663  
Each chartered nonpublic school that is subject to this section 1664  
shall report to the department of education the results of each 1665

assessment administered to each scholarship student under this 1666  
section. 1667

Nothing in this section requires a chartered nonpublic school 1668  
to administer any achievement assessment, except for an Ohio 1669  
graduation test prescribed by division (B)(1) of section 3301.0710 1670  
or the college and work ready assessment system prescribed by 1671  
division (B) of section 3301.0712 of the Revised Code, ~~as required~~ 1672  
~~by section 3313.612 of the Revised Code,~~ to any student enrolled 1673  
in the school who is not a scholarship student. 1674

**Sec. 3310.522.** In order to maintain eligibility for a 1675  
scholarship under the program, a student shall take each 1676  
assessment prescribed by sections 3301.0710 and 3301.0712 of the 1677  
Revised Code, unless the student is excused from taking that 1678  
assessment under federal law or the student's individualized 1679  
education program. 1680

Each registered private provider that is not subject to 1681  
division (K)(1)(a) of section 3301.0711 of the Revised Code and 1682  
enrolls a student who is awarded a scholarship under this section 1683  
shall administer each assessment prescribed by sections 3301.0710 1684  
and 3301.0712 of the Revised Code to that student, unless the 1685  
student is excused from taking that assessment, and shall report 1686  
to the department the results of each assessment so administered. 1687

Nothing in this section requires any chartered nonpublic 1688  
school that is a registered private provider to administer any 1689  
achievement assessment, except for an Ohio graduation test 1690  
prescribed by division (B)(1) of section 3301.0710 or the college 1691  
and work ready assessment system prescribed by division (B) of 1692  
section 3301.0712 of the Revised Code, ~~as required by section~~ 1693  
~~3313.612 of the Revised Code,~~ to any student enrolled in the 1694  
school who is not a scholarship student. 1695

**Sec. 3313.532.** (A) Any person twenty-two or more years of age 1696  
and enrolled in an adult high school continuation program 1697  
established pursuant to section 3313.531 of the Revised Code may 1698  
request the board of education operating the program to conduct an 1699  
evaluation in accordance with division (C) of this section. 1700

(B) Any applicant to a board of education for a diploma of 1701  
adult education under division (B) of section 3313.611 of the 1702  
Revised Code may request the board to conduct an evaluation in 1703  
accordance with division (C) of this section. 1704

(C) Upon the request of any person pursuant to division (A) 1705  
or (B) of this section, the board of education to which the 1706  
request is made shall evaluate the person to determine whether the 1707  
person is disabled, in accordance with rules adopted by the state 1708  
board of education. If the evaluation indicates that the person is 1709  
disabled, the board shall determine whether to excuse the person 1710  
from taking any of the assessments required by ~~division (B) of~~ 1711  
section ~~3301.0710~~ 3313.618 of the Revised Code as a requirement 1712  
for receiving a diploma under section 3313.611 of the Revised 1713  
Code. The board may require the person to take an alternate 1714  
assessment in place of any test from which the person is so 1715  
excused. 1716

**Sec. 3313.603.** (A) As used in this section: 1717

(1) "One unit" means a minimum of one hundred twenty hours of 1718  
course instruction, except that for a laboratory course, "one 1719  
unit" means a minimum of one hundred fifty hours of course 1720  
instruction. 1721

(2) "One-half unit" means a minimum of sixty hours of course 1722  
instruction, except that for physical education courses, "one-half 1723  
unit" means a minimum of one hundred twenty hours of course 1724  
instruction. 1725



(B) Beginning September 15, 2001, except as required in	1726
division (C) of this section and division (C) of section 3313.614	1727
of the Revised Code, the requirements for graduation from every	1728
high school shall include twenty units earned in grades nine	1729
through twelve and shall be distributed as follows:	1730
(1) English language arts, four units;	1731
(2) Health, one-half unit;	1732
(3) Mathematics, three units;	1733
(4) Physical education, one-half unit;	1734
(5) Science, two units until September 15, 2003, and three	1735
units thereafter, which at all times shall include both of the	1736
following:	1737
(a) Biological sciences, one unit;	1738
(b) Physical sciences, one unit.	1739
(6) History and government, one unit, which shall comply with	1740
division (M) of this section and shall include both of the	1741
following:	1742
(a) American history, one-half unit;	1743
(b) American government, one-half unit.	1744
(7) Social studies, two units.	1745
(8) Elective units, seven units until September 15, 2003, and	1746
six units thereafter.	1747
Each student's electives shall include at least one unit, or	1748
two half units, chosen from among the areas of	1749
business/technology, fine arts, and/or foreign language.	1750
(C) Beginning with students who enter ninth grade for the	1751
first time on or after July 1, 2010, except as provided in	1752
divisions (D) to (F) of this section, the requirements for	1753
graduation from every public and chartered nonpublic high school	1754

shall include twenty units that are designed to prepare students	1755
for the workforce and college. The units shall be distributed as	1756
follows:	1757
(1) English language arts, four units;	1758
(2) Health, one-half unit, which shall include instruction in	1759
nutrition and the benefits of nutritious foods and physical	1760
activity for overall health;	1761
(3) Mathematics, four units, which shall include one unit of	1762
algebra II or the equivalent of algebra II;	1763
(4) Physical education, one-half unit;	1764
(5) Science, three units with inquiry-based laboratory	1765
experience that engages students in asking valid scientific	1766
questions and gathering and analyzing information, which shall	1767
include the following, or their equivalent:	1768
(a) Physical sciences, one unit;	1769
(b) Life sciences, one unit;	1770
(c) Advanced study in one or more of the following sciences,	1771
one unit:	1772
(i) Chemistry, physics, or other physical science;	1773
(ii) Advanced biology or other life science;	1774
(iii) Astronomy, physical geology, or other earth or space	1775
science.	1776
(6) History and government, one unit, which shall comply with	1777
division (M) of this section and shall include both of the	1778
following:	1779
(a) American history, one-half unit;	1780
(b) American government, one-half unit.	1781
(7) Social studies, two units.	1782

Each school shall integrate the study of economics and 1783  
financial literacy, as expressed in the social studies academic 1784  
content standards adopted by the state board of education under 1785  
division (A)(1) of section 3301.079 of the Revised Code and the 1786  
academic content standards for financial literacy and 1787  
entrepreneurship adopted under division (A)(2) of that section, 1788  
into one or more existing social studies credits required under 1789  
division (C)(7) of this section, or into the content of another 1790  
class, so that every high school student receives instruction in 1791  
those concepts. In developing the curriculum required by this 1792  
paragraph, schools shall use available public-private partnerships 1793  
and resources and materials that exist in business, industry, and 1794  
through the centers for economics education at institutions of 1795  
higher education in the state. 1796

(8) Five units consisting of one or any combination of 1797  
foreign language, fine arts, business, career-technical education, 1798  
family and consumer sciences, technology, agricultural education, 1799  
a junior reserve officer training corps (JROTC) program approved 1800  
by the congress of the United States under title 10 of the United 1801  
States Code, or English language arts, mathematics, science, or 1802  
social studies courses not otherwise required under division (C) 1803  
of this section. 1804

Ohioans must be prepared to apply increased knowledge and 1805  
skills in the workplace and to adapt their knowledge and skills 1806  
quickly to meet the rapidly changing conditions of the 1807  
twenty-first century. National studies indicate that all high 1808  
school graduates need the same academic foundation, regardless of 1809  
the opportunities they pursue after graduation. The goal of Ohio's 1810  
system of elementary and secondary education is to prepare all 1811  
students for and seamlessly connect all students to success in 1812  
life beyond high school graduation, regardless of whether the next 1813  
step is entering the workforce, beginning an apprenticeship, 1814

engaging in post-secondary training, serving in the military, or 1815  
pursuing a college degree. 1816

The Ohio core curriculum is the standard expectation for all 1817  
students entering ninth grade for the first time at a public or 1818  
chartered nonpublic high school on or after July 1, 2010. A 1819  
student may satisfy this expectation through a variety of methods, 1820  
including, but not limited to, integrated, applied, 1821  
career-technical, and traditional coursework. 1822

Whereas teacher quality is essential for student success in 1823  
completing the Ohio core curriculum, the general assembly shall 1824  
appropriate funds for strategic initiatives designed to strengthen 1825  
schools' capacities to hire and retain highly qualified teachers 1826  
in the subject areas required by the curriculum. Such initiatives 1827  
are expected to require an investment of \$120,000,000 over five 1828  
years. 1829

Stronger coordination between high schools and institutions 1830  
of higher education is necessary to prepare students for more 1831  
challenging academic endeavors and to lessen the need for academic 1832  
remediation in college, thereby reducing the costs of higher 1833  
education for Ohio's students, families, and the state. The state 1834  
board and the chancellor of the Ohio board of regents shall 1835  
develop policies to ensure that only in rare instances will 1836  
students who complete the Ohio core curriculum require academic 1837  
remediation after high school. 1838

School districts, community schools, and chartered nonpublic 1839  
schools shall integrate technology into learning experiences 1840  
across the curriculum in order to maximize efficiency, enhance 1841  
learning, and prepare students for success in the 1842  
technology-driven twenty-first century. Districts and schools 1843  
shall use distance and web-based course delivery as a method of 1844  
providing or augmenting all instruction required under this 1845  
division, including laboratory experience in science. Districts 1846

and schools shall utilize technology access and electronic 1847  
learning opportunities provided by the broadcast educational media 1848  
commission, chancellor, the Ohio learning network, education 1849  
technology centers, public television stations, and other public 1850  
and private providers. 1851

(D) Except as provided in division (E) of this section, a 1852  
student who enters ninth grade on or after July 1, 2010, and 1853  
before July 1, 2014, may qualify for graduation from a public or 1854  
chartered nonpublic high school even though the student has not 1855  
completed the Ohio core curriculum prescribed in division (C) of 1856  
this section if all of the following conditions are satisfied: 1857

(1) After the student has attended high school for two years, 1858  
as determined by the school, the student and the student's parent, 1859  
guardian, or custodian sign and file with the school a written 1860  
statement asserting the parent's, guardian's, or custodian's 1861  
consent to the student's graduating without completing the Ohio 1862  
core curriculum and acknowledging that one consequence of not 1863  
completing the Ohio core curriculum is ineligibility to enroll in 1864  
most state universities in Ohio without further coursework. 1865

(2) The student and parent, guardian, or custodian fulfill 1866  
any procedural requirements the school stipulates to ensure the 1867  
student's and parent's, guardian's, or custodian's informed 1868  
consent and to facilitate orderly filing of statements under 1869  
division (D)(1) of this section. 1870

(3) The student and the student's parent, guardian, or 1871  
custodian and a representative of the student's high school 1872  
jointly develop an individual career plan for the student that 1873  
specifies the student matriculating to a two-year degree program, 1874  
acquiring a business and industry credential, or entering an 1875  
apprenticeship. 1876

(4) The student's high school provides counseling and support 1877

for the student related to the plan developed under division 1878  
(D)(3) of this section during the remainder of the student's high 1879  
school experience. 1880

(5) The student successfully completes, at a minimum, the 1881  
curriculum prescribed in division (B) of this section. 1882

The department of education, in collaboration with the 1883  
chancellor, shall analyze student performance data to determine if 1884  
there are mitigating factors that warrant extending the exception 1885  
permitted by division (D) of this section to high school classes 1886  
beyond those entering ninth grade before July 1, 2014. The 1887  
department shall submit its findings and any recommendations not 1888  
later than August 1, 2014, to the speaker and minority leader of 1889  
the house of representatives, the president and minority leader of 1890  
the senate, the chairpersons and ranking minority members of the 1891  
standing committees of the house of representatives and the senate 1892  
that consider education legislation, the state board of education, 1893  
and the superintendent of public instruction. 1894

(E) Each school district and chartered nonpublic school 1895  
retains the authority to require an even more rigorous minimum 1896  
curriculum for high school graduation than specified in division 1897  
(B) or (C) of this section. A school district board of education, 1898  
through the adoption of a resolution, or the governing authority 1899  
of a chartered nonpublic school may stipulate any of the 1900  
following: 1901

(1) A minimum high school curriculum that requires more than 1902  
twenty units of academic credit to graduate; 1903

(2) An exception to the district's or school's minimum high 1904  
school curriculum that is comparable to the exception provided in 1905  
division (D) of this section but with additional requirements, 1906  
which may include a requirement that the student successfully 1907  
complete more than the minimum curriculum prescribed in division 1908

(B) of this section; 1909

(3) That no exception comparable to that provided in division 1910  
(D) of this section is available. 1911

(F) A student enrolled in a dropout prevention and recovery 1912  
program, which program has received a waiver from the department, 1913  
may qualify for graduation from high school by successfully 1914  
completing a competency-based instructional program administered 1915  
by the dropout prevention and recovery program in lieu of 1916  
completing the Ohio core curriculum prescribed in division (C) of 1917  
this section. The department shall grant a waiver to a dropout 1918  
prevention and recovery program, within sixty days after the 1919  
program applies for the waiver, if the program meets all of the 1920  
following conditions: 1921

(1) The program serves only students not younger than sixteen 1922  
years of age and not older than twenty-one years of age. 1923

(2) The program enrolls students who, at the time of their 1924  
initial enrollment, either, or both, are at least one grade level 1925  
behind their cohort age groups or experience crises that 1926  
significantly interfere with their academic progress such that 1927  
they are prevented from continuing their traditional programs. 1928

(3) The program requires students to do one of the following: 1929

(a) Prior to July 1, 2015, attain either at least the 1930  
applicable score designated for each of the assessments prescribed 1931  
under division (B)(1) of section 3301.0710 of the Revised Code ~~or,~~ 1932  
~~to the extent prescribed by rule of the state board under division 1933  
(D)(6) of section 3301.0712 of the Revised Code, division (B)(2)  
of that section, a score specified under division (B)(4)(c) of 1934  
section 3301.0712 of the Revised Code on the end-of-course 1935  
examinations prescribed under division (B) of that section, or a 1936  
score that demonstrates workforce readiness and employability on a 1937  
nationally recognized job skills assessment selected by the state 1938  
1939~~

board of education under division (D) of section 3301.0712 of the 1940  
Revised Code; 1941

(b) On or after July 1, 2015, satisfy one of the requirements 1942  
under division (A) of section 3314.019 of the Revised Code. 1943

(4) The program develops an individual career plan for the 1944  
student that specifies the student's matriculating to a two-year 1945  
degree program, acquiring a business and industry credential, or 1946  
entering an apprenticeship. 1947

(5) The program provides counseling and support for the 1948  
student related to the plan developed under division (F)(4) of 1949  
this section during the remainder of the student's high school 1950  
experience. 1951

(6) The program requires the student and the student's 1952  
parent, guardian, or custodian to sign and file, in accordance 1953  
with procedural requirements stipulated by the program, a written 1954  
statement asserting the parent's, guardian's, or custodian's 1955  
consent to the student's graduating without completing the Ohio 1956  
core curriculum and acknowledging that one consequence of not 1957  
completing the Ohio core curriculum is ineligibility to enroll in 1958  
most state universities in Ohio without further coursework. 1959

(7) Prior to receiving the waiver, the program has submitted 1960  
to the department an instructional plan that demonstrates how the 1961  
academic content standards adopted by the state board under 1962  
section 3301.079 of the Revised Code will be taught and assessed. 1963

If the department does not act either to grant the waiver or 1964  
to reject the program application for the waiver within sixty days 1965  
as required under this section, the waiver shall be considered to 1966  
be granted. 1967

(G) Every high school may permit students below the ninth 1968  
grade to take advanced work. If a high school so permits, it shall 1969  
award high school credit for successful completion of the advanced 1970



work and shall count such advanced work toward the graduation 1971  
requirements of division (B) or (C) of this section if the 1972  
advanced work was both: 1973

(1) Taught by a person who possesses a license or certificate 1974  
issued under section 3301.071, 3319.22, or 3319.222 of the Revised 1975  
Code that is valid for teaching high school; 1976

(2) Designated by the board of education of the city, local, 1977  
or exempted village school district, the board of the cooperative 1978  
education school district, or the governing authority of the 1979  
chartered nonpublic school as meeting the high school curriculum 1980  
requirements. 1981

Each high school shall record on the student's high school 1982  
transcript all high school credit awarded under division (G) of 1983  
this section. In addition, if the student completed a seventh- or 1984  
eighth-grade fine arts course described in division (K) of this 1985  
section and the course qualified for high school credit under that 1986  
division, the high school shall record that course on the 1987  
student's high school transcript. 1988

(H) The department shall make its individual academic career 1989  
plan available through its Ohio career information system web site 1990  
for districts and schools to use as a tool for communicating with 1991  
and providing guidance to students and families in selecting high 1992  
school courses. 1993

(I) Units earned in English language arts, mathematics, 1994  
science, and social studies that are delivered through integrated 1995  
academic and career-technical instruction are eligible to meet the 1996  
graduation requirements of division (B) or (C) of this section. 1997

(J)(1) The state board, in consultation with the chancellor, 1998  
shall adopt a statewide plan implementing methods for students to 1999  
earn units of high school credit based on a demonstration of 2000  
subject area competency, instead of or in combination with 2001

completing hours of classroom instruction. The state board shall 2002  
adopt the plan not later than March 31, 2009, and commence phasing 2003  
in the plan during the 2009-2010 school year. The plan shall 2004  
include a standard method for recording demonstrated proficiency 2005  
on high school transcripts. Each school district and community 2006  
school shall comply with the state board's plan adopted under ~~this~~ 2007  
division (J)(1) of this section and award units of high school 2008  
credit in accordance with the plan. The state board may adopt 2009  
existing methods for earning high school credit based on a 2010  
demonstration of subject area competency as necessary prior to the 2011  
2009-2010 school year. 2012

(2) Notwithstanding anything to the contrary in this section, 2013  
the state board shall adopt a policy to grant course credit, 2014  
beginning July 1, 2014, to any student who does not complete a 2015  
course of instruction but who demonstrates at least a proficient 2016  
level of understanding in that course's subject matter by way of 2017  
attaining any of the following scores: 2018

(a) A score of three or above on the corresponding advanced 2019  
placement examination; 2020

(b) A score of four or above on the corresponding 2021  
international baccalaureate examination; 2022

(c) A score that is at or above the proficient level on a 2023  
corresponding end-of-course examination, or the equivalent, 2024  
prescribed under division (B) of section 3301.0712 of the Revised 2025  
Code; 2026

(d) A score set by the state board that is at or above the 2027  
proficient level on any other corresponding examination approved 2028  
by the state board that is not included in the list adopted under 2029  
division (B)(3) of section 3301.0712 of the Revised Code. 2030

(3) Not later than one hundred twenty days after the 2031  
effective date of this amendment, the state board shall establish 2032

<u>both of the following:</u>	2033
<u>(a) The minimum score needed to demonstrate a proficient level on an examination described in division (J)(2)(d) of this section that a student must attain in order to receive credit;</u>	2034 2035 2036
<u>(b) The amount of credit to be awarded to a student based on the student's score on any of the examinations described in division (J)(2) of this section.</u>	2037 2038 2039
<u>Each school district and community school shall comply with the state board's policy adopted under division (J)(2) of this section and award units of high school credit in accordance with the policy.</u>	2040 2041 2042 2043
<u>Notwithstanding any provision to the contrary in Chapter 4117. of the Revised Code, the requirements of division (J)(2) of this section prevail over any conflicting provisions of a collective bargaining agreement entered into on or after the effective date of this amendment.</u>	2044 2045 2046 2047 2048
<u>(K) This division does not apply to students who qualify for graduation from high school under division (D) or (F) of this section, or to students pursuing a career-technical instructional track as determined by the school district board of education or the chartered nonpublic school's governing authority. Nevertheless, the general assembly encourages such students to consider enrolling in a fine arts course as an elective.</u>	2049 2050 2051 2052 2053 2054 2055
<u>Beginning with students who enter ninth grade for the first time on or after July 1, 2010, each student enrolled in a public or chartered nonpublic high school shall complete two semesters or the equivalent of fine arts to graduate from high school. The coursework may be completed in any of grades seven to twelve. Each student who completes a fine arts course in grade seven or eight may elect to count that course toward the five units of electives required for graduation under division (C)(8) of this section, if</u>	2056 2057 2058 2059 2060 2061 2062 2063

the course satisfied the requirements of division (G) of this 2064  
section. In that case, the high school shall award the student 2065  
high school credit for the course and count the course toward the 2066  
five units required under division (C)(8) of this section. If the 2067  
course in grade seven or eight did not satisfy the requirements of 2068  
division (G) of this section, the high school shall not award the 2069  
student high school credit for the course but shall count the 2070  
course toward the two semesters or the equivalent of fine arts 2071  
required by this division. 2072

(L) Notwithstanding anything to the contrary in this section, 2073  
the board of education of each school district and the governing 2074  
authority of each chartered nonpublic school may adopt a policy to 2075  
excuse from the high school physical education requirement each 2076  
student who, during high school, has participated in 2077  
interscholastic athletics, marching band, or cheerleading for at 2078  
least two full seasons or in the junior reserve officer training 2079  
corps for at least two full school years. If the board or 2080  
authority adopts such a policy, the board or authority shall not 2081  
require the student to complete any physical education course as a 2082  
condition to graduate. However, the student shall be required to 2083  
complete one-half unit, consisting of at least sixty hours of 2084  
instruction, in another course of study. In the case of a student 2085  
who has participated in the junior reserve officer training corps 2086  
for at least two full school years, credit received for that 2087  
participation may be used to satisfy the requirement to complete 2088  
one-half unit in another course of study. 2089

(M) It is important that high school students learn and 2090  
understand United States history and the governments of both the 2091  
United States and the state of Ohio. Therefore, beginning with 2092  
students who enter ninth grade for the first time on or after July 2093  
1, 2012, the study of American history and American government 2094  
required by divisions (B)(6) and (C)(6) of this section shall 2095

include the study of all of the following documents:	2096
(1) The Declaration of Independence;	2097
(2) The Northwest Ordinance;	2098
(3) The Constitution of the United States with emphasis on the Bill of Rights;	2099 2100
(4) The Ohio Constitution.	2101
The study of each of the documents prescribed in divisions (M)(1) to (4) of this section shall include study of that document in its original context.	2102 2103 2104
The study of American history and government required by divisions (B)(6) and (C)(6) of this section shall include the historical evidence of the role of documents such as the Federalist Papers and the Anti-Federalist Papers to firmly establish the historical background leading to the establishment of the provisions of the Constitution and Bill of Rights.	2105 2106 2107 2108 2109 2110
<b>Sec. 3313.61.</b> (A) A diploma shall be granted by the board of education of any city, exempted village, or local school district that operates a high school to any person to whom all of the following apply:	2111 2112 2113 2114
(1) The person has successfully completed the curriculum in any high school or the individualized education program developed for the person by any high school pursuant to section 3323.08 of the Revised Code, or has qualified under division (D) or (F) of section 3313.603 of the Revised Code, provided that no school district shall require a student to remain in school for any specific number of semesters or other terms if the student completes the required curriculum early;	2115 2116 2117 2118 2119 2120 2121 2122
(2) Subject to section 3313.614 of the Revised Code, the person has met the assessment requirements of division (A)(2)(a) or (b) of this section, as applicable.	2123 2124 2125

(a) If the person entered the ninth grade prior to ~~the date~~ 2126  
~~prescribed by rule of the state board of education under division~~ 2127  
~~(D)(2) of section 3301.0712 of the Revised Code July 1, 2015,~~ the 2128  
person either: 2129

(i) Has attained at least the applicable scores designated 2130  
under division (B)(1) of section 3301.0710 of the Revised Code on 2131  
all the assessments required by that division unless the person 2132  
was excused from taking any such assessment pursuant to section 2133  
3313.532 of the Revised Code or unless division ~~(H)(I)~~ or ~~(L)(M)~~ 2134  
of this section applies to the person; 2135

(ii) Has satisfied the alternative conditions prescribed in 2136  
section 3313.615 of the Revised Code. 2137

(b) If the person entered the ninth grade on or after ~~the~~ 2138  
~~date prescribed by rule of the state board under division (D)(2)~~ 2139  
~~of section 3301.0712 of the Revised Code July 1, 2015,~~ the person 2140  
has met the ~~requirements of the entire assessment system~~ 2141  
~~requirement~~ prescribed ~~under division (B)(2) of~~ by section 2142  
~~3301.0710~~ 3313.618 of the Revised Code, except to the extent that 2143  
the person is excused from ~~some portion of an assessment~~ 2144  
~~prescribed by that assessment system section~~ pursuant to section 2145  
3313.532 of the Revised Code or division ~~(H)(I)~~ or ~~(L)(M)~~ of this 2146  
section. 2147

(3) The person is not eligible to receive an honors diploma 2148  
granted pursuant to division (B) of this section. 2149

Except as provided in divisions ~~(C)(D)~~, ~~(E)(F)~~, ~~(J)(K)~~, and 2150  
~~(L)(M)~~ of this section, no diploma shall be granted under this 2151  
division to anyone except as provided under this division. 2152

(B) In lieu of a diploma granted under division (A) of this 2153  
section, an honors diploma shall be granted, in accordance with 2154  
rules of the state board, by any such district board to anyone who 2155  
accomplishes all of the following: 2156

(1) Successfully completes the curriculum in any high school 2157  
or the individualized education program developed for the person 2158  
by any high school pursuant to section 3323.08 of the Revised 2159  
Code; 2160

(2) Subject to section 3313.614 of the Revised Code, has met 2161  
the assessment requirements of division (B)(2)(a) or (b) of this 2162  
section, as applicable. 2163

(a) If the person entered the ninth grade prior to ~~the date~~ 2164  
~~prescribed by rule of the state board of education under division~~ 2165  
~~(D)(2) of section 3301.0712 of the Revised Code July 1, 2015~~, the 2166  
person either: 2167

(i) Has attained at least the applicable scores designated 2168  
under division (B)(1) of section 3301.0710 of the Revised Code on 2169  
all the assessments required by that division; 2170

(ii) Has satisfied the alternative conditions prescribed in 2171  
section 3313.615 of the Revised Code. 2172

(b) If the person entered the ninth grade on or after ~~the~~ 2173  
~~date prescribed by rule of the state board under division (D)(2)~~ 2174  
~~of section 3301.0712 of the Revised Code July 1, 2015~~, the person 2175  
has met the ~~requirements of the entire assessment system~~ 2176  
requirement prescribed under ~~division (B)(2) of section 3301.0710~~ 2177  
3313.618 of the Revised Code. 2178

(3) Has met additional criteria established by the state 2179  
board for the granting of such a diploma. 2180

An honors diploma shall not be granted to a student who is 2181  
subject to the Ohio core curriculum prescribed in division (C) of 2182  
section 3313.603 of the Revised Code but elects the option of 2183  
division (D) or (F) of that section. Except as provided in 2184  
divisions ~~(C)(D)~~, ~~(E)(F)~~, and ~~(J)(K)~~ of this section, no honors 2185  
diploma shall be granted to anyone failing to comply with this 2186  
division and no more than one honors diploma shall be granted to 2187

any student under this division. 2188

The state board shall adopt rules prescribing the granting of 2189  
honors diplomas under this division. These rules may prescribe the 2190  
granting of honors diplomas that recognize a student's achievement 2191  
as a whole or that recognize a student's achievement in one or 2192  
more specific subjects or both. The rules may prescribe the 2193  
granting of an honors diploma recognizing technical expertise for 2194  
a career-technical student. In any case, the rules shall designate 2195  
two or more criteria for the granting of each type of honors 2196  
diploma the board establishes under this division and the number 2197  
of such criteria that must be met for the granting of that type of 2198  
diploma. The number of such criteria for any type of honors 2199  
diploma shall be at least one less than the total number of 2200  
criteria designated for that type and no one or more particular 2201  
criteria shall be required of all persons who are to be granted 2202  
that type of diploma. 2203

(C) A diploma or honors diploma granted to a student under 2204  
division (A) or (B) of this section may include one or both of the 2205  
following endorsements: 2206

(1) Remediation-free endorsement, which is earned by being 2207  
determined to be remediation-free, as described under division (F) 2208  
of section 3345.061 of the Revised Code, on each of the nationally 2209  
standardized assessments in English, mathematics, and reading; 2210

(2) Workforce-ready endorsement, which is earned by attaining 2211  
a score that demonstrates workforce readiness and employability on 2212  
a nationally recognized job skills assessment selected by the 2213  
state board of education under division (D) of section 3301.0712 2214  
of the Revised Code or obtaining either an industry-recognized 2215  
credential, as described in division (B)(2)(d) of section 3302.03 2216  
of the Revised Code, or a license issued by a state agency or 2217  
board for practice in a vocation that requires an examination for 2218  
issuance of that license. 2219



(D) Any district board administering any of the assessments 2220  
required by section 3301.0710 of the Revised Code to any person 2221  
requesting to take such assessment pursuant to division (B)(8)(b) 2222  
of section 3301.0711 of the Revised Code shall award a diploma to 2223  
such person if the person attains at least the applicable scores 2224  
designated under division (B)(1) of section 3301.0710 of the 2225  
Revised Code on all the assessments administered and if the person 2226  
has previously attained the applicable scores on all the other 2227  
assessments required by division (B)(1) of that section or has 2228  
been exempted or excused from attaining the applicable score on 2229  
any such assessment pursuant to division ~~(H)~~(I) or ~~(L)~~(M) of this 2230  
section or from taking any such assessment pursuant to section 2231  
3313.532 of the Revised Code. 2232

~~(D)~~(E) Each diploma awarded under this section shall be 2233  
signed by the president and treasurer of the issuing board, the 2234  
superintendent of schools, and the principal of the high school. 2235  
Each diploma shall bear the date of its issue, be in such form as 2236  
the district board prescribes, and be paid for out of the 2237  
district's general fund. 2238

~~(E)~~(F) A person who is a resident of Ohio and is eligible 2239  
under state board of education minimum standards to receive a high 2240  
school diploma based in whole or in part on credits earned while 2241  
an inmate of a correctional institution operated by the state or 2242  
any political subdivision thereof, shall be granted such diploma 2243  
by the correctional institution operating the programs in which 2244  
such credits were earned, and by the board of education of the 2245  
school district in which the inmate resided immediately prior to 2246  
the inmate's placement in the institution. The diploma granted by 2247  
the correctional institution shall be signed by the director of 2248  
the institution, and by the person serving as principal of the 2249  
institution's high school and shall bear the date of issue. 2250

~~(F)~~(G) Persons who are not residents of Ohio but who are 2251

inmates of correctional institutions operated by the state or any 2252  
political subdivision thereof, and who are eligible under state 2253  
board of education minimum standards to receive a high school 2254  
diploma based in whole or in part on credits earned while an 2255  
inmate of the correctional institution, shall be granted a diploma 2256  
by the correctional institution offering the program in which the 2257  
credits were earned. The diploma granted by the correctional 2258  
institution shall be signed by the director of the institution and 2259  
by the person serving as principal of the institution's high 2260  
school and shall bear the date of issue. 2261

~~(G)~~(H) The state board of education shall provide by rule for 2262  
the administration of the assessments required by ~~section~~ sections 2263  
3301.0710 and 3301.0712 of the Revised Code to inmates of 2264  
correctional institutions. 2265

~~(H)~~(I) Any person to whom all of the following apply shall be 2266  
exempted from attaining the applicable score on the assessment in 2267  
social studies designated under division (B)(1) of section 2268  
3301.0710 of the Revised Code, any American history end-of-course 2269  
examination and any American government end-of-course examination 2270  
required under division (B)~~(2)~~ of ~~that~~ section 3301.0712 of the 2271  
Revised Code if such an exemption is prescribed by rule of the 2272  
state board under division ~~(D)~~~~(4)~~(G)(3) of section 3301.0712 of 2273  
the Revised Code, or the test in citizenship designated under 2274  
former division (B) of section 3301.0710 of the Revised Code as it 2275  
existed prior to September 11, 2001: 2276

(1) The person is not a citizen of the United States; 2277

(2) The person is not a permanent resident of the United 2278  
States; 2279

(3) The person indicates no intention to reside in the United 2280  
States after the completion of high school. 2281

~~(I)~~(J) Notwithstanding division (D) of section 3311.19 and 2282

division (D) of section 3311.52 of the Revised Code, this section 2283  
and section 3311.611 of the Revised Code do not apply to the board 2284  
of education of any joint vocational school district or any 2285  
cooperative education school district established pursuant to 2286  
divisions (A) to (C) of section 3311.52 of the Revised Code. 2287

~~(J)~~(K) Upon receipt of a notice under division (D) of section 2288  
3325.08 or division (D) of section 3328.25 of the Revised Code 2289  
that a student has received a diploma under either section, the 2290  
board of education receiving the notice may grant a high school 2291  
diploma under this section to the student, except that such board 2292  
shall grant the student a diploma if the student meets the 2293  
graduation requirements that the student would otherwise have had 2294  
to meet to receive a diploma from the district. The diploma 2295  
granted under this section shall be of the same type the notice 2296  
indicates the student received under section 3325.08 or 3328.25 of 2297  
the Revised Code. 2298

~~(K)~~(L) As used in this division, "limited English proficient 2299  
student" has the same meaning as in division (C)(3) of section 2300  
3301.0711 of the Revised Code. 2301

Notwithstanding division (C)(3) of section 3301.0711 of the 2302  
Revised Code, no limited English proficient student who has not 2303  
either attained the applicable scores designated under division 2304  
(B)(1) of section 3301.0710 of the Revised Code on all the 2305  
assessments required by that division, or met the ~~requirements of~~ 2306  
~~the assessments required by division (B)(2) of that requirement~~ 2307  
prescribed by section 3313.618 of the Revised Code, shall be 2308  
awarded a diploma under this section. 2309

~~(L)~~(M) Any student described by division (A)(1) of this 2310  
section may be awarded a diploma without ~~attaining the applicable~~ 2311  
~~scores designated on the assessments~~ meeting the requirement 2312  
~~prescribed under division (B) of~~ by section 3301.0710 3313.618 of 2313  
the Revised Code provided an individualized education program 2314

specifically exempts the student from ~~attaining~~ meeting such 2315  
~~scores~~ requirement. This division does not negate the requirement 2316  
for ~~such~~ a student to take ~~all such~~ the assessments prescribed by 2317  
section 3301.0710 or under division (B) of section 3301.0712 of 2318  
the Revised Code, or alternate assessments required by division 2319  
(C)(1) of section 3301.0711 of the Revised Code, for the purpose 2320  
of assessing student progress as required by federal law. 2321

(N) The state board shall not create any additional type of 2322  
diploma other than those authorized by this section or section 2323  
3313.611, 3313.612, 3325.08, or 3328.25 of the Revised Code. 2324

**Sec. 3313.611.** (A) The state board of education shall adopt, 2325  
by rule, standards for awarding high school credit equivalent to 2326  
credit for completion of high school academic and vocational 2327  
education courses to applicants for diplomas under this section. 2328  
The standards may permit high school credit to be granted to an 2329  
applicant for any of the following: 2330

(1) Work experiences or experiences as a volunteer; 2331

(2) Completion of academic, vocational, or self-improvement 2332  
courses offered to persons over the age of twenty-one by a 2333  
chartered public or nonpublic school; 2334

(3) Completion of academic, vocational, or self-improvement 2335  
courses offered by an organization, individual, or educational 2336  
institution other than a chartered public or nonpublic school; 2337

(4) Other life experiences considered by the board to provide 2338  
knowledge and learning experiences comparable to that gained in a 2339  
classroom setting. 2340

(B) The board of education of any city, exempted village, or 2341  
local school district that operates a high school shall grant a 2342  
diploma of adult education to any applicant if all of the 2343  
following apply: 2344

(1) The applicant is a resident of the district; 2345

(2) The applicant is over the age of twenty-one and has not 2346  
been issued a diploma as provided in section 3313.61 of the 2347  
Revised Code; 2348

(3) Subject to section 3313.614 of the Revised Code, the 2349  
applicant has met the assessment requirements of division 2350  
(B)(3)(a) or (b) of this section, as applicable. 2351

(a) ~~Prior to the date prescribed by rule of the state board~~ 2352  
~~under division (D)(3) of section 3301.0712 of the Revised Code~~ 2353  
July 1, 2015, the applicant either: 2354

(i) Has attained the applicable scores designated under 2355  
division (B)(1) of section 3301.0710 of the Revised Code on all of 2356  
the assessments required by that division or was excused or 2357  
exempted from any such assessment pursuant to section 3313.532 or 2358  
was exempted from attaining the applicable score on any such 2359  
assessment pursuant to division ~~(H)~~(I) or ~~(L)~~(M) of section 2360  
3313.61 of the Revised Code; 2361

(ii) Has satisfied the alternative conditions prescribed in 2362  
section 3313.615 of the Revised Code. 2363

(b) On or after ~~the date prescribed by rule of the state~~ 2364  
~~board under division (D)(3) of section 3301.0712 of the Revised~~ 2365  
~~Code~~ July 1, 2015, has met the ~~requirements of the entire~~ 2366  
~~assessment system~~ requirement prescribed under ~~division (B)(2) of~~ 2367  
~~by~~ section ~~3301.0710~~ 3313.618 of the Revised Code, except and only 2368  
to the extent that the applicant is excused from some portion of 2369  
that ~~assessment system~~ section pursuant to section 3313.532 of the 2370  
Revised Code or division ~~(H)~~(I) or ~~(L)~~(M) of section 3313.61 of 2371  
the Revised Code. 2372

(4) The district board determines, in accordance with the 2373  
standards adopted under division (A) of this section, that the 2374  
applicant has attained sufficient high school credits, including 2375

equivalent credits awarded under such standards, to qualify as 2376  
having successfully completed the curriculum required by the 2377  
district for graduation. 2378

(C) If a district board determines that an applicant is not 2379  
eligible for a diploma under division (B) of this section, it 2380  
shall inform the applicant of the reason the applicant is 2381  
ineligible and shall provide a list of any courses required for 2382  
the diploma for which the applicant has not received credit. An 2383  
applicant may reapply for a diploma under this section at any 2384  
time. 2385

(D) If a district board awards an adult education diploma 2386  
under this section, the president and treasurer of the board and 2387  
the superintendent of schools shall sign it. Each diploma shall 2388  
bear the date of its issuance, be in such form as the district 2389  
board prescribes, and be paid for from the district's general 2390  
fund, except that the state board may by rule prescribe standard 2391  
language to be included on each diploma. 2392

(E) As used in this division, "limited English proficient 2393  
student" has the same meaning as in division (C)(3) of section 2394  
3301.0711 of the Revised Code. 2395

Notwithstanding division (C)(3) of section 3301.0711 of the 2396  
Revised Code, no limited English proficient student who has not 2397  
either attained the applicable scores designated under division 2398  
(B)(1) of section 3301.0710 of the Revised Code on all the 2399  
assessments required by that division, or has not met the 2400  
~~requirements of the assessments required~~ requirement prescribed by 2401  
~~division (B)(2) of that section 3313.618 of the Revised Code,~~ 2402  
shall be awarded a diploma under this section. 2403

**Sec. 3313.612.** (A) No nonpublic school chartered by the state 2404  
board of education shall grant a high school diploma to any person 2405  
unless, subject to section 3313.614 of the Revised Code, the 2406

person has met the assessment requirements of division (A)(1) or 2407  
(2) of this section, as applicable. 2408

(1) If the person entered the ninth grade prior to ~~the date~~ 2409  
~~prescribed by rule of the state board under division (D)(2) of~~ 2410  
~~section 3301.0712 of the Revised Code July 1, 2015~~, the person has 2411  
attained at least the applicable scores designated under division 2412  
(B)(1) of section 3301.0710 of the Revised Code on all the 2413  
assessments required by that division, or has satisfied the 2414  
alternative conditions prescribed in section 3313.615 of the 2415  
Revised Code. 2416

(2) If the person entered the ninth grade on or after ~~the~~ 2417  
~~date prescribed by rule of the state board under division (E)(2)~~ 2418  
~~of section 3301.0712 of the Revised Code July 1, 2015~~, the person 2419  
has met the ~~requirements of the entire assessment system~~ 2420  
requirement prescribed ~~under division (B)(2) of~~ by section 2421  
~~3301.0710~~ 3313.618 of the Revised Code. 2422

(B) This section does not apply to ~~any~~ either of the 2423  
following: 2424

(1) Any person with regard to any assessment from which the 2425  
person was excused pursuant to division (C)(1)(c) of section 2426  
3301.0711 of the Revised Code; 2427

(2) ~~Any person that attends a nonpublic school accredited~~ 2428  
~~through the independent school association of the central states~~ 2429  
~~with regard to any end-of-course examination required under~~ 2430  
~~divisions (B)(2) and (3) of section 3301.0712 of the Revised Code;~~ 2431

~~(3)~~ Any person with regard to the social studies assessment 2432  
under division (B)(1) of section 3301.0710 of the Revised Code, 2433  
any American history end-of-course examination and any American 2434  
government end-of-course examination required under division 2435  
(B)~~(2)~~ of ~~that~~ section 3301.0712 of the Revised Code if such an 2436  
exemption is prescribed by rule of the state board of education 2437

under division ~~(D)(4)~~(G)(3) of section 3301.0712 of the Revised Code, or the citizenship test under former division (B) of section 3301.0710 of the Revised Code as it existed prior to September 11, 2001, if all of the following apply:

(a) The person is not a citizen of the United States;

(b) The person is not a permanent resident of the United States;

(c) The person indicates no intention to reside in the United States after completion of high school.

(C) As used in this division, "limited English proficient student" has the same meaning as in division (C)(3) of section 3301.0711 of the Revised Code.

Notwithstanding division (C)(3) of section 3301.0711 of the Revised Code, no limited English proficient student who has not either attained the applicable scores designated under division (B)(1) of section 3301.0710 of the Revised Code on all the assessments required by that division, or met the ~~requirements of the assessments under division (B)(2) of that requirement~~ prescribed by section 3313.618 of the Revised Code, shall be awarded a diploma under this section.

**Sec. 3313.614.** (A) As used in this section, a person "fulfills the curriculum requirement for a diploma" at the time one of the following conditions is satisfied:

(1) The person successfully completes the high school curriculum of a school district, a community school, a chartered nonpublic school, or a correctional institution.

(2) The person successfully completes the individualized education program developed for the person under section 3323.08 of the Revised Code.

(3) A board of education issues its determination under



section 3313.611 of the Revised Code that the person qualifies as 2468  
having successfully completed the curriculum required by the 2469  
district. 2470

(B) This division specifies the assessment requirements that 2471  
must be fulfilled as a condition toward granting high school 2472  
diplomas under sections 3313.61, 3313.611, 3313.612, and 3325.08 2473  
of the Revised Code. 2474

(1) A person who fulfills the curriculum requirement for a 2475  
diploma before September 15, 2000, is not required to pass any 2476  
proficiency test or achievement test in science as a condition to 2477  
receiving a diploma. 2478

(2) A person who began ninth grade prior to July 1, 2003, is 2479  
not required to pass the Ohio graduation test prescribed under 2480  
division (B)(1) of section 3301.0710 or any assessment prescribed 2481  
under division (B)(2) of that section in any subject as a 2482  
condition to receiving a diploma once the person has passed the 2483  
ninth grade proficiency test in the same subject, so long as the 2484  
person passed the ninth grade proficiency test prior to September 2485  
15, 2008. However, any such person who passes the Ohio graduation 2486  
test in any subject prior to passing the ninth grade proficiency 2487  
test in the same subject shall be deemed to have passed the ninth 2488  
grade proficiency test in that subject as a condition to receiving 2489  
a diploma. For this purpose, the ninth grade proficiency test in 2490  
citizenship substitutes for the Ohio graduation test in social 2491  
studies. If a person began ninth grade prior to July 1, 2003, but 2492  
does not pass a ninth grade proficiency test or the Ohio 2493  
graduation test in a particular subject before September 15, 2008, 2494  
and passage of a test in that subject is a condition for the 2495  
person to receive a diploma, the person must pass the Ohio 2496  
graduation test instead of the ninth grade proficiency test in 2497  
that subject to receive a diploma. 2498

(3) A person who begins ninth grade on or after July 1, 2003, 2499

in a school district, community school, or chartered nonpublic 2500  
school is not eligible to receive a diploma based on passage of 2501  
ninth grade proficiency tests. Each such person who begins ninth 2502  
grade prior to ~~the date prescribed by the state board of education~~ 2503  
~~under division (D)(5) of section 3301.0712 of the Revised Code~~ 2504  
July 1, 2015, must pass Ohio graduation tests to meet the 2505  
assessment requirements applicable to that person as a condition 2506  
to receiving a diploma. 2507

(4) A person who begins ninth grade on or after ~~the date~~ 2508  
~~prescribed by the state board of education under division (D)(5)~~ 2509  
~~of section 3301.0712 of the Revised Code~~ July 1, 2015, is not 2510  
eligible to receive a diploma based on passage of the Ohio 2511  
graduation tests. Each such person must meet the ~~requirements of~~ 2512  
~~the entire assessment system~~ requirement prescribed ~~under division~~ 2513  
~~(B)(2) of~~ by section ~~3301.0710~~ 3313.618 of the Revised Code. 2514

(C) This division specifies the curriculum requirement that 2515  
shall be completed as a condition toward granting high school 2516  
diplomas under sections 3313.61, 3313.611, 3313.612, and 3325.08 2517  
of the Revised Code. 2518

(1) A person who is under twenty-two years of age when the 2519  
person fulfills the curriculum requirement for a diploma shall 2520  
complete the curriculum required by the school district or school 2521  
issuing the diploma for the first year that the person originally 2522  
enrolled in high school, except for a person who qualifies for 2523  
graduation from high school under either division (D) or (F) of 2524  
section 3313.603 of the Revised Code. 2525

(2) Once a person fulfills the curriculum requirement for a 2526  
diploma, the person is never required, as a condition of receiving 2527  
a diploma, to meet any different curriculum requirements that take 2528  
effect pending the person's passage of proficiency tests or 2529  
achievement tests or assessments, including changes mandated by 2530  
section 3313.603 of the Revised Code, the state board, a school 2531

district board of education, or a governing authority of a 2532  
community school or chartered nonpublic school. 2533

**Sec. 3313.615.** This section shall apply to diplomas awarded 2534  
after September 15, 2006, to students who are required to take the 2535  
five Ohio graduation tests prescribed by division (B)(1) of 2536  
section 3301.0710 of the Revised Code. This section does not apply 2537  
to any student who enters ninth grade for the first time on or 2538  
after July 1, 2015. 2539

(A) As an alternative to the requirement that a person attain 2540  
the scores designated under division (B)(1) of section 3301.0710 2541  
of the Revised Code on all the assessments required under that 2542  
division in order to be eligible for a high school diploma or an 2543  
honors diploma under sections 3313.61, 3313.612, or 3325.08 of the 2544  
Revised Code or for a diploma of adult education under section 2545  
3313.611 of the Revised Code, a person who has attained at least 2546  
the applicable scores designated under division (B)(1) of section 2547  
3301.0710 of the Revised Code on all but one of the assessments 2548  
required by that division and from which the person was not 2549  
excused or exempted, pursuant to division ~~(L)~~(M) of section 2550  
3313.61, division (B)(1) of section 3313.612, or section 3313.532 2551  
of the Revised Code, may be awarded a diploma or honors diploma if 2552  
the person has satisfied all of the following conditions: 2553

(1) On the one assessment required under division (B)(1) of 2554  
section 3301.0710 of the Revised Code for which the person failed 2555  
to attain the designated score, the person missed that score by 2556  
ten points or less; 2557

(2) Has a ninety-seven per cent school attendance rate in 2558  
each of the last four school years, excluding any excused 2559  
absences; 2560

(3) Has not been expelled from school under section 3313.66 2561  
of the Revised Code in any of the last four school years; 2562

(4) Has a grade point average of at least 2.5 out of 4.0, or  
its equivalent as designated in rules adopted by the state board  
of education, in the subject area of the assessment required under  
division (B)(1) of section 3301.0710 of the Revised Code for which  
the person failed to attain the designated score;

(5) Has completed the high school curriculum requirements  
prescribed in section 3313.603 of the Revised Code or has  
qualified under division (D) or (F) of that section;

(6) Has taken advantage of any intervention programs provided  
by the school district or school in the subject area described in  
division (A)(4) of this section and has a ninety-seven per cent  
attendance rate, excluding any excused absences, in any of those  
programs that are provided at times beyond the normal school day,  
school week, or school year or has received comparable  
intervention services from a source other than the school district  
or school;

(7) Holds a letter recommending graduation from each of the  
person's high school teachers in the subject area described in  
division (A)(4) of this section and from the person's high school  
principal.

(B) The state board of education shall establish rules  
designating grade point averages equivalent to the average  
specified in division (A)(4) of this section for use by school  
districts and schools with different grading systems.

(C) Any student who is exempt from attaining the applicable  
score designated under division (B)(1) of section 3301.0710 of the  
Revised Code on the Ohio graduation test in social studies  
pursuant to division ~~(H)~~(I) of section 3313.61 or division  
(B)~~(3)~~(2) of section 3313.612 of the Revised Code shall not  
qualify for a high school diploma under this section, unless,  
notwithstanding the exemption, the student attains the applicable

score on that assessment. If the student attains the applicable 2594  
score on that assessment, the student may qualify for a diploma 2595  
under this section in the same manner as any other student who is 2596  
required to take the five Ohio graduation tests prescribed by 2597  
division (B)(1) of section 3301.0710 of the Revised Code. 2598

Sec. 3313.618. (A) Except as provided in section 3314.019 of 2599  
the Revised Code, in addition to the applicable curriculum 2600  
requirements, each student entering ninth grade for the first time 2601  
on or after July 1, 2015, shall satisfy at least one of the 2602  
following conditions in order to qualify for a high school 2603  
diploma: 2604

(1) Be remediation-free, in accordance with standards adopted 2605  
under division (F) of section 3345.061 of the Revised Code, on 2606  
each of the nationally standardized assessments in English, 2607  
mathematics, and reading; 2608

(2) Be remediation-free, in accordance with the standards 2609  
established by the state board of education, on both the 2610  
end-of-course examinations in English III and algebra II, or the 2611  
equivalent of algebra II, prescribed under division (B) of section 2612  
3301.0712 of the Revised Code; 2613

(3) Attain a score specified under division (B)(4)(c) of 2614  
section 3301.0712 of the Revised Code on the end-of-course 2615  
examinations prescribed under division (B) of section 3301.0712 of 2616  
the Revised Code; 2617

(4) Attain a score that demonstrates workforce readiness and 2618  
employability on a nationally recognized job skills assessment 2619  
selected by the state board of education under division (D) of 2620  
section 3301.0712 of the Revised Code or obtain either an 2621  
industry-recognized credential, as described under division 2622  
(B)(2)(d) of section 3302.03 of the Revised Code, or a license 2623  
issued by a state agency or board for practice in a vocation that 2624

requires an examination for issuance of that license. 2625

A student may choose to qualify for a high school diploma by 2626  
satisfying any of the separate requirements prescribed by division 2627  
(A)(1) to (4) of this section. If the student's school district or 2628  
school does not administer the examination prescribed by one of 2629  
those divisions that the student chooses to take to satisfy the 2630  
requirements of this section, the school district or school may 2631  
require that student to arrange for the applicable scores to be 2632  
sent directly to the district or school by the company or 2633  
organization that administers the examination. 2634

(B) The state board of education shall not create or require 2635  
any additional assessment for the granting of any type of high 2636  
school diploma other than as prescribed by this section. 2637

**Sec. 3313.976.** (A) No private school may receive scholarship 2638  
payments from parents pursuant to section 3313.979 of the Revised 2639  
Code until the chief administrator of the private school registers 2640  
the school with the superintendent of public instruction. The 2641  
state superintendent shall register any school that meets the 2642  
following requirements: 2643

(1) The school is located within the boundaries of the pilot 2644  
project school district; 2645

(2) The school indicates in writing its commitment to follow 2646  
all requirements for a state-sponsored scholarship program 2647  
specified under sections 3313.974 to 3313.979 of the Revised Code, 2648  
including, but not limited to, the requirements for admitting 2649  
students pursuant to section 3313.977 of the Revised Code; 2650

(3) The school meets all state minimum standards for 2651  
chartered nonpublic schools in effect on July 1, 1992, except that 2652  
the state superintendent at the superintendent's discretion may 2653  
register nonchartered nonpublic schools meeting the other 2654

requirements of this division;	2655
(4) The school does not discriminate on the basis of race, religion, or ethnic background;	2656 2657
(5) The school enrolls a minimum of ten students per class or a sum of at least twenty-five students in all the classes offered;	2658 2659
(6) The school does not advocate or foster unlawful behavior or teach hatred of any person or group on the basis of race, ethnicity, national origin, or religion;	2660 2661 2662
(7) The school does not provide false or misleading information about the school to parents, students, or the general public;	2663 2664 2665
(8) For students in grades kindergarten through eight with family incomes at or below two hundred per cent of the federal poverty guidelines, as defined in section 5104.46 of the Revised Code, the school agrees not to charge any tuition in excess of the scholarship amount established pursuant to division (C)(1) of section 3313.978 of the Revised Code, excluding any increase described in division (C)(2) of that section.	2666 2667 2668 2669 2670 2671 2672
(9) For students in grades kindergarten through eight with family incomes above two hundred per cent of the federal poverty guidelines, whose scholarship amounts are less than the actual tuition charge of the school, the school agrees not to charge any tuition in excess of the difference between the actual tuition charge of the school and the scholarship amount established pursuant to division (C)(1) of section 3313.978 of the Revised Code, excluding any increase described in division (C)(2) of that section. The school shall permit such tuition, at the discretion of the parent, to be satisfied by the family's provision of in-kind contributions or services.	2673 2674 2675 2676 2677 2678 2679 2680 2681 2682 2683
(10) The school agrees not to charge any tuition to families of students in grades nine through twelve receiving a scholarship	2684 2685

in excess of the actual tuition charge of the school less the 2686  
scholarship amount established pursuant to division (C)(1) of 2687  
section 3313.978 of the Revised Code, excluding any increase 2688  
described in division (C)(2) of that section. 2689

(11) If the school is not subject to division (K)(1)(a) of 2690  
section 3301.0711 of the Revised Code, it annually administers the 2691  
applicable assessments prescribed by section 3301.0710 or 2692  
3301.0712 of the Revised Code to each scholarship student enrolled 2693  
in the school in accordance with section 3301.0711 or 3301.0712 of 2694  
the Revised Code and reports to the department of education the 2695  
results of each such assessment administered to each scholarship 2696  
student. 2697

(B) The state superintendent shall revoke the registration of 2698  
any school if, after a hearing, the superintendent determines that 2699  
the school is in violation of any of the provisions of division 2700  
(A) of this section. 2701

(C) Any public school located in a school district adjacent 2702  
to the pilot project district may receive scholarship payments on 2703  
behalf of parents pursuant to section 3313.979 of the Revised Code 2704  
if the superintendent of the district in which such public school 2705  
is located notifies the state superintendent prior to the first 2706  
day of March that the district intends to admit students from the 2707  
pilot project district for the ensuing school year pursuant to 2708  
section 3327.06 of the Revised Code. 2709

(D) Any parent wishing to purchase tutorial assistance from 2710  
any person or governmental entity pursuant to the pilot project 2711  
program under sections 3313.974 to 3313.979 of the Revised Code 2712  
shall apply to the state superintendent. The state superintendent 2713  
shall approve providers who appear to possess the capability of 2714  
furnishing the instructional services they are offering to 2715  
provide. 2716



**Sec. 3314.017.** (A) The state board of education shall 2717  
prescribe by rules, adopted in accordance with Chapter 119. of the 2718  
Revised Code, an academic performance rating and report card 2719  
system that satisfies the requirements of this section for 2720  
community schools that primarily serve students enrolled in 2721  
dropout prevention and recovery programs as described in division 2722  
(A)(4)(a) of section 3314.35 of the Revised Code, to be used in 2723  
lieu of the system prescribed under sections 3302.03 and 3314.012 2724  
of the Revised Code beginning with the 2012-2013 school year. Each 2725  
such school shall comply with the testing and reporting 2726  
requirements of the system as prescribed by the state board. 2727

(B) Nothing in this section shall at any time relieve a 2728  
school from its obligations under the "No Child Left Behind Act of 2729  
2001" to make "adequate yearly progress," as both that act and 2730  
that term are defined in section 3302.01 of the Revised Code, or a 2731  
school's amenability to the provisions of section 3302.04 or 2732  
3302.041 of the Revised Code. The department shall continue to 2733  
report each school's performance as required by the act and to 2734  
enforce applicable sanctions under section 3302.04 or 3302.041 of 2735  
the Revised Code. 2736

(C) The rules adopted by the state board shall prescribe the 2737  
following performance indicators for the rating and report card 2738  
system required by this section: 2739

(1) Graduation rate for each of the following student 2740  
cohorts: 2741

(a) The number of students who graduate in four years or less 2742  
with a regular high school diploma divided by the number of 2743  
students who form the adjusted cohort for the graduating class; 2744

(b) The number of students who graduate in five years with a 2745  
regular high school diploma divided by the number of students who 2746  
form the adjusted cohort for the four-year graduation rate; 2747

(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;	2748 2749 2750
(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;	2751 2752 2753
(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.	2754 2755 2756
(2) The percentage of twelfth-grade students currently enrolled in the school <u>and other students enrolled in the school, regardless of grade level, who are within three months of their twenty-second birthday</u> who have attained <u>satisfied one of the following conditions:</u>	2757 2758 2759 2760 2761
(a) <u>Attained</u> the designated passing score on all of the applicable state high school achievement assessments required under division (B)(1) <del>or (2)</del> of section 3301.0710 of the Revised Code <del>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 applicable state high school achievement assessments by their twenty-second birthday;</del> <u>or met the requirement of section 3313.618 of the Revised Code, as applicable;</u>	2762 2763 2764 2765 2766 2767 2768 2769 2770
(b) <u>Attained a minimum passing score on the assessments prescribed under division (B) of section 3314.019 of the Revised Code;</u>	2771 2772 2773
(c) <u>Attained a score that demonstrates workforce readiness and employability on a nationally recognized job skills assessment selected by the state board under division (D) of section 3301.0712 of the Revised Code.</u>	2774 2775 2776 2777
(3) Annual measurable objectives as defined in section	2778

3302.01 of the Revised Code;	2779
(4) Growth in student achievement in reading, or mathematics, or both as measured by separate nationally norm-referenced assessments that have developed appropriate standards for students enrolled in dropout prevention and recovery programs, adopted or approved by the state board.	2780 2781 2782 2783 2784
(D)(1) The state board's rules shall prescribe the expected performance levels and benchmarks for each of the indicators prescribed by division (C) of this section based on the data gathered by the department under division (F) of this section. Based on a school's level of attainment or nonattainment of the expected performance levels and benchmarks for each of the indicators, the department shall rate each school in one of the following categories:	2785 2786 2787 2788 2789 2790 2791 2792
(a) Exceeds standards;	2793
(b) Meets standards;	2794
(c) Does not meet standards.	2795
(2) The state board's rules shall establish all of the following:	2796 2797
(a) Not later than June 30, 2013, performance levels and benchmarks for the indicators described in divisions (C)(1) to (3) of this section;	2798 2799 2800
(b) Not later than December 31, 2014, both of the following:	2801
(i) Performance levels and benchmarks for the indicator described in division (C)(4) of this section;	2802 2803
(ii) Standards for awarding a community school described in division (A)(4)(a) of section 3314.35 of the Revised Code an overall designation, which shall be calculated as follows:	2804 2805 2806
(I) Thirty per cent of the score shall be based on the indicators described in division (C)(1) of this section that are	2807 2808

applicable to the school year for which the overall designation is granted. 2809  
2810

(II) Thirty per cent of the score shall be based on the indicators described in division (C)(4) of this section. 2811  
2812

(III) Twenty per cent of the score shall be based on the indicators described in division (C)(2) of this section. 2813  
2814

(IV) Twenty per cent of the score shall be based on the indicators described in division (C)(3) of this section. 2815  
2816

(3) If both of the indicators described in divisions (C)(1) and (2) of this section improve by ten per cent for two consecutive years, a school shall be rated not less than "meets standards." 2817  
2818  
2819  
2820

The rating and the relevant performance data for each school shall be posted on the department's web site, and a copy of the rating and data shall be provided to the governing authority of the community school. 2821  
2822  
2823  
2824

(E)(1) For the 2012-2013 school year, the department shall issue a report card including the following performance measures, but without a performance rating as described in divisions (D)(1)(a) to (c) of this section, for each community school described in division (A)(4)(a) of section 3314.35 of the Revised Code: 2825  
2826  
2827  
2828  
2829  
2830

(a) The graduation rates as described in divisions (C)(1)(a) to (c) of this section; 2831  
2832

(b) The percentage of twelfth-grade students and other students who have attained a designated passing score on high school achievement assessments as described in division (C)(2)(a) of this section; 2833  
2834  
2835  
2836

(c) The statewide average for the graduation rates and assessment passage rates described in divisions (C)(1)(a) to (c) 2837  
2838

and (C)(2)(a) of this section;	2839
(d) Annual measurable objectives described in division (C)(3) of this section.	2840 2841
(2) For the 2013-2014 school year, the department shall issue a report card including the following performance measures for each community school described in division (A)(4)(a) of section 3314.35 of the Revised Code:	2842 2843 2844 2845
(a) The graduation rates described in divisions (C)(1)(a) to (d) of this section, including a performance rating as described in divisions (D)(1)(a) to (c) of this section;	2846 2847 2848
(b) The percentage of twelfth-grade students and other students who have attained a designated passing score on high school achievement assessments as described in division (C)(2)(a) of this section, including a performance rating as described in divisions (D)(1)(a) to (c) of this section;	2849 2850 2851 2852 2853
(c) Annual measurable objectives described in division (C)(3) of this section, including a performance rating as described in divisions (D)(1)(a) to (c) of this section;	2854 2855 2856
(d) Both of the following without an assigned rating:	2857
(i) Growth in annual student achievement in reading and mathematics described in division (C)(4) of this section, if available;	2858 2859 2860
(ii) Student outcome data, including postsecondary credit earned, nationally recognized career or technical certification, military enlistment, job placement, and attendance rate.	2861 2862 2863
(3) Beginning with the 2014-2015 school year, and annually thereafter, the department shall issue a report card for each community school described in division (A)(4)(a) of section 3314.35 of the Revised Code that includes all of the following performance measures, including a performance rating for each	2864 2865 2866 2867 2868

measure as described in divisions (D)(1)(a) to (c) of this	2869
section:	2870
(a) The graduation rates as described in division (C)(1) of	2871
this section;	2872
(b) The percentage of twelfth-grade students and other	2873
students who have <del>attained a designated passing score on high</del>	2874
<del>school achievement assessments as</del> <u>met a condition</u> described in	2875
division (C)(2) of this section <u>as selected by the state board;</u>	2876
(c) Annual measurable objectives described in division (C)(3)	2877
of this section, including a performance rating as described in	2878
divisions (D)(1)(a) to (c) of this section;	2879
(d) Growth in annual student achievement in reading and	2880
mathematics as described in division (C)(4) of this section;	2881
(e) An overall performance designation for the school	2882
calculated under rules adopted under division (D)(2) of this	2883
section.	2884
The department shall also include student outcome data,	2885
including postsecondary credit earned, nationally recognized	2886
career or technical certification, military enlistment, job	2887
placement, attendance rate, and progress on closing achievement	2888
gaps for each school. This information shall not be included in	2889
the calculation of a school's performance rating.	2890
(F) In developing the rating and report card system required	2891
by this section, during the 2012-2013 and 2013-2014 school years,	2892
the department shall gather and analyze data as determined	2893
necessary from each community school described in division	2894
(A)(4)(a) of section 3314.35 of the Revised Code. Each such school	2895
shall cooperate with the department by supplying requested data	2896
and administering required assessments, including sample	2897
assessments for purposes of measuring student achievement growth	2898
as described in division (C)(4) of this section. The department	2899

shall consult with stakeholder groups in performing its duties 2900  
under this division. 2901

The department shall also identify one or more states that 2902  
have established or are in the process of establishing similar 2903  
academic performance rating systems for dropout prevention and 2904  
recovery programs and consult with the departments of education of 2905  
those states in developing the system required by this section. 2906

(G) Not later than December 31, 2014, the state board shall 2907  
review the performance levels and benchmarks for performance 2908  
indicators in the report card issued under this section and may 2909  
revise them based on the data collected under division (F) of this 2910  
section. 2911

Sec. 3314.019. (A) Beginning July 1, 2015, in addition to the 2912  
applicable curriculum requirements, each student enrolled in a 2913  
community school that primarily serves students enrolled in 2914  
dropout prevention and recovery programs, as described in division 2915  
(A)(4)(a) of section 3314.35 of the Revised Code, shall satisfy at 2916  
least one of the following conditions in order to qualify for a 2917  
high school diploma: 2918

(1) Satisfy one of the conditions prescribed in section 2919  
3313.618 of the Revised Code; 2920

(2) Attain a minimum passing score on each of the assessments 2921  
prescribed under division (B) of this section; 2922

(3) Attain a score that demonstrates workforce readiness and 2923  
employability on a nationally recognized job skills assessment 2924  
selected by the state board of education under division (D) of 2925  
section 3301.0712 of the Revised Code. 2926

(B) Not later than July 1, 2015, the state board shall adopt 2927  
rules, in accordance with Chapter 119. of the Revised Code, to 2928  
designate for students enrolled in a dropout prevention and 2929

recovery program assessments in mathematics, science, social 2930  
studies, and English language arts that evaluate a student's 2931  
demonstration of general knowledge in a specific content area. The 2932  
state board shall designate a minimum passing score for each of 2933  
the assessments necessary to satisfy the requirement prescribed in 2934  
division (A)(2) of this section. 2935

**Sec. 3314.03.** A copy of every contract entered into under 2936  
this section shall be filed with the superintendent of public 2937  
instruction. The department of education shall make available on 2938  
its web site a copy of every approved, executed contract filed 2939  
with the superintendent under this section. 2940

(A) Each contract entered into between a sponsor and the 2941  
governing authority of a community school shall specify the 2942  
following: 2943

(1) That the school shall be established as either of the 2944  
following: 2945

(a) A nonprofit corporation established under Chapter 1702. 2946  
of the Revised Code, if established prior to April 8, 2003; 2947

(b) A public benefit corporation established under Chapter 2948  
1702. of the Revised Code, if established after April 8, 2003. 2949

(2) The education program of the school, including the 2950  
school's mission, the characteristics of the students the school 2951  
is expected to attract, the ages and grades of students, and the 2952  
focus of the curriculum; 2953

(3) The academic goals to be achieved and the method of 2954  
measurement that will be used to determine progress toward those 2955  
goals, which shall include the statewide achievement assessments; 2956

(4) Performance standards by which the success of the school 2957  
will be evaluated by the sponsor; 2958

(5) The admission standards of section 3314.06 of the Revised 2959



Code and, if applicable, section 3314.061 of the Revised Code;	2960
(6)(a) Dismissal procedures;	2961
(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in one hundred five consecutive hours of the learning opportunities offered to the student.	2962 2963 2964 2965 2966 2967
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	2968 2969
(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code.	2970 2971 2972 2973 2974 2975
(9) The facilities to be used and their locations;	2976
(10) Qualifications of teachers, including a requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours per week pursuant to section 3319.301 of the Revised Code.	2977 2978 2979 2980 2981 2982
(11) That the school will comply with the following requirements:	2983 2984
(a) The school will provide learning opportunities to a minimum of twenty-five students for a minimum of nine hundred twenty hours per school year.	2985 2986 2987
(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the	2988 2989

school. 2990

(c) The school will be nonsectarian in its programs, 2991  
admission policies, employment practices, and all other 2992  
operations, and will not be operated by a sectarian school or 2993  
religious institution. 2994

(d) The school will comply with sections 9.90, 9.91, 109.65, 2995  
121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711, 2996  
3301.0712, 3301.0715, 3301.946, 3313.472, 3313.50, 3313.536, 2997  
3313.539, 3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 2998  
3313.6015, 3313.643, 3313.648, 3313.6411, 3313.66, 3313.661, 2999  
3313.662, 3313.666, 3313.667, 3313.67, 3313.671, 3313.672, 3000  
3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.80, 3001  
3313.814, 3313.816, 3313.817, 3313.86, 3313.96, 3319.073, 3002  
3319.321, 3319.39, 3319.391, 3319.41, 3321.01, 3321.041, 3321.13, 3003  
3321.14, 3321.17, 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 3004  
4113.52, and 5705.391 and Chapters 117., 1347., 2744., 3365., 3005  
3742., 4112., 4123., 4141., and 4167. of the Revised Code as if it 3006  
were a school district and will comply with section 3301.0714 of 3007  
the Revised Code in the manner specified in section 3314.17 of the 3008  
Revised Code. 3009

(e) The school shall comply with Chapter 102. and section 3010  
2921.42 of the Revised Code. 3011

(f) The school will comply with sections 3313.61, 3313.611, 3012  
and 3313.614 of the Revised Code, except that for students who 3013  
enter ninth grade for the first time before July 1, 2010, the 3014  
requirement in sections 3313.61 and 3313.611 of the Revised Code 3015  
that a person must successfully complete the curriculum in any 3016  
high school prior to receiving a high school diploma may be met by 3017  
completing the curriculum adopted by the governing authority of 3018  
the community school rather than the curriculum specified in Title 3019  
XXXIII of the Revised Code or any rules of the state board of 3020  
education. Beginning with students who enter ninth grade for the 3021

first time on or after July 1, 2010, the requirement in sections 3022  
3313.61 and 3313.611 of the Revised Code that a person must 3023  
successfully complete the curriculum of a high school prior to 3024  
receiving a high school diploma shall be met by completing the 3025  
Ohio core curriculum prescribed in division (C) of section 3026  
3313.603 of the Revised Code, unless the person qualifies under 3027  
division (D) or (F) of that section. Each school shall comply with 3028  
the plan for awarding high school credit based on demonstration of 3029  
subject area competency, adopted by the state board of education 3030  
under division (J) of section 3313.603 of the Revised Code. 3031

(g) The school governing authority will submit within four 3032  
months after the end of each school year a report of its 3033  
activities and progress in meeting the goals and standards of 3034  
divisions (A)(3) and (4) of this section and its financial status 3035  
to the sponsor and the parents of all students enrolled in the 3036  
school. 3037

(h) The school, unless it is an internet- or computer-based 3038  
community school, will comply with section 3313.801 of the Revised 3039  
Code as if it were a school district. 3040

(i) If the school is the recipient of moneys from a grant 3041  
awarded under the federal race to the top program, Division (A), 3042  
Title XIV, Sections 14005 and 14006 of the "American Recovery and 3043  
Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, the 3044  
school will pay teachers based upon performance in accordance with 3045  
section 3317.141 and will comply with section 3319.111 of the 3046  
Revised Code as if it were a school district. 3047

(12) Arrangements for providing health and other benefits to 3048  
employees; 3049

(13) The length of the contract, which shall begin at the 3050  
beginning of an academic year. No contract shall exceed five years 3051  
unless such contract has been renewed pursuant to division (E) of 3052

this section. 3053

(14) The governing authority of the school, which shall be 3054  
responsible for carrying out the provisions of the contract; 3055

(15) A financial plan detailing an estimated school budget 3056  
for each year of the period of the contract and specifying the 3057  
total estimated per pupil expenditure amount for each such year. 3058

(16) Requirements and procedures regarding the disposition of 3059  
employees of the school in the event the contract is terminated or 3060  
not renewed pursuant to section 3314.07 of the Revised Code; 3061

(17) Whether the school is to be created by converting all or 3062  
part of an existing public school or educational service center 3063  
building or is to be a new start-up school, and if it is a 3064  
converted public school or service center building, specification 3065  
of any duties or responsibilities of an employer that the board of 3066  
education or service center governing board that operated the 3067  
school or building before conversion is delegating to the 3068  
governing authority of the community school with respect to all or 3069  
any specified group of employees provided the delegation is not 3070  
prohibited by a collective bargaining agreement applicable to such 3071  
employees; 3072

(18) Provisions establishing procedures for resolving 3073  
disputes or differences of opinion between the sponsor and the 3074  
governing authority of the community school; 3075

(19) A provision requiring the governing authority to adopt a 3076  
policy regarding the admission of students who reside outside the 3077  
district in which the school is located. That policy shall comply 3078  
with the admissions procedures specified in sections 3314.06 and 3079  
3314.061 of the Revised Code and, at the sole discretion of the 3080  
authority, shall do one of the following: 3081

(a) Prohibit the enrollment of students who reside outside 3082  
the district in which the school is located; 3083

(b) Permit the enrollment of students who reside in districts adjacent to the district in which the school is located;	3084 3085
(c) Permit the enrollment of students who reside in any other district in the state.	3086 3087
(20) A provision recognizing the authority of the department of education to take over the sponsorship of the school in accordance with the provisions of division (C) of section 3314.015 of the Revised Code;	3088 3089 3090 3091
(21) A provision recognizing the sponsor's authority to assume the operation of a school under the conditions specified in division (B) of section 3314.073 of the Revised Code;	3092 3093 3094
(22) A provision recognizing both of the following:	3095
(a) The authority of public health and safety officials to inspect the facilities of the school and to order the facilities closed if those officials find that the facilities are not in compliance with health and safety laws and regulations;	3096 3097 3098 3099
(b) The authority of the department of education as the community school oversight body to suspend the operation of the school under section 3314.072 of the Revised Code if the department has evidence of conditions or violations of law at the school that pose an imminent danger to the health and safety of the school's students and employees and the sponsor refuses to take such action.	3100 3101 3102 3103 3104 3105 3106
(23) A description of the learning opportunities that will be offered to students including both classroom-based and non-classroom-based learning opportunities that is in compliance with criteria for student participation established by the department under division (H)(2) of section 3314.08 of the Revised Code;	3107 3108 3109 3110 3111 3112
(24) The school will comply with sections 3302.04 and	3113

3302.041 of the Revised Code, except that any action required to 3114  
be taken by a school district pursuant to those sections shall be 3115  
taken by the sponsor of the school. However, the sponsor shall not 3116  
be required to take any action described in division (F) of 3117  
section 3302.04 of the Revised Code. 3118

(25) Beginning in the 2006-2007 school year, the school will 3119  
open for operation not later than the thirtieth day of September 3120  
each school year, unless the mission of the school as specified 3121  
under division (A)(2) of this section is solely to serve dropouts. 3122  
In its initial year of operation, if the school fails to open by 3123  
the thirtieth day of September, or within one year after the 3124  
adoption of the contract pursuant to division (D) of section 3125  
3314.02 of the Revised Code if the mission of the school is solely 3126  
to serve dropouts, the contract shall be void. 3127

(B) The community school shall also submit to the sponsor a 3128  
comprehensive plan for the school. The plan shall specify the 3129  
following: 3130

(1) The process by which the governing authority of the 3131  
school will be selected in the future; 3132

(2) The management and administration of the school; 3133

(3) If the community school is a currently existing public 3134  
school or educational service center building, alternative 3135  
arrangements for current public school students who choose not to 3136  
attend the converted school and for teachers who choose not to 3137  
teach in the school or building after conversion; 3138

(4) The instructional program and educational philosophy of 3139  
the school; 3140

(5) Internal financial controls. 3141

(C) A contract entered into under section 3314.02 of the 3142  
Revised Code between a sponsor and the governing authority of a 3143

community school may provide for the community school governing 3144  
authority to make payments to the sponsor, which is hereby 3145  
authorized to receive such payments as set forth in the contract 3146  
between the governing authority and the sponsor. The total amount 3147  
of such payments for oversight and monitoring of the school shall 3148  
not exceed three per cent of the total amount of payments for 3149  
operating expenses that the school receives from the state. 3150

(D) The contract shall specify the duties of the sponsor 3151  
which shall be in accordance with the written agreement entered 3152  
into with the department of education under division (B) of 3153  
section 3314.015 of the Revised Code and shall include the 3154  
following: 3155

(1) Monitor the community school's compliance with all laws 3156  
applicable to the school and with the terms of the contract; 3157

(2) Monitor and evaluate the academic and fiscal performance 3158  
and the organization and operation of the community school on at 3159  
least an annual basis; 3160

(3) Report on an annual basis the results of the evaluation 3161  
conducted under division (D)(2) of this section to the department 3162  
of education and to the parents of students enrolled in the 3163  
community school; 3164

(4) Provide technical assistance to the community school in 3165  
complying with laws applicable to the school and terms of the 3166  
contract; 3167

(5) Take steps to intervene in the school's operation to 3168  
correct problems in the school's overall performance, declare the 3169  
school to be on probationary status pursuant to section 3314.073 3170  
of the Revised Code, suspend the operation of the school pursuant 3171  
to section 3314.072 of the Revised Code, or terminate the contract 3172  
of the school pursuant to section 3314.07 of the Revised Code as 3173  
determined necessary by the sponsor; 3174

(6) Have in place a plan of action to be undertaken in the 3175  
event the community school experiences financial difficulties or 3176  
closes prior to the end of a school year. 3177

(E) Upon the expiration of a contract entered into under this 3178  
section, the sponsor of a community school may, with the approval 3179  
of the governing authority of the school, renew that contract for 3180  
a period of time determined by the sponsor, but not ending earlier 3181  
than the end of any school year, if the sponsor finds that the 3182  
school's compliance with applicable laws and terms of the contract 3183  
and the school's progress in meeting the academic goals prescribed 3184  
in the contract have been satisfactory. Any contract that is 3185  
renewed under this division remains subject to the provisions of 3186  
sections 3314.07, 3314.072, and 3314.073 of the Revised Code. 3187

(F) If a community school fails to open for operation within 3188  
one year after the contract entered into under this section is 3189  
adopted pursuant to division (D) of section 3314.02 of the Revised 3190  
Code or permanently closes prior to the expiration of the 3191  
contract, the contract shall be void and the school shall not 3192  
enter into a contract with any other sponsor. A school shall not 3193  
be considered permanently closed because the operations of the 3194  
school have been suspended pursuant to section 3314.072 of the 3195  
Revised Code. 3196

**Sec. 3314.36.** (A) Section 3314.35 of the Revised Code does 3197  
not apply to any community school in which a majority of the 3198  
students are enrolled in a dropout prevention and recovery program 3199  
that is operated by the school and that has been granted a waiver 3200  
by the department of education. Until June 30, 2014, the 3201  
department shall grant a waiver to a dropout prevention and 3202  
recovery program, within sixty days after the program applies for 3203  
the waiver, if the program meets all of the following conditions: 3204

(1) The program serves only students not younger than sixteen 3205



years of age and not older than twenty-one years of age. 3206

(2) The program enrolls students who, at the time of their 3207  
initial enrollment, either, or both, are at least one grade level 3208  
behind their cohort age groups or experience crises that 3209  
significantly interfere with their academic progress such that 3210  
they are prevented from continuing their traditional programs. 3211

(3) The program requires students to attain at least the 3212  
applicable score designated for each of the assessments prescribed 3213  
under division (B)(1) of section 3301.0710 of the Revised Code ~~or,~~ 3214  
~~to the extent prescribed by rule of the state board of education~~ 3215  
~~under division (D)(6) of section 3301.0712 of the Revised Code,~~ 3216  
~~division (B)(2) of that section.~~ 3217

(4) The program develops an individual career plan for the 3218  
student that specifies the student's matriculating to a two-year 3219  
degree program, acquiring a business and industry credential, or 3220  
entering an apprenticeship. 3221

(5) The program provides counseling and support for the 3222  
student related to the plan developed under division (A)(4) of 3223  
this section during the remainder of the student's high school 3224  
experience. 3225

(6) Prior to receiving the waiver, the program has submitted 3226  
to the department an instructional plan that demonstrates how the 3227  
academic content standards adopted by the state board of education 3228  
under section 3301.079 of the Revised Code will be taught and 3229  
assessed. 3230

If the department does not act either to grant the waiver or 3231  
to reject the program application for the waiver within sixty days 3232  
as required under this section, the waiver shall be considered to 3233  
be granted. 3234

(B) Notwithstanding division (A) of this section, the 3235  
department shall not grant a waiver to any community school that 3236

did not qualify for a waiver under this section when it initially 3237  
began operations, unless the state board of education approves the 3238  
waiver. 3239

(C) Beginning on July 1, 2014, all community schools in which 3240  
a majority of the students are enrolled in a dropout prevention 3241  
and recovery program are subject to the provisions of section 3242  
3314.351 of the Revised Code, regardless of whether a waiver has 3243  
been granted under this section. Thereafter, no waivers shall be 3244  
granted under this section. 3245

**Sec. 3325.08.** (A) A diploma shall be granted by the 3246  
superintendent of the state school for the blind and the 3247  
superintendent of the state school for the deaf to any student 3248  
enrolled in one of these state schools to whom all of the 3249  
following apply: 3250

(1) The student has successfully completed the individualized 3251  
education program developed for the student for the student's high 3252  
school education pursuant to section 3323.08 of the Revised Code; 3253

(2) Subject to section 3313.614 of the Revised Code, the 3254  
student has met the assessment requirements of division (A)(2)(a) 3255  
or (b) of this section, as applicable. 3256

(a) If the student entered the ninth grade prior to ~~the date~~ 3257  
~~prescribed by rule of the state board of education under division~~ 3258  
~~(D)(2) of section 3301.0712 of the Revised Code~~ July 1, 2015, the 3259  
student either: 3260

(i) Has attained at least the applicable scores designated 3261  
under division (B)(1) of section 3301.0710 of the Revised Code on 3262  
all the assessments prescribed by that division unless division 3263  
~~(L)(M)~~ of section 3313.61 of the Revised Code applies to the 3264  
student; 3265

(ii) Has satisfied the alternative conditions prescribed in 3266

section 3313.615 of the Revised Code. 3267

(b) If the student entered the ninth grade on or after the 3268  
~~date prescribed by rule of the state board under division (D)(2)~~ 3269  
~~of section 3301.0712 of the Revised Code July 1, 2015,~~ the student 3270  
has met the ~~requirements of the entire assessment system~~ 3271  
requirement prescribed ~~under division (B)(2) of~~ by section 3272  
~~3301.0710~~ 3313.618 of the Revised Code, except to the extent that 3273  
division ~~(L)~~(M) of section 3313.61 of the Revised Code applies to 3274  
the student. 3275

(3) The student is not eligible to receive an honors diploma 3276  
granted pursuant to division (B) of this section. 3277

No diploma shall be granted under this division to anyone 3278  
except as provided under this division. 3279

(B) In lieu of a diploma granted under division (A) of this 3280  
section, the superintendent of the state school for the blind and 3281  
the superintendent of the state school for the deaf shall grant an 3282  
honors diploma, in the same manner that the boards of education of 3283  
school districts grant such diplomas under division (B) of section 3284  
3313.61 of the Revised Code, to any student enrolled in one of 3285  
these state schools who accomplishes all of the following: 3286

(1) Successfully completes the individualized education 3287  
program developed for the student for the student's high school 3288  
education pursuant to section 3323.08 of the Revised Code; 3289

(2) Subject to section 3313.614 of the Revised Code, has met 3290  
the assessment requirements of division (B)(2)(a) or (b) of this 3291  
section, as applicable. 3292

(a) If the student entered the ninth grade prior to ~~the date~~ 3293  
~~prescribed by rule of the state board under division (D)(2) of~~ 3294  
~~section 3301.0712 of the Revised Code July 1, 2015,~~ the student 3295  
either: 3296

(i) Has attained at least the applicable scores designated 3297  
under division (B)(1) of section 3301.0710 of the Revised Code on 3298  
all the assessments prescribed under that division; 3299

(ii) Has satisfied the alternative conditions prescribed in 3300  
section 3313.615 of the Revised Code. 3301

(b) If the student entered the ninth grade on or after ~~the~~ 3302  
~~date prescribed by rule of the state board under division (D)(2)~~ 3303  
~~of section 3301.0712 of the Revised Code July 1, 2015,~~ the student 3304  
has met the ~~requirements of the entire assessment system~~ 3305  
~~requirement~~ prescribed ~~under division (B)(2) of~~ by section 3306  
~~3301.0710~~ 3313.618 of the Revised Code. 3307

(3) Has met additional criteria for granting an honors 3308  
diploma. 3309

These additional criteria shall be the same as those 3310  
prescribed by the state board under division (B) of section 3311  
3313.61 of the Revised Code for the granting of such diplomas by 3312  
school districts. No honors diploma shall be granted to anyone 3313  
failing to comply with this division and not more than one honors 3314  
diploma shall be granted to any student under this division. 3315

(C) A diploma or honors diploma awarded under this section 3316  
shall be signed by the superintendent of public instruction and 3317  
the superintendent of the state school for the blind or the 3318  
superintendent of the state school for the deaf, as applicable. 3319  
Each diploma shall bear the date of its issue and be in such form 3320  
as the school superintendent prescribes. 3321

(D) Upon granting a diploma to a student under this section, 3322  
the superintendent of the state school in which the student is 3323  
enrolled shall provide notice of receipt of the diploma to the 3324  
board of education of the school district where the student is 3325  
entitled to attend school under section 3313.64 or 3313.65 of the 3326  
Revised Code when not residing at the state school for the blind 3327

or the state school for the deaf. The notice shall indicate the 3328  
type of diploma granted. 3329

**Sec. 3326.11.** Each science, technology, engineering, and 3330  
mathematics school established under this chapter and its 3331  
governing body shall comply with sections 9.90, 9.91, 109.65, 3332  
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 3333  
3301.0714, 3301.0715, 3301.946, 3313.14, 3313.15, 3313.16, 3334  
3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 3313.481, 3313.482, 3335  
3313.50, 3313.536, 3313.539, 3313.608, 3313.6012, 3313.6013, 3336  
3313.6014, 3313.6015, 3313.61, 3313.611, 3313.614, 3313.615, 3337  
3313.643, 3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3338  
3313.666, 3313.667, 3313.67, 3313.671, 3313.672, 3313.673, 3339  
3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.80, 3313.801, 3340  
3313.814, 3313.816, 3313.817, 3313.86, 3313.88, 3313.96, 3319.073, 3341  
3319.21, 3319.32, 3319.321, 3319.35, 3319.39, 3319.391, 3319.41, 3342  
3319.45, 3321.01, 3321.041, 3321.13, 3321.14, 3321.17, 3321.18, 3343  
3321.19, 3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and 3344  
Chapters 102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 3345  
4112., 4123., 4141., and 4167. of the Revised Code as if it were a 3346  
school district. 3347

**Sec. 3328.24.** A college-preparatory boarding school 3348  
established under this chapter and its board of trustees shall 3349  
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 3350  
3301.0714, 3301.946, 3313.6411, 3319.39, and 3319.391 of the 3351  
Revised Code as if the school were a school district and the 3352  
school's board of trustees were a district board of education. 3353

**Sec. 3328.25.** (A) The board of trustees of a 3354  
college-preparatory boarding school established under this chapter 3355  
shall grant a diploma to any student enrolled in the school to 3356  
whom all of the following apply: 3357

(1) The student has successfully completed the school's high school curriculum or the IEP developed for the student by the school pursuant to section 3323.08 of the Revised Code or has qualified under division (D) or (F) of section 3313.603 of the Revised Code, provided that the school shall not require a student to remain in school for any specific number of semesters or other terms if the student completes the required curriculum early.

(2) Subject to section 3313.614 of the Revised Code, the student has met the assessment requirements of division (A)(2)(a) or (b) of this section, as applicable.

(a) If the student entered ninth grade prior to ~~the date prescribed by rule of the state board of education under division (D)(2) of section 3301.0712 of the Revised Code~~ July 1, 2015, the student either:

(i) Has attained at least the applicable scores designated under division (B)(1) of section 3301.0710 of the Revised Code on all the assessments prescribed by that division unless division ~~(L)~~(M) of section 3313.61 of the Revised Code applies to the student;

(ii) Has satisfied the alternative conditions prescribed in section 3313.615 of the Revised Code.

(b) If the person entered ninth grade on or after ~~the date prescribed by rule of the state board under division (D)(2) of section 3301.0712 of the Revised Code~~ July 1, 2015, the student has met the ~~requirements of the entire assessment system requirement prescribed under division (B)(2) of~~ by section ~~3301.0710~~ 3313.618 of the Revised Code, except to the extent that the student is excused from some portion of that ~~assessment system~~ section pursuant to division ~~(L)~~(M) of section 3313.61 of the Revised Code.

(3) The student is not eligible to receive an honors diploma

granted under division (B) of this section. 3389

No diploma shall be granted under this division to anyone 3390  
except as provided in this division. 3391

(B) In lieu of a diploma granted under division (A) of this 3392  
section, the board of trustees shall grant an honors diploma, in 3393  
the same manner that boards of education of school districts grant 3394  
honors diplomas under division (B) of section 3313.61 of the 3395  
Revised Code, to any student enrolled in the school who 3396  
accomplishes all of the following: 3397

(1) Successfully completes the school's high school 3398  
curriculum or the IEP developed for the student by the school 3399  
pursuant to section 3323.08 of the Revised Code; 3400

(2) Subject to section 3313.614 of the Revised Code, has met 3401  
the assessment requirements of division (B)(2)(a) or (b) of this 3402  
section, as applicable. 3403

(a) If the student entered ninth grade prior to ~~the date~~ 3404  
~~prescribed by rule of the state board under division (D)(2) of~~ 3405  
~~section 3301.0712 of the Revised Code July 1, 2015~~, the student 3406  
either: 3407

(i) Has attained at least the applicable scores designated 3408  
under division (B)(1) of section 3301.0710 of the Revised Code on 3409  
all the assessments prescribed under that division; 3410

(ii) Has satisfied the alternative conditions prescribed in 3411  
section 3313.615 of the Revised Code. 3412

(b) If the person entered ninth grade on or after ~~the date~~ 3413  
~~prescribed by rule of the state board under division (D)(2) of~~ 3414  
~~section 3301.0712 of the Revised Code July 1, 2015~~, the student 3415  
has met the ~~requirements of the entire assessment system~~ 3416  
requirement prescribed ~~under division (B)(2) of~~ by section 3417  
~~3301.0710~~ 3313.618 of the Revised Code. 3418

(3) Has met the additional criteria for granting an honors diploma prescribed by the state board under division (B) of section 3313.61 of the Revised Code for the granting of honors diplomas by school districts.

An honors diploma shall not be granted to a student who is subject to the Ohio core curriculum prescribed in division (C) of section 3313.603 of the Revised Code but elects the option of division (D) or (F) of that section. No honors diploma shall be granted to anyone failing to comply with this division, and not more than one honors diploma shall be granted to any student under this division.

(C) A diploma or honors diploma awarded under this section shall be signed by the presiding officer of the board of trustees. Each diploma shall bear the date of its issue and be in such form as the board of trustees prescribes.

(D) Upon granting a diploma to a student under this section, the presiding officer of the board of trustees shall provide notice of receipt of the diploma to the board of education of the city, exempted village, or local school district where the student is entitled to attend school when not residing at the college-preparatory boarding school. The notice shall indicate the type of diploma granted.

**Sec. 3329.07.** The board of education of each city, exempted village, and local school district, in compliance with section 3329.081 of the Revised Code, shall cause it to be ascertained and at a regular meeting determine which, and the number of each of the textbooks or electronic textbooks the schools under its charge require. The treasurer at once shall order the textbooks or electronic textbooks agreed upon from the publisher, who on the receipt of such order must ship the textbooks or electronic textbooks to the treasurer without delay. The treasurer forthwith



shall examine the textbooks or electronic textbooks, and, if found 3450  
right and in accordance with the order, remit the amount to the 3451  
publisher. The board must pay for the textbooks or electronic 3452  
textbooks so purchased and in addition all charges for the 3453  
transportation of the textbooks or electronic textbooks out of the 3454  
general fund of said district or out of such other funds as it may 3455  
have available for such purchase of textbooks or electronic 3456  
textbooks. If such board at any time can secure from the 3457  
publishers textbooks or electronic textbooks at less than such 3458  
maximum price, they shall do so, and without unnecessary delay may 3459  
make effort to secure such lower price before adopting any 3460  
particular textbooks or electronic textbooks. 3461

**Sec. 3329.08.** At any regular meeting, the board of education 3462  
of each local, city, and exempted village school district shall 3463  
determine by a majority vote of all members elected or appointed 3464  
under division (B) or (F) of section 3311.71 of the Revised Code, 3465  
and in compliance with section 3329.081 of the Revised Code, which 3466  
of such textbooks or electronic textbooks so filed shall be used 3467  
in the schools under its control. 3468

**Sec. 3329.081.** The board of education of each local, city, 3469  
and exempted village school district shall establish a process for 3470  
selecting and adopting textbooks, electronic textbooks, and 3471  
instructional materials in consultation with teachers, parents, 3472  
and citizens of the school district. 3473

**Sec. 3329.082.** On or before June 30, 2014, the department of 3474  
education shall establish a model process for use by a school 3475  
district board of education selecting and adopting textbooks, 3476  
electronic textbooks, and instructional materials pursuant to 3477  
sections 3329.07 and 3329.08 of the Revised Code. 3478

<b>Sec. 3333.123.</b> (A) As used in this section:	3479
(1) "The Ohio college opportunity grant program" means the program established under section 3333.122 of the Revised Code.	3480 3481
(2) "Rules for the Ohio college opportunity grant program" means the rules authorized in division (R) of section 3333.04 of the Revised Code for the implementation of the program.	3482 3483 3484
(B) In adopting rules for the Ohio college opportunity grant program, the chancellor of the Ohio board of regents may include provisions that give preferential or priority funding to low-income students who in their primary and secondary school work participate in or complete rigorous academic coursework, attain passing scores on the assessments prescribed in section 3301.0710 or <u>3301.0712</u> of the Revised Code, or meet other high academic performance standards determined by the chancellor to reduce the need for remediation and ensure academic success at the postsecondary education level. Any such rules shall include a specification of procedures needed to certify student achievement of primary and secondary standards as well as the timeline for implementation of the provisions authorized by this section.	3485 3486 3487 3488 3489 3490 3491 3492 3493 3494 3495 3496 3497
<b>Section 2.</b> That existing sections 3301.079, 3301.0710, 3301.0711, 3301.0712, 3301.16, 3302.02, 3302.03, 3302.031, 3310.14, 3310.522, 3313.532, 3313.603, 3313.61, 3313.611, 3313.612, 3313.614, 3313.615, 3313.976, 3314.017, 3314.03, 3314.36, 3325.08, 3326.11, 3328.24, 3328.25, 3329.07, 3329.08, and 3333.123 of the Revised Code are hereby repealed.	3498 3499 3500 3501 3502 3503
<b>Section 3.</b> Not later than thirty days after the effective date of this section, the Department of Education shall develop and publish an estimated college- and career-ready score for each of the sections of the Ohio Graduation Test prescribed by division (B)(1) of section 3301.0710 of the Revised Code. The scores shall	3504 3505 3506 3507 3508

be published on all district, school, teacher, and student score reports generated by the Department.

**Section 4.** Notwithstanding anything in the Revised Code to the contrary, the board of education of a school district, the governing authority of a community school established under Chapter 3314. of the Revised Code, or the governing body of a STEM school established under Chapter 3326. of the Revised Code that has entered into a collective bargaining agreement with its teachers under Chapter 4117. of the Revised Code may enter into a separate memorandum of understanding with the exclusive representative of its teachers stipulating that the value-added progress dimension rating issued for the 2014-2015 school year to assess student academic growth for purposes of teacher evaluations under sections 3311.80, 3319.111, and 3319.112 of the Revised Code will not be used when making decisions regarding the dismissal, retention, tenure, or compensation of the district's or school's teachers. If such a memorandum of understanding is entered into, the district or school shall use a different measure of student progress, approved by the Department of Education, for such purposes.

As used in this section, "value-added progress dimension" means the value-added progress dimension prescribed by 3302.021 of the Revised Code or an alternative student academic progress measure if adopted under division (C)(1)(e) of section 3303.03 of the Revised Code.

**Section 5.** Except for purposes of the comparison study prescribed by Section 7 of this act, prior to July 1, 2015, neither the Department of Education nor the State Board of Education shall implement or require the online administration of any assessments prescribed by sections 3301.0710 and 3301.0712 of the Revised Code.

**Section 6.** The Department of Education shall conduct a 3540  
comprehensive survey of the capacity and readiness of each school 3541  
district for online administration of the assessments prescribed 3542  
by sections 3301.0710 and 3301.0712 of the Revised Code based on 3543  
recommended specifications for such administration of the 3544  
assessments. The survey conducted under this section shall include 3545  
information regarding hardware, software, bandwidth, technical 3546  
support, security requirements, training for teachers regarding 3547  
the administration of assessments, and training for students 3548  
regarding taking the assessments. 3549

Not later than ninety days after the effective date of this 3550  
section, the Department shall compile and present to the Governor, 3551  
the chairpersons and ranking members of the education committees 3552  
of the Senate and House of Representatives, and the State Board of 3553  
Education the results of the survey conducted under this section 3554  
and a detailed implementation plan to address any issues or 3555  
problems identified in the survey. 3556

**Section 7.** (A) For the 2013-2014 school year only, the 3557  
Department of Education shall select and administer, for 3558  
comparison purposes, assessments to students in school districts 3559  
and schools of the same sample size and profile as follows: 3560

(1) Summative assessments for each of grades three through 3561  
eight in English language arts and mathematics, which are 3562  
vertically articulated, include multiple types of questions, may 3563  
be administered online or in a paper format, are aligned to 3564  
college-readiness benchmarks, are not offered by a multi-state 3565  
consortium, and are offered by a nonprofit organization that 3566  
offers an assessment used for the purpose of college admission; 3567

(2) Field-testing of summative assessments for each of grades 3568  
three through eight in English language arts and mathematics 3569

offered by a multi-state consortium other than the type of 3570  
organization described in division (A)(1) of this section. 3571

(B) Not later than October 31, 2014, the Department shall 3572  
submit a report to the Governor, the chairpersons and ranking 3573  
members of the education committees of the Senate and House of 3574  
Representatives, and the State Board of Education of the results 3575  
of the assessments prescribed by divisions (A)(1) and (2) of this 3576  
section and a comparison of those assessments and the assessments 3577  
prescribed by division (A) of section 3301.0710 of the Revised 3578  
Code. The comparison of assessments shall be based on ease of 3579  
administration, content, format, overall quality, performance 3580  
benchmarks, and cost. The Department shall consult with teachers 3581  
and administrators in making its comparison of assessments. 3582

(C) Not later than November 30, 2014, the Department shall 3583  
recommend to the State Board the assessments in English language 3584  
arts and mathematics for each of grades three through eight to be 3585  
prescribed by the State Board under division (A) of section 3586  
3301.0710 of the Revised Code. In recommending assessments for the 3587  
spring administration of the 2014-2015 school year, the Department 3588  
shall select from the assessments currently prescribed by division 3589  
(A) of section 3301.0710 of the Revised Code and the assessments 3590  
prescribed by divisions (A)(1) and (2) of this section. Not later 3591  
than December 31, 2014, the State Board shall review the 3592  
recommendations and approve one or more assessments in English 3593  
language arts and mathematics for administration to students in 3594  
grades three through eight in accordance with sections 3301.0710 3595  
and 3301.0711 of the Revised Code. 3596

**Section 8.** That the version of section 3326.11 of the Revised 3597  
Code that is scheduled to take effect on July 1, 2014, be amended 3598  
to read as follows: 3599

**Sec. 3326.11.** Each science, technology, engineering, and mathematics school established under this chapter and its governing body shall comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 3301.0714, 3301.0715, 3301.946, 3313.14, 3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 3313.481, 3313.482, 3313.50, 3313.536, 3313.539, 3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.61, 3313.611, 3313.614, 3313.615, 3313.643, 3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.80, 3313.801, 3313.814, 3313.816, 3313.817, 3313.86, 3313.96, 3319.073, 3319.21, 3319.32, 3319.321, 3319.35, 3319.39, 3319.391, 3319.41, 3319.45, 3321.01, 3321.041, 3321.13, 3321.14, 3321.17, 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 4123., 4141., and 4167. of the Revised Code as if it were a school district.

**Section 9.** That the existing version of section 3326.11 of the Revised Code that is scheduled to take effect on July 1, 2014, is hereby repealed.

**Section 10.** Sections 8 and 9 of this act shall take effect on July 1, 2014.