

**As Introduced**

**130th General Assembly  
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**H. B. No. 237**

**Representative Thompson**

**Cosponsors: Representatives Becker, Hood, Lynch, Young, Adams, J.,  
Wachtmann, Maag, Boose, Roegner, Beck, Retherford, Perales, Sprague**

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**A B I L L**

To enact section 3301.078 of the Revised Code with 1  
respect to the Common Core Initiative academic 2  
standards and the distribution of student 3  
information. 4

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

**Section 1.** That section 3301.078 of the Revised Code be 5  
enacted to read as follows: 6

**Sec. 3301.078.** (A) Notwithstanding any other provision of law 7  
to the contrary, the state board of education shall not adopt, and 8  
the department of education shall not implement, the academic 9  
content standards for English language arts and mathematics 10  
developed by the common core standards initiative. Nor shall the 11  
state board use the partnership for assessment of readiness for 12  
college and careers (PARCC), or any other assessments related to 13  
or based on the common core standards, as any of the assessments 14  
required under sections 3301.0710 and 3301.0712 of the Revised 15  
Code. 16

Any actions taken to adopt or implement the common core state 17  
standards as of the effective date of this section are void. 18

(B)(1) The state board of education is the sole authority for 19  
adopting academic content standards for the state's public schools 20  
and shall adopt academic content standards of its own choosing. No 21  
official of this state, whether appointed or elected, shall join 22  
on behalf of the state or a state agency any consortium, 23  
association, or other entity when such membership would require 24  
the state to cede any measure of control over education, including 25  
academic content standards and assessments of such standards. 26

(2) The state board shall provide public notice of any 27  
proposed adoption or revision of academic content standards on the 28  
department of education's web site. The state board shall request 29  
comments on the proposed changes from the general public, 30  
including parents, teachers, experts on academic content 31  
standards, representatives of political, educational, and 32  
faith-based organizations, and nonpartisan policy institutes. 33

The state board shall not adopt or revise any statewide 34  
academic content standards until the state board holds a public 35  
hearing in each congressional district in the state. The state 36  
board shall post notice of each hearing on the department's web 37  
site and in a newspaper of general circulation in the respective 38  
congressional district. 39

(C) No school district or school shall be required to use any 40  
statewide academic standards adopted by the state board under 41  
section 3301.079 of the Revised Code as a condition for approval 42  
to operate or for receiving state funds. 43

(D) Notwithstanding sections 3301.0714 and 3301.94 of the 44  
Revised Code, the superintendent of public instruction, the state 45  
board, the department, or any other state entity that deals with 46  
education shall not do any of the following: 47

(1) Expend any funds on construction, enhancement, or 48  
expansion of any statewide longitudinal data system designed to 49

track students, or compile personally identifiable student 50  
information, beyond what is necessary for basic administrative 51  
needs, for academic evaluation of programs and student progress, 52  
or for compliance with division (D)(5) of this section; 53

(2) Share any personally identifiable information of students 54  
or teachers with any entity outside the state, except as provided 55  
in division (D)(5) of this section. The prohibition of division 56  
(D)(2) of this section does not apply to virtual, online, or hard 57  
drive file storage hosted by third parties outside of the state. 58

(3) Share any personally identifiable information of students 59  
or teachers with any entity that intends to use that information 60  
to develop commercial products or services or that intends to 61  
transfer the information to any other entity for use in developing 62  
commercial products or services; 63

(4) Share any personally identifiable information of students 64  
or teachers with any entity within the state, unless that entity 65  
is an educational agency or an institution which the state 66  
expressly prohibits, in writing, the agency or institution from 67  
the following: 68

(a) Using the information to develop commercial products or 69  
services or transferring the information to any other entity to 70  
develop commercial products or services; 71

(b) Using the transfer of information for economic or 72  
workforce development planning. 73

(5) Share any personally identifiable information of students 74  
or teachers with the United States department of education, unless 75  
all of the following apply: 76

(a) The sharing of information is required as a condition of 77  
receiving a federal education grant. 78

(b) The United States department of education agrees, in 79

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| <u>writing, to all of the following:</u>   | 80 |
| <u>(i) To use the information only to evaluate the program or programs funded by the grant;</u>  | 81 |
| <u>(ii) That the information will not be used for any research beyond that related to the evaluation of the program or programs funded by the grant, unless the teacher or parent or guardian of any student whose information will be used for the research affirmatively consents to that use in writing;</u>  | 82 |
| <u>(iii) That it will not share the information with any other governmental or private entity, unless the teacher or parent or guardian of any student whose information will be shared affirmatively consents to that sharing in writing;</u>   | 83 |
| <u>(iv) That it will agree to destroy the information upon completion of the evaluation of the program or programs funded by the grant.</u>  | 84 |
| <u>(c) The grant or program for which the information is required is authorized by federal statute or by federal rule adopted under 5 U.S.C. 500 et seq.</u>   | 85 |
| <u>(E) If the United States department of education requires as a condition of a federal education grant that the grant recipient provide personally identifiable information of students or teachers in a way that does not comply with division (D)(5) of this section, the grant recipient shall provide the teacher or parent or guardian of any student whose information is required with notification that includes all of the following:</u> | 86 |
| <u>(1) That the grant recipient has been required to turn over the teacher's or student's information to the United States department of education;</u>  | 87 |
| <u>(2) That neither the grant recipient nor any other entity or official within the state will have control of the use or further</u>  | 88 |

sharing of that information; 110

(3) The contact information, including telephone number and 111

electronic mail address, of the United States department of 112

education official seeking the information. 113