

As Reported by the House Rules and Reference Committee

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

Sub. H. B. No. 343

Representative Stebelton

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A B I L L

To amend sections 3301.0711, 3301.0712, 3302.02, 1
3302.03, 3302.035, 3313.534, 3313.612, 3313.672, 2
3313.814, 3314.06, 3314.38, 3317.034, 3317.23, 3
3317.24, 3319.227, 3319.261, 3321.13, 3345.86, 4
3365.04, 3365.05, and 3365.07 of the Revised Code, 5
and to amend Sections 263.20 and 263.320 of Am. 6
Sub. H.B. 59 of the 130th General Assembly, as 7
subsequently amended, and Section 9 of Am. Sub. 8
H.B. 487 of the 130th General Assembly with 9
respect to state assessments and academic 10
performance reporting, and to make other changes 11
regarding primary and secondary education 12
programs. 13

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

Section 1. That sections 3301.0711, 3301.0712, 3302.02, 14
3302.03, 3302.035, 3313.534, 3313.612, 3313.672, 3313.814, 15
3314.06, 3314.38, 3317.034, 3317.23, 3317.24, 3319.227, 3319.261, 16
3321.13, 3345.86, 3365.04, 3365.05, and 3365.07 of the Revised 17
Code be amended to read as follows: 18

Sec. 3301.0711. (A) The department of education shall: 19
(1) Annually furnish to, grade, and score all assessments 20

required by divisions (A)(1) and (B)(1) of section 3301.0710 of 21
the Revised Code to be administered by city, local, exempted 22
village, and joint vocational school districts, except that each 23
district shall score any assessment administered pursuant to 24
division (B)(10) of this section. Each assessment so furnished 25
shall include the data verification code of the student to whom 26
the assessment will be administered, as assigned pursuant to 27
division (D)(2) of section 3301.0714 of the Revised Code. In 28
furnishing the practice versions of Ohio graduation tests 29
prescribed by division (D) of section 3301.0710 of the Revised 30
Code, the department shall make the tests available on its web 31
site for reproduction by districts. In awarding contracts for 32
grading assessments, the department shall give preference to 33
Ohio-based entities employing Ohio residents. 34

(2) Adopt rules for the ethical use of assessments and 35
prescribing the manner in which the assessments prescribed by 36
section 3301.0710 of the Revised Code shall be administered to 37
students. 38

(B) Except as provided in divisions (C) and (J) of this 39
section, the board of education of each city, local, and exempted 40
village school district shall, in accordance with rules adopted 41
under division (A) of this section: 42

(1) Administer the English language arts assessments 43
prescribed under division (A)(1)(a) of section 3301.0710 of the 44
Revised Code twice annually to all students in the third grade who 45
have not attained the score designated for that assessment under 46
division (A)(2)(c) of section 3301.0710 of the Revised Code. 47

(2) Administer the mathematics assessment prescribed under 48
division (A)(1)(a) of section 3301.0710 of the Revised Code at 49
least once annually to all students in the third grade. 50

(3) Administer the assessments prescribed under division 51

(A)(1)(b) of section 3301.0710 of the Revised Code at least once annually to all students in the fourth grade.	52 53
(4) Administer the assessments prescribed under division (A)(1)(c) of section 3301.0710 of the Revised Code at least once annually to all students in the fifth grade.	54 55 56
(5) Administer the assessments prescribed under division (A)(1)(d) of section 3301.0710 of the Revised Code at least once annually to all students in the sixth grade.	57 58 59
(6) Administer the assessments prescribed under division (A)(1)(e) of section 3301.0710 of the Revised Code at least once annually to all students in the seventh grade.	60 61 62
(7) Administer the assessments prescribed under division (A)(1)(f) of section 3301.0710 of the Revised Code at least once annually to all students in the eighth grade.	63 64 65
(8) Except as provided in division (B)(9) of this section, administer any assessment prescribed under division (B)(1) of section 3301.0710 of the Revised Code as follows:	66 67 68
(a) At least once annually to all tenth grade students and at least twice annually to all students in eleventh or twelfth grade who have not yet attained the score on that assessment designated under that division;	69 70 71 72
(b) To any person who 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 but has not received a high school diploma and who requests to take such assessment, at any time such assessment is administered in the district.	73 74 75 76 77 78
(9) In lieu of the board of education of any city, local, or exempted village school district in which the student is also enrolled, the board of a joint vocational school district shall	79 80 81

administer any assessment prescribed under division (B)(1) of 82
section 3301.0710 of the Revised Code at least twice annually to 83
any student enrolled in the joint vocational school district who 84
has not yet attained the score on that assessment designated under 85
that division. A board of a joint vocational school district may 86
also administer such an assessment to any student described in 87
division (B)(8)(b) of this section. 88

(10) If the district has a three-year average graduation rate 89
of not more than seventy-five per cent, administer each assessment 90
prescribed by division (D) of section 3301.0710 of the Revised 91
Code in September to all ninth grade students, ~~beginning in the~~ 92
~~school year that starts July 1, 2005~~ who entered ninth grade prior 93
to July 1, 2014. 94

Except as provided in section 3313.614 of the Revised Code 95
for administration of an assessment to a person who has fulfilled 96
the curriculum requirement for a high school diploma but has not 97
passed one or more of the required assessments, the assessments 98
prescribed under division (B)(1) of section 3301.0710 of the 99
Revised Code ~~and the practice assessments prescribed under~~ 100
~~division (D) of that section and required to be administered under~~ 101
~~divisions (B)(8), (9), and (10) of this section~~ shall not be 102
administered after ~~July 1, 2015~~ the date specified in the rules 103
adopted by the state board of education under division (D)(1) of 104
section 3301.0712 of the Revised Code. 105

(11) Administer the assessments prescribed by division (B)(2) 106
of section 3301.0710 and section 3301.0712 of the Revised Code in 107
accordance with the timeline and plan for implementation of those 108
assessments prescribed by rule of the state board adopted under 109
division (D)(1) of section 3301.0712 of the Revised Code. 110

(C)(1)(a) In the case of a student receiving special 111
education services under Chapter 3323. of the Revised Code, the 112
individualized education program developed for the student under 113

that chapter shall specify the manner in which the student will 114
participate in the assessments administered under this section. 115
The individualized education program may excuse the student from 116
taking any particular assessment required to be administered under 117
this section if it instead specifies an alternate assessment 118
method approved by the department of education as conforming to 119
requirements of federal law for receipt of federal funds for 120
disadvantaged pupils. To the extent possible, the individualized 121
education program shall not excuse the student from taking an 122
assessment unless no reasonable accommodation can be made to 123
enable the student to take the assessment. 124

(b) Any alternate assessment approved by the department for a 125
student under this division shall produce measurable results 126
comparable to those produced by the assessment it replaces in 127
order to allow for the student's results to be included in the 128
data compiled for a school district or building under section 129
3302.03 of the Revised Code. 130

(c) Any student enrolled in a chartered nonpublic school who 131
has been identified, based on an evaluation conducted in 132
accordance with section 3323.03 of the Revised Code or section 504 133
of the "Rehabilitation Act of 1973," 87 Stat. 355, 29 U.S.C.A. 134
794, as amended, as a child with a disability shall be excused 135
from taking any particular assessment required to be administered 136
under this section if a plan developed for the student pursuant to 137
rules adopted by the state board excuses the student from taking 138
that assessment. In the case of any student so excused from taking 139
an assessment, the chartered nonpublic school shall not prohibit 140
the student from taking the assessment. 141

(2) A district board may, for medical reasons or other good 142
cause, excuse a student from taking an assessment administered 143
under this section on the date scheduled, but that assessment 144
shall be administered to the excused student not later than nine 145

days following the scheduled date. The district board shall 146
annually report the number of students who have not taken one or 147
more of the assessments required by this section to the state 148
board of ~~education~~ not later than the thirtieth day of June. 149

(3) As used in this division, "limited English proficient 150
student" has the same meaning as in 20 U.S.C. 7801. 151

No school district board shall excuse any limited English 152
proficient student from taking any particular assessment required 153
to be administered under this section, except that any limited 154
English proficient student who has been enrolled in United States 155
schools for less than one full school year shall not be required 156
to take any reading, writing, or English language arts assessment. 157
However, no board shall prohibit a limited English proficient 158
student who is not required to take an assessment under this 159
division from taking the assessment. A board may permit any 160
limited English proficient student to take an assessment required 161
to be administered under this section with appropriate 162
accommodations, as determined by the department. For each limited 163
English proficient student, each school district shall annually 164
assess that student's progress in learning English, in accordance 165
with procedures approved by the department. 166

The governing authority of a chartered nonpublic school may 167
excuse a limited English proficient student from taking any 168
assessment administered under this section. However, no governing 169
authority shall prohibit a limited English proficient student from 170
taking the assessment. 171

(D)(1) In the school year next succeeding the school year in 172
which the assessments prescribed by division (A)(1) or (B)(1) of 173
section 3301.0710 of the Revised Code or former division (A)(1), 174
(A)(2), or (B) of section 3301.0710 of the Revised Code as it 175
existed prior to September 11, 2001, are administered to any 176
student, the board of education of any school district in which 177

the student is enrolled in that year shall provide to the student 178
intervention services commensurate with the student's performance, 179
including any intensive intervention required under section 180
3313.608 of the Revised Code, in any skill in which the student 181
failed to demonstrate at least a score at the proficient level on 182
the assessment. 183

(2) Following any administration of the assessments 184
prescribed by division (D) of section 3301.0710 of the Revised 185
Code to ninth grade students, each school district that has a 186
three-year average graduation rate of not more than seventy-five 187
per cent shall determine for each high school in the district 188
whether the school shall be required to provide intervention 189
services to any students who took the assessments. In determining 190
which high schools shall provide intervention services based on 191
the resources available, the district shall consider each school's 192
graduation rate and scores on the practice assessments. The 193
district also shall consider the scores received by ninth grade 194
students on the English language arts and mathematics assessments 195
prescribed under division (A)(1)(f) of section 3301.0710 of the 196
Revised Code in the eighth grade in determining which high schools 197
shall provide intervention services. 198

Each high school selected to provide intervention services 199
under this division shall provide intervention services to any 200
student whose results indicate that the student is failing to make 201
satisfactory progress toward being able to attain scores at the 202
proficient level on the Ohio graduation tests. Intervention 203
services shall be provided in any skill in which a student 204
demonstrates unsatisfactory progress and shall be commensurate 205
with the student's performance. Schools shall provide the 206
intervention services prior to the end of the school year, during 207
the summer following the ninth grade, in the next succeeding 208
school year, or at any combination of those times. 209

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

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

(G)(1) Each school district board shall designate one location for the collection of assessments administered in the spring under division (B)(1) of this section and those administered under divisions (B)(2) to (7) of this section. Each district board shall submit the assessments to the entity with which the department contracts for the scoring of the assessments as follows:

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

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

(c) If the district's total enrollment in grades kindergarten through twelve during the first full school week of October was

seven thousand or more, not later than the Tuesday after all of 241
the assessments have been administered. 242

However, any assessment that a student takes during the 243
make-up period described in division (C)(2) of this section shall 244
be submitted not later than the Friday following the day the 245
student takes the assessment. 246

(2) The department or an entity with which the department 247
contracts for the scoring of the assessment shall send to each 248
school district board a list of the individual scores of all 249
persons taking an assessment prescribed by division (A)(1) or 250
(B)(1) of section 3301.0710 of the Revised Code within sixty days 251
after its administration, but in no case shall the scores be 252
returned later than the fifteenth day of June following the 253
administration. For assessments administered under this section by 254
a joint vocational school district, the department or entity shall 255
also send to each city, local, or exempted village school district 256
a list of the individual scores of any students of such city, 257
local, or exempted village school district who are attending 258
school in the joint vocational school district. 259

(H) Individual scores on any assessments administered under 260
this section shall be released by a district board only in 261
accordance with section 3319.321 of the Revised Code and the rules 262
adopted under division (A) of this section. No district board or 263
its employees shall utilize individual or aggregate results in any 264
manner that conflicts with rules for the ethical use of 265
assessments adopted pursuant to division (A) of this section. 266

(I) Except as provided in division (G) of this section, the 267
department or an entity with which the department contracts for 268
the scoring of the assessment shall not release any individual 269
scores on any assessment administered under this section. The 270
state board ~~of education~~ shall adopt rules to ensure the 271
protection of student confidentiality at all times. The rules may 272

require the use of the data verification codes assigned to 273
students pursuant to division (D)(2) of section 3301.0714 of the 274
Revised Code to protect the confidentiality of student scores. 275

(J) Notwithstanding division (D) of section 3311.52 of the 276
Revised Code, this section does not apply to the board of 277
education of any cooperative education school district except as 278
provided under rules adopted pursuant to this division. 279

(1) In accordance with rules that the state board ~~of~~ 280
~~education~~ shall adopt, the board of education of any city, 281
exempted village, or local school district with territory in a 282
cooperative education school district established pursuant to 283
divisions (A) to (C) of section 3311.52 of the Revised Code may 284
enter into an agreement with the board of education of the 285
cooperative education school district for administering any 286
assessment prescribed under this section to students of the city, 287
exempted village, or local school district who are attending 288
school in the cooperative education school district. 289

(2) In accordance with rules that the state board ~~of~~ 290
~~education~~ shall adopt, the board of education of any city, 291
exempted village, or local school district with territory in a 292
cooperative education school district established pursuant to 293
section 3311.521 of the Revised Code shall enter into an agreement 294
with the cooperative district that provides for the administration 295
of any assessment prescribed under this section to both of the 296
following: 297

(a) Students who are attending school in the cooperative 298
district and who, if the cooperative district were not 299
established, would be entitled to attend school in the city, 300
local, or exempted village school district pursuant to section 301
3313.64 or 3313.65 of the Revised Code; 302

(b) Persons described in division (B)(8)(b) of this section. 303

Any assessment of students pursuant to such an agreement 304
shall be in lieu of any assessment of such students or persons 305
pursuant to this section. 306

(K)(1)(a) Except as otherwise provided in division (K)(1)(a) 307
or (K)(1)(c) of this section, each chartered nonpublic school for 308
which at least sixty-five per cent of its total enrollment is made 309
up of students who are participating in state scholarship programs 310
shall administer the elementary assessments prescribed by section 311
3301.0710 of the Revised Code. In accordance with procedures and 312
deadlines prescribed by the department, the parent or guardian of 313
a student enrolled in the school who is not participating in a 314
state scholarship program may submit notice to the chief 315
administrative officer of the school that the parent or guardian 316
does not wish to have the student take the elementary assessments 317
prescribed for the student's grade level under division (A) of 318
section 3301.0710 of the Revised Code. If a parent or guardian 319
submits an opt-out notice, the school shall not administer the 320
assessments to that student. This option does not apply to any 321
assessment required for a high school diploma under section 322
3313.612 of the Revised Code. 323

(b) If a chartered nonpublic school is educating students in 324
grades nine through twelve, it shall administer the assessments 325
prescribed by divisions (B)(1) and (2) of section 3301.0710 of the 326
Revised Code as a condition of compliance with section 3313.612 of 327
the Revised Code. 328

(c) A chartered nonpublic school may submit to the 329
superintendent of public instruction a request for a waiver from 330
administering the elementary assessments prescribed by division 331
(A) of section 3301.0710 of the Revised Code. The state 332
superintendent shall approve or disapprove a request for a waiver 333
submitted under division (K)(1)(c) of this section. No waiver 334
shall be approved for any school year prior to the 2015-2016 335

school year. 336

To be eligible to submit a request for a waiver, a chartered 337
nonpublic school shall meet the following conditions: 338

(i) At least ninety-five per cent of the students enrolled in 339
the school are children with disabilities, as defined under 340
section 3323.01 of the Revised Code, or have received a diagnosis 341
by a school district or from a physician, including a 342
neuropsychiatrist or psychiatrist, or a psychologist who is 343
authorized to practice in this or another state as having a 344
condition that impairs academic performance, such as dyslexia, 345
dyscalculia, attention deficit hyperactivity disorder, or 346
Asperger's syndrome. 347

(ii) The school has solely served a student population 348
described in division (K)(1)(c)(i) of this section for at least 349
ten years. 350

(iii) The school provides to the department at least five 351
years of records of internal testing conducted by the school that 352
affords the department data required for accountability purposes, 353
including diagnostic assessments and nationally standardized 354
norm-referenced achievement assessments that measure reading and 355
math skills. 356

(d) Any chartered nonpublic school that is not subject to 357
division (K)(1)(a) of this section may participate in the 358
assessment program by administering any of the assessments 359
prescribed by division (A) of section 3301.0710 of the Revised 360
Code. The chief administrator of the school shall specify which 361
assessments the school will administer. Such specification shall 362
be made in writing to the superintendent of public instruction 363
prior to the first day of August of any school year in which 364
assessments are administered and shall include a pledge that the 365
nonpublic school will administer the specified assessments in the 366

same manner as public schools are required to do under this 367
section and rules adopted by the department. 368

(2) The department of education shall furnish the assessments 369
prescribed by section 3301.0710 or 3301.0712 of the Revised Code 370
to each chartered nonpublic school that is subject to division 371
(K)(1)(a) of this section or participates under division (K)(1)(b) 372
of this section. 373

(L)(1) The superintendent of the state school for the blind 374
and the superintendent of the state school for the deaf shall 375
administer the assessments described by sections 3301.0710 and 376
3301.0712 of the Revised Code. Each superintendent shall 377
administer the assessments in the same manner as district boards 378
are required to do under this section and rules adopted by the 379
department of education and in conformity with division (C)(1)(a) 380
of this section. 381

(2) The department of education shall furnish the assessments 382
described by sections 3301.0710 and 3301.0712 of the Revised Code 383
to each superintendent. 384

(M) Notwithstanding division (E) of this section, a school 385
district may use a student's failure to attain a score in at least 386
the proficient range on the mathematics assessment described by 387
division (A)(1)(a) of section 3301.0710 of the Revised Code or on 388
an assessment described by division (A)(1)(b), (c), (d), (e), or 389
(f) of section 3301.0710 of the Revised Code as a factor in 390
retaining that student in the current grade level. 391

(N)(1) In the manner specified in divisions (N)(3), (4), and 392
(6) of this section, the assessments required by division (A)(1) 393
of section 3301.0710 of the Revised Code shall become public 394
records pursuant to section 149.43 of the Revised Code on the 395
thirty-first day of July following the school year that the 396
assessments were administered. 397

(2) The department may field test proposed questions with 398
samples of students to determine the validity, reliability, or 399
appropriateness of questions for possible inclusion in a future 400
year's assessment. The department also may use anchor questions on 401
assessments to ensure that different versions of the same 402
assessment are of comparable difficulty. 403

Field test questions and anchor questions shall not be 404
considered in computing scores for individual students. Field test 405
questions and anchor questions may be included as part of the 406
administration of any assessment required by division (A)(1) or 407
(B) of section 3301.0710 and division (B) of section 3301.0712 of 408
the Revised Code. 409

(3) Any field test question or anchor question administered 410
under division (N)(2) of this section shall not be a public 411
record. Such field test questions and anchor questions shall be 412
redacted from any assessments which are released as a public 413
record pursuant to division (N)(1) of this section. 414

(4) This division applies to the assessments prescribed by 415
division (A) of section 3301.0710 of the Revised Code. 416

(a) The first administration of each assessment, as specified 417
in former section 3301.0712 of the Revised Code, shall be a public 418
record. 419

(b) For subsequent administrations of each assessment prior 420
to the 2011-2012 school year, not less than forty per cent of the 421
questions on the assessment that are used to compute a student's 422
score shall be a public record. The department shall determine 423
which questions will be needed for reuse on a future assessment 424
and those questions shall not be public records and shall be 425
redacted from the assessment prior to its release as a public 426
record. However, for each redacted question, the department shall 427
inform each city, local, and exempted village school district of 428

the statewide academic standard adopted by the state board of ~~of~~ 429
~~education~~ under section 3301.079 of the Revised Code and the 430
corresponding benchmark to which the question relates. The 431
preceding sentence does not apply to field test questions that are 432
redacted under division (N)(3) of this section. 433

(c) The administrations of each assessment in the 2011-2012, 434
2012-2013, and 2013-2014 school years shall not be a public 435
record. 436

(5) Each assessment prescribed by division (B)(1) of section 437
3301.0710 of the Revised Code shall not be a public record. 438

(6) Beginning with the spring administration for the 439
2014-2015 school year, questions on the assessments prescribed 440
under division (A) of section 3301.0710 and division (B)(2) of 441
section 3301.0712 of the Revised Code and the corresponding 442
preferred answers that are used to compute a student's score shall 443
become a public record as follows: 444

(a) Forty per cent of the questions and preferred answers on 445
the assessments on the thirty-first day of July following the 446
administration of the assessment; 447

(b) Twenty per cent of the questions and preferred answers on 448
the assessment on the thirty-first day of July one year after the 449
administration of the assessment; 450

(c) The remaining forty per cent of the questions and 451
preferred answers on the assessment on the thirty-first day of 452
July two years after the administration of the assessment. 453

The entire content of an assessment shall become a public 454
record within three years of its administration. 455

The department shall make the questions that become a public 456
record under this division readily accessible to the public on the 457
department's web site. Questions on the spring administration of 458

each assessment shall be released on an annual basis, in 459
accordance with this division. 460

(0) As used in this section: 461

(1) "Three-year average" means the average of the most recent 462
consecutive three school years of data. 463

(2) "Dropout" means a student who withdraws from school 464
before completing course requirements for graduation and who is 465
not enrolled in an education program approved by the state board 466
of education or an education program outside the state. "Dropout" 467
does not include a student who has departed the country. 468

(3) "Graduation rate" means the ratio of students receiving a 469
diploma to the number of students who entered ninth grade four 470
years earlier. Students who transfer into the district are added 471
to the calculation. Students who transfer out of the district for 472
reasons other than dropout are subtracted from the calculation. If 473
a student who was a dropout in any previous year returns to the 474
same school district, that student shall be entered into the 475
calculation as if the student had entered ninth grade four years 476
before the graduation year of the graduating class that the 477
student joins. 478

(4) "State scholarship programs" means the educational choice 479
scholarship pilot program established under sections 3310.01 to 480
3310.17 of the Revised Code, the autism scholarship program 481
established under section 3310.41 of the Revised Code, the Jon 482
Peterson special needs scholarship program established under 483
sections 3310.51 to 3310.64 of the Revised Code, and the pilot 484
project scholarship program established under sections 3313.974 to 485
3313.979 of the Revised Code. 486

Sec. 3301.0712. (A) The state board of education, the 487
superintendent of public instruction, and the chancellor of the 488

Ohio board of regents shall develop a system of college and work 489
ready assessments as described in division (B) of this section to 490
assess whether each student upon graduating from high school is 491
ready to enter college or the workforce. Beginning with students 492
who enter the ninth grade for the first time on or after July 1, 493
2014, the system shall replace the Ohio graduation tests 494
prescribed in division (B)(1) of section 3301.0710 of the Revised 495
Code as a measure of student academic performance and one 496
determinant of eligibility for a high school diploma in the manner 497
prescribed by rule of the state board adopted under division (D) 498
of this section. 499

(B) The college and work ready assessment system shall 500
consist of the following: 501

(1) A nationally standardized assessment that measures 502
college and career readiness, and is used for college admission, 503
~~and includes components in English, mathematics, science, and~~ 504
~~social studies.~~ The assessment shall be selected jointly by the 505
state superintendent and the chancellor. The assessment prescribed 506
under division (B)(1) of this section shall be administered to all 507
eleventh-grade students. 508

(2) Seven end-of-course examinations, one in each of the 509
areas of English language arts I, English language arts II, 510
physical science or biology, Algebra I, geometry, American 511
history, and American government. The end-of-course examinations 512
shall be selected jointly by the state superintendent and the 513
chancellor in consultation with faculty in the appropriate subject 514
areas at institutions of higher education of the university system 515
of Ohio. Advanced placement examinations, and international 516
baccalaureate examinations, ~~and dual enrollment or advanced~~ 517
~~standing program examinations,~~ as prescribed under section 518
3313.6013 of the Revised Code, in the areas of physical science or 519

biology, American history, and American government may be used as 520
end-of-course examinations in accordance with division 521
(B)(4)(a)(i) of this section. Final course grades for courses 522
taken under any other advanced standing program, as prescribed 523
under section 3313.6013 of the Revised Code, in the areas of 524
physical science or biology, American history, and American 525
government may be used in lieu of end-of-course examinations in 526
accordance with division (B)(4)(a)(ii) of this section. 527

(3)(a) Not later than July 1, 2013, each school district 528
board of education shall adopt interim end-of-course examinations 529
that comply with the requirements of divisions (B)(3)(b)(i) and 530
(ii) of this section to assess mastery of American history and 531
American government standards adopted under division (A)(1)(b) of 532
section 3301.079 of the Revised Code and the topics required under 533
division (M) of section 3313.603 of the Revised Code. Each high 534
school of the district shall use the interim examinations until 535
the state superintendent and chancellor select end-of-course 536
examinations in American history and American government under 537
division (B)(2) of this section. 538

(b) Not later than July 1, 2014, the state superintendent and 539
the chancellor shall select the end-of-course examinations in 540
American history and American government. 541

(i) The end-of-course examinations in American history and 542
American government shall require demonstration of mastery of the 543
American history and American government content for social 544
studies standards adopted under division (A)(1)(b) of section 545
3301.079 of the Revised Code and the topics required under 546
division (M) of section 3313.603 of the Revised Code. 547

(ii) At least twenty per cent of the end-of-course 548
examination in American government shall address the topics on 549
American history and American government described in division (M) 550
of section 3313.603 of the Revised Code. 551

(4)(a) Notwithstanding anything to the contrary in this 552
section, beginning with the 2014-2015 school year, if both of the 553
following shall apply: 554

(i) If a student is enrolled in an appropriate advanced 555
placement or international baccalaureate course ~~or is enrolled~~ 556
~~under any other dual enrollment or advanced standing program,~~ that 557
student shall take the advanced placement or international 558
baccalaureate examination ~~or applicable examination under dual~~ 559
~~enrollment or advanced standing~~ in lieu of the physical science or 560
biology, American history, or American government end-of-course 561
examinations prescribed under division (B)(2) of this section. The 562
state board shall specify the score levels for each advanced 563
placement examination, and international baccalaureate 564
examination, ~~and examination required under other dual enrollment~~ 565
~~or advanced standing programs~~ for purposes of calculating the 566
minimum cumulative performance score that demonstrates the level 567
of academic achievement necessary to earn a high school diploma. 568

(ii) If a student is enrolled in an appropriate course under 569
any other advanced standing program, as described in section 570
3313.6013 of the Revised Code, that student shall not be required 571
to take the physical science or biology, American history, or 572
American government end-of-course examination, whichever is 573
applicable, prescribed under division (B)(2) of this section. 574
Instead, that student's final course grade shall be used in lieu 575
of the applicable end-of-course examination prescribed under that 576
section. The state superintendent and the chancellor jointly shall 577
adopt guidelines for purposes of calculating the minimum final 578
course grade that demonstrates the level of academic achievement 579
necessary to earn a high school diploma. 580

Division (B)(4)(a)(ii) of this section shall apply only to 581
courses for which students receive transcribed credit, as defined 582
in division (U) of section 3365.01 of the Revised Code. It shall 583

not apply to remedial or developmental courses. 584

(b) No student shall take a substitute examination or 585
examination prescribed under division (B)(4)(a) of this section in 586
place of the end-of-course examinations in English language arts 587
I, English language arts II, Algebra I, or geometry prescribed 588
under division (B)(2) of this section. 589

(c) The state board shall consider additional assessments 590
that may be used, beginning with the 2016-2017 school year, as 591
substitute examinations in lieu of the end-of-course examinations 592
prescribed under division (B)(2) of this section. 593

(5)(a) The state board shall ~~determine~~ do all of the 594
following: 595

(a) Determine and designate at least five ranges of scores on 596
each of the end-of-course examinations prescribed under division 597
(B)(2) of this section, and substitute examinations prescribed 598
under division (B)(4) of this section. Each range of scores shall 599
be considered to demonstrate a level of achievement so that any 600
student attaining a score within such range has achieved one of 601
the following: 602

- (i) An advanced level of skill; 603
- (ii) An accelerated level of skill; 604
- (iii) A proficient level of skill; 605
- (iv) A basic level of skill; 606
- (v) A limited level of skill. 607

(b) Determine a method by which to calculate a cumulative 608
performance score based on the results of a student's 609
end-of-course examinations or substitute examinations; 610

(c) Determine the minimum cumulative performance score that 611
demonstrates the level of academic achievement necessary to earn a 612
high school diploma; 613

(d) Develop a table of corresponding score equivalents for 614
the end-of-course examinations and substitute examinations in 615
order to calculate student performance consistently across the 616
different examinations. A score of two on an advanced placement 617
examination shall be considered equivalent to a proficient level 618
of skill as specified under division (B)(5)(a)(iii) of this 619
section. A score of three on an advanced placement examinations 620
shall be considered equivalent to an accelerated level of skill as 621
specified under division (B)(5)(a)(ii) of this section. 622

(6) Any student who received high school credit prior to July 623
1, 2014, for a course for which an end-of-course examination is 624
prescribed by division (B)(2) of this section shall not be 625
required to take that end-of-course examination. Receipt of credit 626
for that course shall satisfy the requirement to take the 627
end-of-course examination. 628

(7)(a) Notwithstanding anything to the contrary in this 629
section, the state board may replace the algebra I end-of-course 630
examination prescribed under division (B)(2) of this section with 631
an algebra II end-of-course examination, beginning with the 632
2016-2017 school year for students who enter ninth grade on or 633
after July 1, 2016. 634

(b) If the state board replaces the algebra I end-of-course 635
examination with an algebra II end-of-course examination as 636
authorized under division (B)(7)(a) of this section, a both of the 637
following shall apply: 638

(i) A student who is enrolled in an advanced placement or 639
international baccalaureate course in algebra II ~~or is enrolled 640
under any other dual enrollment or advanced standing program in 641
algebra II~~ shall take the advanced placement or international 642
baccalaureate examination ~~or applicable examination under dual 643
enrollment or advanced standing~~ in lieu of the algebra II 644
end-of-course examination. 645

(ii) A student who is enrolled in an algebra II course under any other advanced standing program, as described in section 3313.6013 of the Revised Code, shall not be required to take the algebra II end-of-course examination, so long as the course is not remedial or developmental and the student receives transcribed credit, as defined in division (U) of section 3365.01 of the Revised Code, for the course. Instead, that student's final course grade shall be used in lieu of the examination.

(c) If a school district or school utilizes an integrated approach to mathematics instruction, the district or school may do either or both of the following:

(i) Administer an integrated mathematics I end-of-course examination in lieu of the prescribed algebra I end-of-course examination;

(ii) Administer an integrated mathematics II end-of-course examination in lieu of the prescribed geometry end-of-course examination.

(8)(a) Until July 1, 2016, the department of education shall make available end-of-course examinations in both physical science and biology.

(b) For any school year that begins on or after July 1, 2016, the state board may choose to provide one or both of the end-of-course examinations in physical science and biology.

(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, 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 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;

(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) of section 3313.61 and division (B)(3) of section 3313.612 of the Revised Code;

(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;

(5) 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.

(E) 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) 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.

(F)(1) Any person enrolled in a nonchartered nonpublic school

or any person who has been excused from attendance at school for 708
the purpose of home instruction under section 3321.04 of the 709
Revised Code may choose to participate in the system of 710
assessments administered under divisions (B)(1) and (2) of this 711
section. However, no such person shall be required to participate 712
in the system of assessments. 713

(2) The department shall adopt rules for the administration 714
and scoring of any assessments under division (F)(1) of this 715
section. 716

(G) Not later than December 31, 2014, the state board shall 717
select at least one nationally recognized job skills assessment. 718
Each school district shall administer that assessment to those 719
students who opt to take it. The state shall reimburse a school 720
district for the costs of administering that assessment. The state 721
board shall establish the minimum score a student must attain on 722
the job skills assessment in order to demonstrate a student's 723
workforce readiness and employability. The administration of the 724
job skills assessment to a student under this division shall not 725
exempt a school district from administering the assessments 726
prescribed in division (B) of this section to that student. 727

Sec. 3302.02. Not later than one year after the adoption of 728
rules under division (D) of section 3301.0712 of the Revised Code 729
and at least every sixth year thereafter, upon recommendations of 730
the superintendent of public instruction, the state board of 731
education shall establish a set of performance indicators that 732
considered as a unit will be used as one of the performance 733
categories for the report cards required by section 3302.03 of the 734
Revised Code. In establishing these indicators, the superintendent 735
shall consider inclusion of student performance on assessments 736
prescribed under section 3301.0710 or 3301.0712 of the Revised 737
Code, rates of student improvement on such assessments, the 738

breadth of coursework available within the district, and other 739
indicators of student success. 740

Beginning with the report card for the 2014-2015 school year, 741
the performance indicators shall include an indicator that 742
reflects the level of services provided to, and the performance 743
of, students identified as gifted under Chapter 3324. of the 744
Revised Code. The indicator shall include the performance of 745
students identified as gifted on state assessments and value-added 746
growth measure disaggregated for students identified as gifted. 747

For the 2013-2014 school year, except as otherwise provided 748
in this section, for any indicator based on the percentage of 749
students attaining a proficient score on the assessments 750
prescribed by divisions (A) and (B)(1) of section 3301.0710 of the 751
Revised Code, a school district or building shall be considered to 752
have met the indicator if at least eighty per cent of the tested 753
students attain a score of proficient or higher on the assessment. 754
A school district or building shall be considered to have met the 755
indicator for the assessments prescribed by division (B)(1) of 756
section 3301.0710 of the Revised Code and only as administered to 757
eleventh grade students, if at least eighty-five per cent of the 758
tested students attain a score of proficient or higher on the 759
assessment. ~~Not later than July 1, 2014, the~~ 760

The state board may shall adopt rules, under Chapter 119. of 761
the Revised Code, to establish ~~different~~ proficiency percentages 762
to meet each indicator that is based on a state assessment, 763
prescribed under section 3301.0710 or 3301.0712 of the Revised 764
Code, for the 2014-2015 school year and thereafter by the 765
following dates: 766

(A) Not later than December 1, 2015, for the 2014-2015 school 767
year; 768

(B) Not later than July 1, 2016, for the 2015-2016 school 769

year; 770

(C) Not later than July 1, 2017, for the 2016-2017 school 771
year, and for each school year thereafter. 772

The proficiency percentage shall not be less than sixty per 773
cent for the 2014-2015, 2015-2016, and 2016-2017 school years. The 774
proficiency percentage shall not be less than eighty per cent for 775
the 2017-2018 school year and each school year thereafter. 776

The superintendent shall not establish any performance 777
indicator for passage of the third or fourth grade English 778
language arts assessment that is solely based on the assessment 779
given in the fall for the purpose of determining whether students 780
have met the reading guarantee provisions of section 3313.608 of 781
the Revised Code. 782

Sec. 3302.03. Annually, not later than the fifteenth day of 783
September or the preceding Friday when that day falls on a 784
Saturday or Sunday, the department of education shall assign a 785
letter grade for overall academic performance and for each 786
separate performance measure for each school district, and each 787
school building in a district, in accordance with this section. 788
The state board shall adopt rules pursuant to Chapter 119. of the 789
Revised Code to establish performance criteria for each letter 790
grade and prescribe a method by which the department assigns each 791
letter grade. For a school building to which any of the 792
performance measures do not apply, due to grade levels served by 793
the building, the state board shall designate the performance 794
measures that are applicable to the building and that must be 795
calculated separately and used to calculate the building's overall 796
grade. The department shall issue annual report cards reflecting 797
the performance of each school district, each building within each 798
district, and for the state as a whole using the performance 799
measures and letter grade system described in this section. The 800

department shall include on the report card for each district and 801
each building within each district the most recent two-year trend 802
data in student achievement for each subject and each grade. 803

(A)(1) For the 2012-2013 school year, the department shall 804
issue grades as described in division (E) of this section for each 805
of the following performance measures: 806

(a) Annual measurable objectives; 807

(b) Performance index score for a school district or 808
building. Grades shall be awarded as a percentage of the total 809
possible points on the performance index system as adopted by the 810
state board. In adopting benchmarks for assigning letter grades 811
under division (A)(1)(b) of this section, the state board of 812
education shall designate ninety per cent or higher for an "A," at 813
least seventy per cent but not more than eighty per cent for a 814
"C," and less than fifty per cent for an "F." 815

(c) The extent to which the school district or building meets 816
each of the applicable performance indicators established by the 817
state board under section 3302.02 of the Revised Code and the 818
percentage of applicable performance indicators that have been 819
achieved. In adopting benchmarks for assigning letter grades under 820
division (A)(1)(c) of this section, the state board shall 821
designate ninety per cent or higher for an "A." 822

(d) The four- and five-year adjusted cohort graduation rates. 823

In adopting benchmarks for assigning letter grades under 824
division (A)(1)(d), (B)(1)(d), or (C)(1)(d) of this section, the 825
department shall designate a four-year adjusted cohort graduation 826
rate of ninety-three per cent or higher for an "A" and a five-year 827
cohort graduation rate of ninety-five per cent or higher for an 828
"A." 829

(e) The overall score under the value-added progress 830
dimension of a school district or building, for which the 831

department shall use up to three years of value-added data as 832
available. The letter grade assigned for this growth measure shall 833
be as follows: 834

(i) A score that is at least two standard errors of measure 835
above the mean score shall be designated as an "A." 836

(ii) A score that is at least one standard error of measure 837
but less than two standard errors of measure above the mean score 838
shall be designated as a "B." 839

(iii) A score that is less than one standard error of measure 840
above the mean score but greater than or equal to one standard 841
error of measure below the mean score shall be designated as a 842
"C." 843

(iv) A score that is not greater than one standard error of 844
measure below the mean score but is greater than or equal to two 845
standard errors of measure below the mean score shall be 846
designated as a "D." 847

(v) A score that is not greater than two standard errors of 848
measure below the mean score shall be designated as an "F." 849

Whenever the value-added progress dimension is used as a 850
graded performance measure, whether as an overall measure or as a 851
measure of separate subgroups, the grades for the measure shall be 852
calculated in the same manner as prescribed in division (A)(1)(e) 853
of this section. 854

(f) The value-added progress dimension score for a school 855
district or building disaggregated for each of the following 856
subgroups: students identified as gifted, students with 857
disabilities, and students whose performance places them in the 858
lowest quintile for achievement on a statewide basis. Each 859
subgroup shall be a separate graded measure. 860

(2) Not later than April 30, 2013, the state board of 861

education shall adopt a resolution describing the performance 862
measures, benchmarks, and grading system for the 2012-2013 school 863
year and, not later than June 30, 2013, shall adopt rules in 864
accordance with Chapter 119. of the Revised Code that prescribe 865
the methods by which the performance measures under division 866
(A)(1) of this section shall be assessed and assigned a letter 867
grade, including performance benchmarks for each letter grade. 868

At least forty-five days prior to the state board's adoption 869
of rules to prescribe the methods by which the performance 870
measures under division (A)(1) of this section shall be assessed 871
and assigned a letter grade, the department shall conduct a public 872
presentation before the standing committees of the house of 873
representatives and the senate that consider education legislation 874
describing such methods, including performance benchmarks. 875

(3) There shall not be an overall letter grade for a school 876
district or building for the 2012-2013 school year. 877

(B)(1) For the 2013-2014 school year, the department shall 878
issue grades as described in division (E) of this section for each 879
of the following performance measures: 880

(a) Annual measurable objectives; 881

(b) Performance index score for a school district or 882
building. Grades shall be awarded as a percentage of the total 883
possible points on the performance index system as created by the 884
department. In adopting benchmarks for assigning letter grades 885
under division (B)(1)(b) of this section, the state board shall 886
designate ninety per cent or higher for an "A," at least seventy 887
per cent but not more than eighty per cent for a "C," and less 888
than fifty per cent for an "F." 889

(c) The extent to which the school district or building meets 890
each of the applicable performance indicators established by the 891
state board under section 3302.03 of the Revised Code and the 892

percentage of applicable performance indicators that have been 893
achieved. In adopting benchmarks for assigning letter grades under 894
division (B)(1)(c) of this section, the state board shall 895
designate ninety per cent or higher for an "A." 896

(d) The four- and five-year adjusted cohort graduation rates; 897

(e) The overall score under the value-added progress 898
dimension of a school district or building, for which the 899
department shall use up to three years of value-added data as 900
available. 901

(f) The value-added progress dimension score for a school 902
district or building disaggregated for each of the following 903
subgroups: students identified as gifted in superior cognitive 904
ability and specific academic ability fields under Chapter 3324. 905
of the Revised Code, students with disabilities, and students 906
whose performance places them in the lowest quintile for 907
achievement on a statewide basis. Each subgroup shall be a 908
separate graded measure. 909

(g) Whether a school district or building is making progress 910
in improving literacy in grades kindergarten through three, as 911
determined using a method prescribed by the state board. The state 912
board shall adopt rules to prescribe benchmarks and standards for 913
assigning grades to districts and buildings for purposes of 914
division (B)(1)(g) of this section. In adopting benchmarks for 915
assigning letter grades under divisions (B)(1)(g) and (C)(1)(g) of 916
this section, the state board shall determine progress made based 917
on the reduction in the total percentage of students scoring below 918
grade level, or below proficient, compared from year to year on 919
the reading and writing diagnostic assessments administered under 920
section 3301.0715 of the Revised Code and the third grade English 921
language arts assessment under section 3301.0710 of the Revised 922
Code, as applicable. The state board shall designate for a "C" 923
grade a value that is not lower than the statewide average value 924

for this measure. No grade shall be issued under divisions 925
(B)(1)(g) and (C)(1)(g) of this section for a district or building 926
in which less than five per cent of students have scored below 927
grade level on the diagnostic assessment administered to students 928
in kindergarten under division (B)(1) of section 3313.608 of the 929
Revised Code. 930

(h) For a high mobility school district or building, an 931
additional value-added progress dimension score. For this measure, 932
the department shall use value-added data from the most recent 933
school year available and shall use assessment scores for only 934
those students to whom the district or building has administered 935
the assessments prescribed by section 3301.0710 of the Revised 936
Code for each of the two most recent consecutive school years. 937

As used in this division, "high mobility school district or 938
building" means a school district or building where at least 939
twenty-five per cent of its total enrollment is made up of 940
students who have attended that school district or building for 941
less than one year. 942

(2) In addition to the graded measures in division (B)(1) of 943
this section, the department shall include on a school district's 944
or building's report card all of the following without an assigned 945
letter grade: 946

(a) The percentage of students enrolled in a district or 947
building participating in advanced placement classes and the 948
percentage of those students who received a score of three or 949
better on advanced placement examinations; 950

(b) The number of a district's or building's students who 951
have earned at least three college credits through dual enrollment 952
or advanced standing programs, such as the post-secondary 953
enrollment options program under Chapter 3365. of the Revised Code 954
and state-approved career-technical courses offered through dual 955

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-recognized credentials. The state board shall adopt criteria for acceptable 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.

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

At least forty-five days prior to the state board's adoption 987
of rules to prescribe the methods by which the performance 988
measures under division (B)(1) of this section shall be assessed 989
and assigned a letter grade, the department shall conduct a public 990
presentation before the standing committees of the house of 991
representatives and the senate that consider education legislation 992
describing such methods, including performance benchmarks. 993

(4) There shall not be an overall letter grade for a school 994
district or building for the 2013-2014 school year. 995

(C)(1) For the 2014-2015 school year and each school year 996
thereafter, the department shall issue grades as described in 997
division (E) of this section for each of the performance measures 998
prescribed in division (C)(1) of this section and an overall 999
letter grade based on an aggregate of those measures, except for 1000
the performance measure set forth in division (C)(1)(h) of this 1001
section. The graded measures are as follows: 1002

(a) Annual measurable objectives; 1003

(b) Performance index score for a school district or 1004
building. Grades shall be awarded as a percentage of the total 1005
possible points on the performance index system as created by the 1006
department. In adopting benchmarks for assigning letter grades 1007
under division (C)(1)(b) of this section, the state board shall 1008
designate ninety per cent or higher for an "A," at least seventy 1009
per cent but not more than eighty per cent for a "C," and less 1010
than fifty per cent for an "F." 1011

(c) The extent to which the school district or building meets 1012
each of the applicable performance indicators established by the 1013
state board under section 3302.03 of the Revised Code and the 1014
percentage of applicable performance indicators that have been 1015
achieved. In adopting benchmarks for assigning letter grades under 1016
division (C)(1)(c) of this section, the state board shall 1017

designate ninety per cent or higher for an "A." 1018

(d) The four- and five-year adjusted cohort graduation rates; 1019

(e) The overall score under the value-added progress 1020
dimension, or another measure of student academic progress if 1021
adopted by the state board, of a school district or building, for 1022
which the department shall use up to three years of value-added 1023
data as available. 1024

In adopting benchmarks for assigning letter grades for 1025
overall score on value-added progress dimension under division 1026
(C)(1)(e) of this section, the state board shall prohibit the 1027
assigning of a grade of "A" for that measure unless the district's 1028
or building's grade assigned for value-added progress dimension 1029
for all subgroups under division (C)(1)(f) of this section is a 1030
"B" or higher. 1031

For the metric prescribed by division (C)(1)(e) of this 1032
section, the state board may adopt a student academic progress 1033
measure to be used instead of the value-added progress dimension. 1034
If the state board adopts such a measure, it also shall prescribe 1035
a method for assigning letter grades for the new measure that is 1036
comparable to the method prescribed in division (A)(1)(e) of this 1037
section. 1038

(f) The value-added progress dimension score of a school 1039
district or building disaggregated for each of the following 1040
subgroups: students identified as gifted in superior cognitive 1041
ability and specific academic ability fields under Chapter 3324. 1042
of the Revised Code, students with disabilities, and students 1043
whose performance places them in the lowest quintile for 1044
achievement on a statewide basis, as determined by a method 1045
prescribed by the state board. Each subgroup shall be a separate 1046
graded measure. 1047

The state board may adopt student academic progress measures 1048

to be used instead of the value-added progress dimension. If the state board adopts such measures, it also shall prescribe a method for assigning letter grades for the new measures that is comparable to the method prescribed in division (A)(1)(e) of this section.

(g) Whether a school district or building is making progress in improving literacy in grades kindergarten through three, as determined using a method prescribed by the state board. The state board shall adopt rules to prescribe benchmarks and standards for assigning grades to a district or building for purposes of division (C)(1)(g) of this section. The state board shall designate for a "C" grade a value that is not lower than the previous year's statewide average value for this measure. No grade shall be issued under division (C)(1)(g) of this section for a district or building in which less than five per cent of students have scored below grade level on the kindergarten diagnostic assessment under division (B)(1) of section 3313.608 of the Revised Code, unless five per cent or more of students fail to score proficient or above on the English language arts assessment prescribed under division (A)(1)(a) of section 3301.0710 of the Revised Code.

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

As used in this division, "high mobility school district or building" means a school district or building where at least twenty-five per cent of its total enrollment is made up of students who have attended that school district or building for

less than one year. 1081

(2) In addition to the graded measures in division (C)(1) of 1082
this section, the department shall include on a school district's 1083
or building's report card all of the following without an assigned 1084
letter grade: 1085

(a) The percentage of students enrolled in a district or 1086
building who have taken a national standardized test used for 1087
college admission determinations and the percentage of those 1088
students who are determined to be remediation-free in accordance 1089
with the standards adopted under division (F) of section 3345.061 1090
of the Revised Code; 1091

(b) The percentage of students enrolled in a district or 1092
building participating in advanced placement classes and the 1093
percentage of those students who received a score of three or 1094
better on advanced placement examinations; 1095

(c) The percentage of a district's or building's students who 1096
have earned at least three college credits through advanced 1097
standing programs, such as the college credit plus program under 1098
Chapter 3365. of the Revised Code and state-approved 1099
career-technical courses offered through dual enrollment or 1100
statewide articulation, that appear on a student's college 1101
transcript issued by the institution of higher education from 1102
which the student earned the college credit. The credits earned 1103
that are reported under divisions (B)(2)(b) and (C)(2)(c) of this 1104
section shall not include any that are remedial or developmental 1105
and shall include those that count toward the curriculum 1106
requirements established for completion of a degree. 1107

(d) The percentage of the district's or building's students 1108
who receive an honor's diploma under division (B) of section 1109
3313.61 of the Revised Code; 1110

(e) The percentage of the district's or building's students 1111

who receive industry-recognized credentials; 1112

(f) The percentage of students enrolled in a district or 1113
building who are participating in an international baccalaureate 1114
program and the percentage of those students who receive a score 1115
of four or better on the international baccalaureate examinations; 1116

(g) The results of the college and career-ready assessments 1117
administered under division (B)(1) of section 3301.0712 of the 1118
Revised Code. 1119

(3) The state board shall adopt rules pursuant to Chapter 1120
119. of the Revised Code that establish a method to assign an 1121
overall grade for a school district or school building for the 1122
2014-2015 school year and each school year thereafter. The rules 1123
shall group the performance measures in divisions (C)(1) and (2) 1124
of this section into the following components: 1125

(a) Gap closing, which shall include the performance measure 1126
in division (C)(1)(a) of this section; 1127

(b) Achievement, which shall include the performance measures 1128
in divisions (C)(1)(b) and (c) of this section; 1129

(c) Progress, which shall include the performance measures in 1130
divisions (C)(1)(e) and (f) of this section; 1131

(d) Graduation, which shall include the performance measure 1132
in division (C)(1)(d) of this section; 1133

(e) Kindergarten through third-grade literacy, which shall 1134
include the performance measure in division (C)(1)(g) of this 1135
section; 1136

(f) Prepared for success, which shall include the performance 1137
measures in divisions (C)(2)(a), (b), (c), (d), (e), and (f) of 1138
this section. The state board shall develop a method to determine 1139
a grade for the component in division (C)(3)(f) of this section 1140
using the performance measures in divisions (C)(2)(a), (b), (c), 1141

(d), (e), and (f) of this section. When available, the state board 1142
may incorporate the performance measure under division (C)(2)(g) 1143
of this section into the component under division (C)(3)(f) of 1144
this section. When determining the overall grade for the prepared 1145
for success component prescribed by division (C)(3)(f) of this 1146
section, no individual student shall be counted in more than one 1147
performance measure. However, if a student qualifies for more than 1148
one performance measure in the component, the state board may, in 1149
its method to determine a grade for the component, specify an 1150
additional weight for such a student that is not greater than or 1151
equal to 1.0. In determining the overall score under division 1152
(C)(3)(f) of this section, the state board shall ensure that the 1153
pool of students included in the performance measures aggregated 1154
under that division are all of the students included in the four- 1155
and five-year adjusted graduation cohort. 1156

In the rules adopted under division (C)(3) of this section, 1157
the state board shall adopt a method for determining a grade for 1158
each component in divisions (C)(3)(a) to (f) of this section. The 1159
state board also shall establish a method to assign an overall 1160
grade of "A," "B," "C," "D," or "F" using the grades assigned for 1161
each component. The method the state board adopts for assigning an 1162
overall grade shall give equal weight to the components in 1163
divisions (C)(3)(b) and (c) of this section. 1164

At least forty-five days prior to the state board's adoption 1165
of rules to prescribe the methods for calculating the overall 1166
grade for the report card, as required by this division, the 1167
department shall conduct a public presentation before the standing 1168
committees of the house of representatives and the senate that 1169
consider education legislation describing the format for the 1170
report card, weights that will be assigned to the components of 1171
the overall grade, and the method for calculating the overall 1172
grade. 1173

(D) Not later than July 1, 2015, the state board shall 1174
develop a measure of student academic progress for high school 1175
students using only data from assessments in English language arts 1176
and mathematics. For the 2014-2015 school year, the department 1177
shall include this measure on a school district or building's 1178
report card, as applicable, without an assigned letter grade. 1179
Beginning with the report card for the 2015-2016 school year, each 1180
school district and applicable school building shall be assigned a 1181
separate letter grade for this measure and the district's or 1182
building's grade for that measure shall be included in determining 1183
the district's or building's overall letter grade. This measure 1184
shall be included within the measure prescribed in division 1185
(C)(3)(c) of this section in the calculation for the overall 1186
letter grade. 1187

(E) The letter grades assigned to a school district or 1188
building under this section shall be as follows: 1189

(1) "A" for a district or school making excellent progress; 1190

(2) "B" for a district or school making above average 1191
progress; 1192

(3) "C" for a district or school making average progress; 1193

(4) "D" for a district or school making below average 1194
progress; 1195

(5) "F" for a district or school failing to meet minimum 1196
progress. 1197

(F) When reporting data on student achievement and progress, 1198
the department shall disaggregate that data according to the 1199
following categories: 1200

(1) Performance of students by grade-level; 1201

(2) Performance of students by race and ethnic group; 1202

(3) Performance of students by gender; 1203

(4) Performance of students grouped by those who have been enrolled in a district or school for three or more years;	1204 1205
(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;	1206 1207 1208
(6) Performance of students grouped by those who have been enrolled in a district or school for one year or less;	1209 1210
(7) Performance of students grouped by those who are economically disadvantaged;	1211 1212
(8) Performance of students grouped by those who are enrolled in a conversion community school established under Chapter 3314. of the Revised Code;	1213 1214 1215
(9) Performance of students grouped by those who are classified as limited English proficient;	1216 1217
(10) Performance of students grouped by those who have disabilities;	1218 1219
(11) Performance of students grouped by those who are classified as migrants;	1220 1221
(12) Performance of students grouped by those who are identified as gifted in superior cognitive ability and the specific academic ability fields of reading and math pursuant to Chapter 3324. of the Revised Code. In disaggregating specific academic ability fields for gifted students, the department shall use data for those students with specific academic ability in math and reading. If any other academic field is assessed, the department shall also include data for students with specific academic ability in that field as well.	1222 1223 1224 1225 1226 1227 1228 1229 1230
(13) Performance of students grouped by those who perform in the lowest quintile for achievement on a statewide basis, as determined by a method prescribed by the state board.	1231 1232 1233

The department may disaggregate data on student performance 1234
according to other categories that the department determines are 1235
appropriate. To the extent possible, the department shall 1236
disaggregate data on student performance according to any 1237
combinations of two or more of the categories listed in divisions 1238
(F)(1) to (13) of this section that it deems relevant. 1239

In reporting data pursuant to division (F) of this section, 1240
the department shall not include in the report cards any data 1241
statistical in nature that is statistically unreliable or that 1242
could result in the identification of individual students. For 1243
this purpose, the department shall not report student performance 1244
data for any group identified in division (F) of this section that 1245
contains less than ten students. If the department does not report 1246
student performance data for a group because it contains less than 1247
ten students, the department shall indicate on the report card 1248
that is why data was not reported. 1249

(G) The department may include with the report cards any 1250
additional education and fiscal performance data it deems 1251
valuable. 1252

(H) The department shall include on each report card a list 1253
of additional information collected by the department that is 1254
available regarding the district or building for which the report 1255
card is issued. When available, such additional information shall 1256
include student mobility data disaggregated by race and 1257
socioeconomic status, college enrollment data, and the reports 1258
prepared under section 3302.031 of the Revised Code. 1259

The department shall maintain a site on the world wide web. 1260
The report card shall include the address of the site and shall 1261
specify that such additional information is available to the 1262
public at that site. The department shall also provide a copy of 1263
each item on the list to the superintendent of each school 1264
district. The district superintendent shall provide a copy of any 1265

item on the list to anyone who requests it. 1266

(I) Division (I) of this section does not apply to conversion 1267
community schools that primarily enroll students between sixteen 1268
and twenty-two years of age who dropped out of high school or are 1269
at risk of dropping out of high school due to poor attendance, 1270
disciplinary problems, or suspensions. 1271

(1) For any district that sponsors a conversion community 1272
school under Chapter 3314. of the Revised Code, the department 1273
shall combine data regarding the academic performance of students 1274
enrolled in the community school with comparable data from the 1275
schools of the district for the purpose of determining the 1276
performance of the district as a whole on the report card issued 1277
for the district under this section or section 3302.033 of the 1278
Revised Code. 1279

(2) Any district that leases a building to a community school 1280
located in the district or that enters into an agreement with a 1281
community school located in the district whereby the district and 1282
the school endorse each other's programs may elect to have data 1283
regarding the academic performance of students enrolled in the 1284
community school combined with comparable data from the schools of 1285
the district for the purpose of determining the performance of the 1286
district as a whole on the district report card. Any district that 1287
so elects shall annually file a copy of the lease or agreement 1288
with the department. 1289

(3) Any municipal school district, as defined in section 1290
3311.71 of the Revised Code, that sponsors a community school 1291
located within the district's territory, or that enters into an 1292
agreement with a community school located within the district's 1293
territory whereby the district and the community school endorse 1294
each other's programs, may exercise either or both of the 1295
following elections: 1296

(a) To have data regarding the academic performance of 1297
students enrolled in that community school combined with 1298
comparable data from the schools of the district for the purpose 1299
of determining the performance of the district as a whole on the 1300
district's report card; 1301

(b) To have the number of students attending that community 1302
school noted separately on the district's report card. 1303

The election authorized under division (I)(3)(a) of this 1304
section is subject to approval by the governing authority of the 1305
community school. 1306

Any municipal school district that exercises an election to 1307
combine or include data under division (I)(3) of this section, by 1308
the first day of October of each year, shall file with the 1309
department documentation indicating eligibility for that election, 1310
as required by the department. 1311

(J) The department shall include on each report card the 1312
percentage of teachers in the district or building who are highly 1313
qualified, as defined by the No Child Left Behind Act of 2001, and 1314
a comparison of that percentage with the percentages of such 1315
teachers in similar districts and buildings. 1316

(K)(1) In calculating English language arts, mathematics, 1317
social studies, or science assessment passage rates used to 1318
determine school district or building performance under this 1319
section, the department shall include all students taking an 1320
assessment with accommodation or to whom an alternate assessment 1321
is administered pursuant to division (C)(1) or (3) of section 1322
3301.0711 of the Revised Code. 1323

(2) In calculating performance index scores, rates of 1324
achievement on the performance indicators established by the state 1325
board under section 3302.02 of the Revised Code, and annual 1326
measurable objectives for determining adequate yearly progress for 1327

school districts and buildings under this section, the department 1328
shall do all of the following: 1329

(a) Include for each district or building only those students 1330
who are included in the ADM certified for the first full school 1331
week of October and are continuously enrolled in the district or 1332
building through the time of the spring administration of any 1333
assessment prescribed by division (A)(1) or (B)(1) of section 1334
3301.0710 or division (B) of section 3301.0712 of the Revised Code 1335
that is administered to the student's grade level; 1336

(b) Include cumulative totals from both the fall and spring 1337
administrations of the third grade English language arts 1338
achievement assessment; 1339

(c) Except as required by the No Child Left Behind Act of 1340
2001, exclude for each district or building any limited English 1341
proficient student who has been enrolled in United States schools 1342
for less than one full school year. 1343

(L) Beginning with the 2015-2016 school year and at least 1344
once every three years thereafter, the state board of education 1345
shall review and may adjust the benchmarks for assigning letter 1346
grades to the performance measures and components prescribed under 1347
divisions (C)(3) and (D) of this section. 1348

Sec. 3302.035. (A) Not later than October 1, 2015, and not 1349
later than the first day of October each year thereafter, the 1350
department of education shall report for each school district, 1351
each community school established under Chapter 3314., each STEM 1352
school established under Chapter 3326., and each 1353
college-preparatory boarding school established under Chapter 1354
3328. of the Revised Code, the following measures for students 1355
with disabilities enrolled in that school district or community, 1356
STEM, or college-preparatory boarding school: 1357

(1) The value-added progress dimension score, as 1358
disaggregated for that subgroup under division (C)(1)(f) of 1359
section 3302.03 of the Revised Code; 1360

(2) The performance index score for that subgroup, as defined 1361
under division (A) of section 3302.01 of the Revised Code; 1362

(3) ~~The four- and five-year, five-, six-, seven-, and~~ 1363
~~eight-year~~ adjusted cohort graduation rates, ~~as defined under~~ 1364
~~divisions (C)(1) and (2) of section 3302.01 of the Revised Code,~~ 1365
for that subgroup; 1366

(4) Annual measurable objectives for that subgroup; 1367

(5) Data regarding disciplinary actions taken by the district 1368
or school against students with disabilities compared with such 1369
actions taken against students without disabilities. 1370

(B) The department shall also calculate and report all of the 1371
following: 1372

(1) The state average for each of the measures specified in 1373
division (A) of this section; 1374

(2) The state average for the value-added progress dimension 1375
score for students with disabilities, disaggregated by grade level 1376
and subject area; 1377

(3) The state average for the performance index score for 1378
students with disabilities, disaggregated for each category of 1379
disability described in divisions (A) to (F) of section 3317.013 1380
of the Revised Code. 1381

(C) The department shall make each report completed pursuant 1382
to ~~division~~ divisions (A) and (B) of this section available on its 1383
web site for comparison purposes. 1384

(D) As used in this section: 1385

(1) "Four-year adjusted cohort graduation rate" and 1386
"five-year adjusted cohort graduation rate" have the same meanings 1387

as in divisions (G)(1) and (2) of section 3302.01 of the Revised Code. 1388
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(2) "Six-year adjusted cohort graduation rate" means 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. 1390
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(3) "Seven-year adjusted cohort graduation rate" means 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. 1394
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(4) "Eight-year adjusted cohort graduation rate" means 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. 1398
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Sec. 3313.534. ~~Not~~ (A) Not later than July 1, 1998, the board of education of each city, exempted village, and local school district shall adopt a policy of zero tolerance for violent, disruptive, or inappropriate behavior, including excessive truancy, and establish strategies to address such behavior that range from prevention to intervention. 1402
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~~Not~~ (B) Not later than July 1, 1999, each of the big eight school districts, as defined in section 3314.02 of the Revised Code, shall establish under section 3313.533 of the Revised Code at least one alternative school to meet the educational needs of students with severe discipline problems, including, but not limited to, excessive truancy, excessive disruption in the classroom, and multiple suspensions or expulsions. Any other school district that attains after that date a significantly substandard graduation rate, as defined by the department of education, shall also establish such an alternative school under that section. 1408
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(C)(1) Not later than June 30, 2015, the state board of education shall develop a model disciplinary policy for violent, disruptive, or inappropriate behavior, including excessive truancy, that stresses preventive strategies and alternatives to suspension and expulsion.

(2) Not later than December 31, 2015, the department of education shall do both of the following:

(a) Provide to each school district a copy of the policy adopted by the state board pursuant to division (C)(1) of this section;

(b) Develop materials to assist school districts in providing teacher and staff training on the implementation of the strategies included in that policy.

Sec. 3313.612. (A) No nonpublic school chartered by the state board of education shall grant a high school diploma to any person unless, subject to section 3313.614 of the Revised Code, the person has met the assessment requirements of division (A)(1) or (2) of this section, as applicable.

(1) If the person entered the ninth grade prior to July 1, 2014, the person has attained at least 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 has satisfied the alternative conditions prescribed in section 3313.615 of the Revised Code.

(2) If the person entered the ninth grade on or after July 1, 2014, the person has met the requirement prescribed by section 3313.618 of the Revised Code.

(B) This section does not apply to any of the following:

(1) Any person with regard to any assessment from which the person was excused pursuant to division (C)(1)(c) of section

3301.0711 of the Revised Code; 1449

(2) Any person that attends a nonpublic school acting in 1450
accordance with division (D) of this section with regard to any 1451
end-of-course examination ~~required under~~ prescribed by divisions 1452
(B)(2) and (3) of section 3301.0712 of the Revised Code; 1453

(3) Any person with regard to the social studies assessment 1454
under division (B)(1) of section 3301.0710 of the Revised Code, 1455
any American history end-of-course examination and any American 1456
government end-of-course examination required under division (B) 1457
of section 3301.0712 of the Revised Code if such an exemption is 1458
prescribed by rule of the state board of education under division 1459
(D)(3) of section 3301.0712 of the Revised Code, or the 1460
citizenship test under former division (B) of section 3301.0710 of 1461
the Revised Code as it existed prior to September 11, 2001, if all 1462
of the following apply: 1463

(a) The person is not a citizen of the United States; 1464

(b) The person is not a permanent resident of the United 1465
States; 1466

(c) The person indicates no intention to reside in the United 1467
States after completion of high school. 1468

(C) As used in this division, "limited English proficient 1469
student" has the same meaning as in division (C)(3) of section 1470
3301.0711 of the Revised Code. 1471

Notwithstanding division (C)(3) of section 3301.0711 of the 1472
Revised Code, no limited English proficient student who has not 1473
either attained the applicable scores designated under division 1474
(B)(1) of section 3301.0710 of the Revised Code on all the 1475
assessments required by that division, or met the requirement 1476
prescribed by section 3313.618 of the Revised Code, shall be 1477
awarded a diploma under this section. 1478

(D) A nonpublic school chartered by the state board may forgo 1479
the end-of-course examinations ~~required~~ prescribed by divisions 1480
(B)(2) and (3) of section 3301.0712 of the Revised Code, if that 1481
school publishes the results of the standardized assessment 1482
prescribed under division (B)(1) of section 3301.0712 of the 1483
Revised Code for each graduating class. The published results 1484
shall include the overall composite scores, mean scores, 1485
twenty-fifth percentile scores, and seventy-fifth percentile 1486
scores for each subject area of the assessment. 1487

(E) The state board shall not impose additional requirements 1488
or assessments for the granting of a high school diploma under 1489
this section that are not prescribed by this section. 1490

(F) The department of education shall furnish the assessment 1491
administered by a nonpublic school pursuant to division (B)(1) of 1492
section 3301.0712 of the Revised Code. 1493

~~(G) The exemption provided for in divisions (B)(2) and (D) of 1494
this section shall be effective on and after October 1, 2015, but 1495
only if the general assembly does not enact different requirements 1496
regarding end of course examinations for chartered nonpublic 1497
schools that are effective by that date. 1498~~

Sec. 3313.672. (A)(1) At the time of initial entry to a 1499
public or nonpublic school, a pupil shall present to the person in 1500
charge of admission any records given the pupil by the public or 1501
nonpublic elementary or secondary school the pupil most recently 1502
attended; a certified copy of an order or decree, or modification 1503
of such an order or decree allocating parental rights and 1504
responsibilities for the care of a child and designating a 1505
residential parent and legal custodian of the child, as provided 1506
in division (B) of this section, if that type of order or decree 1507
has been issued; a copy of a power of attorney or caretaker 1508
authorization affidavit, if either has been executed with respect 1509

to the child pursuant to sections 3109.51 to 3109.80 of the Revised Code; and a certification of birth issued pursuant to Chapter 3705. of the Revised Code, a comparable certificate or certification issued pursuant to the statutes of another state, territory, possession, or nation, or a document in lieu of a certificate or certification as described in divisions (A)(1)(a) to (e) of this section. Any of the following shall be accepted in lieu of a certificate or certification of birth by the person in charge of admission:

(a) A passport or attested transcript of a passport filed with a registrar of passports at a point of entry of the United States showing the date and place of birth of the child;

(b) An attested transcript of the certificate of birth;

(c) An attested transcript of the certificate of baptism or other religious record showing the date and place of birth of the child;

(d) An attested transcript of a hospital record showing the date and place of birth of the child;

(e) A birth affidavit.

(2) If a pupil requesting admission to a school of the school district in which the pupil is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code has been discharged or released from the custody of the department of youth services under section 5139.51 of the Revised Code just prior to requesting admission to the school, no school official shall admit that pupil until the records described in divisions (D)(4)(a) to (d) of section 2152.18 of the Revised Code have been received by the superintendent of the school district.

(3) No public or nonpublic school official shall deny a protected child admission to the school solely because the child does not present a birth certificate described in division (A)(1)

of this section, a comparable certificate or certification from 1541
another state, territory, possession, or nation, or another 1542
document specified in divisions (A)(1)(a) to (e) of this section 1543
upon registration for entry into the school. However, the 1544
protected child, or the parent, custodian, or guardian of that 1545
child, shall present a birth certificate or other document 1546
specified in divisions (A)(1)(a) to (e) of this section to the 1547
person in charge of admission of the school within ninety days 1548
after the child's initial entry into the school. 1549

(4) Except as otherwise provided in division (A)(2) or (3) of 1550
this section, within twenty-four hours of the entry into the 1551
school of a pupil described in division (A)(1) of this section, a 1552
school official shall request the pupil's official records from 1553
the public or nonpublic elementary or secondary school the pupil 1554
most recently attended. If the public or nonpublic school the 1555
pupil claims to have most recently attended indicates that it has 1556
no record of the pupil's attendance or the records are not 1557
received within fourteen days of the date of request, or if the 1558
pupil does not present a certification of birth described in 1559
division (A)(1) of this section, a comparable certificate or 1560
certification from another state, territory, possession, or 1561
nation, or another document specified in divisions (A)(1)(a) to 1562
(e) of this section, the principal or chief administrative officer 1563
of the school shall notify the law enforcement agency having 1564
jurisdiction in the area where the pupil resides of this fact and 1565
of the possibility that the pupil may be a missing child, as 1566
defined in section 2901.30 of the Revised Code. 1567

(B)(1) Whenever an order or decree allocating parental rights 1568
and responsibilities for the care of a child and designating a 1569
residential parent and legal custodian of the child, including a 1570
temporary order, is issued resulting from an action of divorce, 1571
alimony, annulment, or dissolution of marriage, and the order or 1572

decree pertains to a child who is a pupil in a public or nonpublic 1573
school, the residential parent of the child shall notify the 1574
school of those allocations and designations by providing the 1575
person in charge of admission at the pupil's school with a 1576
certified copy of the order or decree that made the allocation and 1577
designation. Whenever there is a modification of any order or 1578
decree allocating parental rights and responsibilities for the 1579
care of a child and designating a residential parent and legal 1580
custodian of the child that has been submitted to a school, the 1581
residential parent shall provide the person in charge of admission 1582
at the pupil's school with a certified copy of the order or decree 1583
that makes the modification. 1584

(2) Whenever a power of attorney is executed under sections 1585
3109.51 to 3109.62 of the Revised Code that pertains to a child 1586
who is a pupil in a public or nonpublic school, the attorney in 1587
fact shall notify the school of the power of attorney by providing 1588
the person in charge of admission with a copy of the power of 1589
attorney. Whenever a caretaker authorization affidavit is executed 1590
under sections 3109.64 to 3109.73 of the Revised Code that 1591
pertains to a child who is in a public or nonpublic school, the 1592
grandparent who executed the affidavit shall notify the school of 1593
the affidavit by providing the person in charge of admission with 1594
a copy of the affidavit. 1595

(C) If, at the time of a pupil's initial entry to a public or 1596
nonpublic school, the pupil is under the care of a shelter for 1597
victims of domestic violence, as defined in section 3113.33 of the 1598
Revised Code, the pupil or the pupil's parent shall notify the 1599
school of that fact. Upon being so informed, the school shall 1600
inform the elementary or secondary school from which it requests 1601
the pupil's records of that fact. 1602

(D) Whenever a public or nonpublic school is notified by a 1603
law enforcement agency pursuant to division (D) of section 2901.30 1604

of the Revised Code that a missing child report has been filed 1605
regarding a pupil who is currently or was previously enrolled in 1606
the school, the person in charge of admission at the school shall 1607
mark that pupil's records in such a manner that whenever a copy of 1608
or information regarding the records is requested, any school 1609
official responding to the request is alerted to the fact that the 1610
records are those of a missing child. Upon any request for a copy 1611
of or information regarding a pupil's records that have been so 1612
marked, the person in charge of admission immediately shall report 1613
the request to the law enforcement agency that notified the school 1614
that the pupil is a missing child. When forwarding a copy of or 1615
information from the pupil's records in response to a request, the 1616
person in charge of admission shall do so in such a way that the 1617
receiving district or school would be unable to discern that the 1618
pupil's records are marked pursuant to this division but shall 1619
retain the mark in the pupil's records until notified that the 1620
pupil is no longer a missing child. Upon notification by a law 1621
enforcement agency that a pupil is no longer a missing child, the 1622
person in charge of admission shall remove the mark from the 1623
pupil's records in such a way that if the records were forwarded 1624
to another district or school, the receiving district or school 1625
would be unable to discern that the records were ever marked. 1626

(E) As used in this section: 1627

(1) "Protected child" means a child placed in a foster home, 1628
as that term is defined in section 5103.02 of the Revised Code, or 1629
in a residential facility. 1630

(2) "Residential facility" means a group home for children, 1631
children's crisis care facility, children's residential center, 1632
residential parenting facility that provides twenty-four-hour 1633
child care, county children's home, or district children's home. 1634

Sec. 3313.814. (A) As used in this section and sections 1635

3313.816 and 3313.817 of the Revised Code: 1636

(1) "A la carte item" means an individually priced food or 1637
beverage item that is available for sale to students through any 1638
of the following: 1639

(a) A school food service program; 1640

(b) A vending machine located on school property; 1641

(c) A store operated by the school, a student association, or 1642
other school-sponsored organization. 1643

"A la carte item" does not include any food or beverage item 1644
available for sale in connection with a school-sponsored 1645
fundraiser held outside of the regular school day, any other 1646
school-sponsored event held outside of the regular school day, or 1647
an interscholastic athletic event. "A la carte item" also does not 1648
include any food or beverage item that is part of a reimbursable 1649
meal and that is available for sale as an individually priced item 1650
in a serving portion of the same size as in the reimbursable meal, 1651
regardless of whether the food or beverage item is included in the 1652
reimbursable meal served on a particular school day. 1653

(2) "Added sweeteners" means any additives that enhance the 1654
sweetness of a beverage, including processed sugar. "Added 1655
sweeteners" do not include any natural sugars found in fruit 1656
juices that are a component of the beverage. 1657

(3) "Extended school day" means the period before and after 1658
the regular school day during which students participate in 1659
school-sponsored extracurricular activities, latchkey programs as 1660
defined in section 3313.207 of the Revised Code, or other academic 1661
or enrichment programs. 1662

(4) "Regular school day" means the period each school day 1663
between the designated arrival time for students and the end of 1664
the final instructional period. 1665

(5) "Reimbursable meal" means a meal that is provided to students through a school breakfast or lunch program established under the "National School Lunch Act," 60 Stat. 230 (1946), 42 U.S.C. 1751, as amended, and the "Child Nutrition Act of 1966," 80 Stat. 885, 42 U.S.C. 1771, as amended, and that meets the criteria for reimbursement established by the United States department of agriculture.

(6) "School food service program" means a school food service program operated under section 3313.81 or 3313.813 of the Revised Code.

(B) Each school district board of education and each chartered nonpublic school governing authority shall adopt and enforce nutrition standards governing the types of food and beverages that may be sold on the premises of its schools, and specifying the time and place each type of food or beverage may be sold.

(1) In adopting the standards, the board or governing authority shall do all of the following:

(a) Consider the nutritional value of each food or beverage;

(b) Consult with a dietitian licensed under Chapter 4759. of the Revised Code, a dietetic technician registered by the commission on dietetic registration, or a school nutrition specialist certified or credentialed by the school nutrition association. The person with whom the board or governing authority consults may be an employee of the board or governing authority, a person contracted by the board or governing authority, or a volunteer, provided the person meets the requirements of this division.

(c) Consult the dietary guidelines for Americans jointly developed by the United States department of agriculture and the United States department of health and human services and, to the

maximum extent possible, incorporate the guidelines into the 1697
standards. 1698

(2) No food or beverage may be sold on any school premises 1699
except in accordance with the standards adopted by the board or 1700
governing authority. 1701

(3) The standards shall comply with sections 3313.816 and 1702
3313.817 of the Revised Code, but nothing in this section shall 1703
prohibit the standards from being more restrictive than otherwise 1704
required by those sections. 1705

(C) The nutrition standards adopted under this section shall 1706
prohibit the placement of vending machines in any classroom where 1707
students are provided instruction, unless the classroom also is 1708
used to serve students meals. This division does not apply to 1709
vending machines that sell only milk, reimbursable meals, or food 1710
and beverage items that are part of a reimbursable meal and are 1711
available for sale as individually priced items in serving 1712
portions of the same size as in the reimbursable meal. 1713

(D) Each board or governing authority shall designate staff 1714
to be responsible for ensuring that the school district or school 1715
meets the nutrition standards adopted under this section. The 1716
staff shall prepare an annual report regarding the district's or 1717
school's compliance with the standards and submit it to the 1718
department of education. The board or governing authority annually 1719
shall schedule a presentation on the report at one of its regular 1720
meetings. Each district or school shall make copies of the report 1721
available to the public upon request. 1722

(E) The state board of education shall ~~formulate~~ do both of 1723
the following: 1724

(1) Formulate and adopt guidelines, which boards of education 1725
and chartered nonpublic schools may follow in enforcing and 1726
implementing this section. 1727

(2) Not later than ninety days after the effective date of this amendment, adopt rules pursuant to Chapter 119. of the Revised Code regarding the sale of beverages and food during the regular school day in connection with a school-sponsored fundraiser. The rules shall specify that, if a fundraiser takes place during the regular school day for not more than the equivalent of thirty school days during a school year, the sale of beverages and food in connection with that fundraiser, shall be exempt from sections 3313.816 and 3313.817 of the Revised Code, so long as no beverages or food are sold in connection with the fundraiser during the time of a meal service in the food service area. Each school district board of education or chartered nonpublic school governing authority may incorporate the rules adopted by the state board pursuant to this division into the guidelines adopted by the district board or school governing authority under division (B) of this section.

Sec. 3314.06. The governing authority of each community school established under this chapter shall adopt admission procedures that specify the following:

(A) That, except as otherwise provided in this section, admission to the school shall be open to any individual age five to twenty-two entitled to attend school pursuant to section 3313.64 or 3313.65 of the Revised Code in a school district in the state.

Additionally, except as otherwise provided in this section, admission to the school may be open on a tuition basis to any individual age five to twenty-two who is not a resident of this state. The school shall not receive state funds under section 3314.08 of the Revised Code for any student who is not a resident of this state.

An individual younger than five years of age may be admitted

to the school in accordance with division (A)(2) of section 1759
3321.01 of the Revised Code. The school shall receive funds for an 1760
individual admitted under that division in the manner provided 1761
under section 3314.08 of the Revised Code. 1762

If the school operates a program that uses the Montessori 1763
method endorsed by the American Montessori society, the Montessori 1764
accreditation council for teacher education, or the association 1765
Montessori internationale as its primary method of instruction, 1766
admission to the school may be open to individuals younger than 1767
five years of age, but the school shall not receive funds under 1768
this chapter for those individuals. Notwithstanding anything to 1769
the contrary in this chapter, individuals younger than five years 1770
of age who are enrolled in a Montessori program shall be offered 1771
at least four hundred fifty-five hours of learning opportunities 1772
per school year. 1773

(B)(1) That admission to the school may be limited to 1774
students who have attained a specific grade level or are within a 1775
specific age group; to students that meet a definition of 1776
"at-risk," as defined in the contract; to residents of a specific 1777
geographic area within the district, as defined in the contract; 1778
or to separate groups of autistic students and nondisabled 1779
students, as authorized in section 3314.061 of the Revised Code 1780
and as defined in the contract. 1781

(2) For purposes of division (B)(1) of this section, 1782
"at-risk" students may include those students identified as gifted 1783
students under section 3324.03 of the Revised Code. 1784

(C) Whether enrollment is limited to students who reside in 1785
the district in which the school is located or is open to 1786
residents of other districts, as provided in the policy adopted 1787
pursuant to the contract. 1788

(D)(1) That there will be no discrimination in the admission 1789

of students to the school on the basis of race, creed, color, 1790
disability, or sex except that: 1791

(a) The governing authority may do either of the following 1792
for the purpose described in division (G) of this section: 1793

(i) Establish a single-gender school for either sex; 1794

(ii) Establish single-gender schools for each sex under the 1795
same contract, provided substantially equal facilities and 1796
learning opportunities are offered for both boys and girls. Such 1797
facilities and opportunities may be offered for each sex at 1798
separate locations. 1799

(b) The governing authority may establish a school that 1800
simultaneously serves a group of students identified as autistic 1801
and a group of students who are not disabled, as authorized in 1802
section 3314.061 of the Revised Code. However, unless the total 1803
capacity established for the school has been filled, no student 1804
with any disability shall be denied admission on the basis of that 1805
disability. 1806

(2) That upon admission of any student with a disability, the 1807
community school will comply with all federal and state laws 1808
regarding the education of students with disabilities. 1809

(E) That the school may not limit admission to students on 1810
the basis of intellectual ability, measures of achievement or 1811
aptitude, or athletic ability, except that a school may limit its 1812
enrollment to students as described in division (B) of this 1813
section. 1814

(F) That the community school will admit the number of 1815
students that does not exceed the capacity of the school's 1816
programs, classes, grade levels, or facilities. 1817

(G) That the purpose of single-gender schools that are 1818
established shall be to take advantage of the academic benefits 1819

some students realize from single-gender instruction and 1820
facilities and to offer students and parents residing in the 1821
district the option of a single-gender education. 1822

(H) That, except as otherwise provided under division (B) of 1823
this section or section 3314.061 of the Revised Code, if the 1824
number of applicants exceeds the capacity restrictions of division 1825
(F) of this section, students shall be admitted by lot from all 1826
those submitting applications, except preference shall be given to 1827
students attending the school the previous year and to students 1828
who reside in the district in which the school is located. 1829
Preference may be given to siblings of students attending the 1830
school the previous year. 1831

Notwithstanding divisions (A) to (H) of this section, in the 1832
event the racial composition of the enrollment of the community 1833
school is violative of a federal desegregation order, the 1834
community school shall take any and all corrective measures to 1835
comply with the desegregation order. 1836

Sec. 3314.38. (A) An individual who is at least twenty-two 1837
years of age and who is an eligible individual as defined in 1838
section 3317.23 of the Revised Code may enroll for up to two 1839
cumulative school years in a dropout prevention and recovery 1840
program operated by a community school that is designed to allow 1841
enrollees to earn a high school diploma. An individual enrolled 1842
under this division may elect to satisfy the requirements to earn 1843
a high school diploma by successfully completing a 1844
competency-based instructional program that complies with the 1845
standards adopted by the state board of education under section 1846
3317.231 of the Revised Code. The community school shall report 1847
that individual's enrollment on a full-time equivalency basis to 1848
the department of education. This report shall be in addition to 1849
the report required under division (B) of section 3314.08 of the 1850

Revised Code. An individual enrolled under this division shall not
be assigned to classes or settings with students who are younger
than eighteen years of age.

(B)(1) For each community school that enrolls individuals
under division (A) of this section, the department of education
annually shall certify the enrollment and attendance, on a
full-time equivalency basis, of each individual reported by the
school under that division.

(2) For each individual enrolled in a community school under
division (A) of this section, the department annually shall pay to
the community school an amount equal to the following:

\$5,000 X the individual's enrollment on a full-time equivalency
basis as certified under division (B)(1) of this section X the
portion of the school year in which the individual is enrolled in
the school expressed as a percentage

(C) A community school that enrolls individuals under
division (A) of this section shall be subject to the program
administration standards adopted by the state board under section
3317.231 of the Revised Code, as applicable.

(D) For each individual enrolled in a community school under
division (A) of this section, the school shall annually report to
the department all of the following information in accordance with
the standards adopted by the state board under section 3317.231 of
the Revised Code:

(1) Demographic information, including age at enrollment,
gender, and race or ethnicity;

(2) The number of courses needed to graduate at the time of
enrollment;

(3) The number of courses in which the individual
participated during the previous school year and the subject of

<u>each of those courses;</u>	1881
<u>(4) The number of courses the individual completed during the previous school year and the subject of each of those courses;</u>	1882
<u>(5) The subject area graduation tests prescribed by statutory law that the individual, at the time of enrollment, was required to pass in order to be eligible to graduate;</u>	1884
<u>(6) The number of subject area graduation tests prescribed by statutory law that the individual passed during the previous school year and the subject area of each of those tests;</u>	1887
<u>(7) The date that the school awarded a diploma to the individual, if applicable.</u>	1888
<u>Sec. 3317.034. For purposes of section 3317.03 of the Revised Code:</u>	1889
<u>(A) A student shall be considered to be enrolled in the district for any portion of the school year the student is participating at a college under Chapter 3365. of the Revised Code.</u>	1890
<u>(B) A student shall be considered to be enrolled in the district for the period of time beginning on the date on which the school has both received the documentation of the student's enrollment from a parent and the student has commenced participation in learning opportunities offered by the district. For purposes of applying divisions (B) and (C) of this section, "learning opportunities" means both classroom-based and nonclassroom-based learning opportunities overseen by licensed educational employees of the district that is in compliance with criteria and documentation requirements for student participation, which shall be established by the department. Any student's instruction time in nonclassroom-based learning opportunities shall be certified by an employee of the district.</u>	1891
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(C) A student's enrollment shall be considered to cease on 1911
the date on which any of the following occur: 1912

(1) The district receives documentation from a parent 1913
terminating enrollment of the student. 1914

(2) The district is provided documentation of a student's 1915
enrollment in another public or nonpublic school. 1916

~~(3) The student fails to participate in learning 1917
opportunities and has not received an excused absence for one 1918
hundred and five continuous hours. If a student is withdrawn from 1919
the district for failure to participate in learning opportunities 1920
under division (C)(1)(a)(v) of this section and the district board 1921
determines that the student is truant, the district shall take the 1922
appropriate action required under sections 3321.19 and 3321.191 of 1923
the Revised Code. 1924~~

~~(4) The student ceases to participate in learning 1925
opportunities provided by the school. 1926~~

(D) No public school may enroll or withdraw a student from 1927
the education management information system established under 1928
section 3310.0714 of the Revised Code later than thirty days after 1929
the student's actual enrollment or withdrawal from the school. 1930

(E) A student in any of grades nine through twelve shall be 1931
considered a full-time equivalent student if the student is 1932
enrolled in at least five units of instruction, as defined in 1933
section 3313.603 of the Revised Code, per school year. 1934

Sec. 3317.23. (A) For purposes of this section, an "eligible 1935
individual" is an individual who satisfies both of the following 1936
criteria: 1937

(1) The individual is at least twenty-two years of age. 1938

(2) The individual has not been awarded a high school diploma 1939
or a certificate of high school equivalence as defined in section 1940

4109.06 of the Revised Code. 1941

(B) An eligible individual may enroll in a city, local, or 1942
exempted village school district that operates a dropout 1943
prevention and recovery program for up to two cumulative school 1944
years for the purpose of earning a high school diploma. An 1945
individual enrolled under this division may elect to satisfy the 1946
requirements to earn a high school diploma by successfully 1947
completing a competency-based instructional program that complies 1948
with the standards adopted by the state board of education under 1949
section 3317.231 of the Revised Code. The district shall report 1950
that individual's enrollment on a full-time equivalency basis 1951
under division (A) of section 3317.036 of the Revised Code and 1952
shall not report that individual's enrollment under section 1953
3317.03 of the Revised Code. An individual enrolled under this 1954
division shall not be assigned to classes or settings with 1955
students who are younger than eighteen years of age. 1956

(C)(1) For each district that enrolls individuals under 1957
division (B) of this section, the department of education annually 1958
shall certify the enrollment and attendance, on a full-time 1959
equivalency basis, of each individual reported by the district 1960
under division (A) of section 3317.036 of the Revised Code. 1961

(2) For each individual enrolled in a district under division 1962
(B) of this section, the department annually shall pay to the 1963
district an amount equal to the following: 1964

\$5,000 X the individual's enrollment on a full-time equivalency 1965
basis as certified under division (C)(1) of this section X the 1966
portion of the school year in which the individual is enrolled in 1967
the district expressed as a percentage 1968

(D) A district that enrolls individuals under division (B) of 1969
this section shall be subject to the program administration 1970
standards adopted by the state board under section 3317.231 of the 1971
Revised Code, as applicable. 1972

(E) For each individual enrolled in a district under division 1973
(B) of this section, the district shall annually report to the 1974
department all of the following information in accordance with the 1975
standards adopted by the state board under section 3317.231 of the 1976
Revised Code: 1977

(1) Demographic information, including age at enrollment, 1978
gender, and race or ethnicity; 1979

(2) The number of courses needed to graduate at the time of 1980
enrollment; 1981

(3) The number of courses in which the individual 1982
participated during the previous school year and the subject of 1983
each of those courses; 1984

(4) The number of courses the individual completed during the 1985
previous school year and the subject of each of those courses; 1986

(5) The subject area graduation tests prescribed by statutory 1987
law that the individual, at the time of enrollment, was required 1988
to pass in order to be eligible to graduate; 1989

(6) The number of subject area graduation tests prescribed by 1990
statutory law that the individual passed during the previous 1991
school year and the subject area of each of those tests; 1992

(7) The date that the district awarded a diploma to the 1993
individual, if applicable. 1994

Sec. 3317.24. (A) For purposes of this section, an "eligible 1995
individual" has the same meaning as in section 3317.23 of the 1996
Revised Code. 1997

(B) An eligible individual may enroll in a joint vocational 1998
school district that operates an adult education program for up to 1999
two cumulative school years for the purpose of completing the 2000
requirements to earn a high school diploma. An individual enrolled 2001
under this division may elect to satisfy these requirements by 2002

successfully completing a competency-based instructional program 2003
that complies with the standards adopted by the state board of 2004
education under section 3317.231 of the Revised Code. The district 2005
shall report an individual's enrollment under this division on a 2006
full-time equivalency basis under division (B) of section 3317.036 2007
of the Revised Code and shall not report that individual's 2008
enrollment under section 3317.03 of the Revised Code. An 2009
individual enrolled under this division shall not be assigned to 2010
classes or settings with students who are younger than eighteen 2011
years of age. 2012

(C)(1) For each joint vocational school district that enrolls 2013
individuals under division (B) of this section, the department of 2014
education annually shall certify the enrollment and attendance, on 2015
a full-time equivalency basis, of each individual reported by the 2016
district under division (B) of section 3317.036 of the Revised 2017
Code. 2018

(2) For each individual enrolled in a joint vocational school 2019
district under division (B) of this section, the department 2020
annually shall pay to the district an amount equal to the 2021
following: 2022

\$5,000 X the individual's enrollment on a full-time equivalency 2023
basis as certified under division (C)(1) of this section X the 2024
portion of the school year in which the individual is enrolled in 2025
the district expressed as a percentage 2026

(D) If an individual enrolled in a joint vocational school 2027
district under division (B) of this section completes the 2028
requirements to earn a high school diploma, the joint vocational 2029
school district shall certify the completion of those requirements 2030
to the city, local, or exempted village school district in which 2031
the individual resides. Upon receiving certification under this 2032
division, the city, local, or exempted village school district in 2033
which the individual resides shall issue a high school diploma to 2034

the individual. 2035

(E) A joint vocational school district that enrolls 2036
individuals under division (B) of this section shall be subject to 2037
the program administration standards adopted by the state board 2038
under section 3317.231 of the Revised Code, as applicable. 2039

(F) For each individual enrolled in a joint vocational school 2040
district under division (B) of this section, the district shall 2041
annually report to the department all of the following information 2042
in accordance with the standards adopted by the state board under 2043
section 3317.231 of the Revised Code: 2044

(1) Demographic information, including age at enrollment, 2045
gender, and race or ethnicity; 2046

(2) The number of courses needed to graduate at the time of 2047
enrollment; 2048

(3) The number of courses in which the individual 2049
participated during the previous school year and the subject of 2050
each of those courses; 2051

(4) The number of courses the individual completed during the 2052
previous school year and the subject of each of those courses; 2053

(5) The subject area graduation tests prescribed by statutory 2054
law that the individual, at the time of enrollment, was required 2055
to pass in order to be eligible to graduate; 2056

(6) The number of subject area graduation tests prescribed by 2057
statutory law that the individual passed during the previous 2058
school year and the subject area of each of those tests; 2059

(7) The date that the district certified the individual's 2060
completion of the requirements to earn a high school diploma to 2061
the city, local, or exempted village school district in which the 2062
individual resides under division (D) of this section, if 2063
applicable. 2064

Sec. 3319.227. (A) Notwithstanding any other provision of the 2065
Revised Code or any rule adopted by the state board of education 2066
to the contrary, the state board shall issue a resident educator 2067
license under section 3319.22 of the Revised Code to each person 2068
who is assigned to teach in this state as a participant in the 2069
teach for America program and who meets the following conditions: 2070
2071

(1) Holds a bachelor's degree from an accredited institution 2072
of higher education; 2073

(2) Maintained a cumulative undergraduate grade point average 2074
of at least 2.5 out of 4.0, or its equivalent; 2075

(3) Has passed an examination prescribed by the state board 2076
in the subject area to be taught; 2077

(4) Has successfully completed the summer training institute 2078
operated by teach for America. 2079

(B) The state board shall issue a resident educator license 2080
under this section for teaching in any grade level or subject area 2081
for which a person may obtain a resident educator license under 2082
section 3319.22 of the Revised Code. The state board shall not 2083
adopt rules establishing any additional qualifications for the 2084
license beyond those specified in this section. 2085

(C) Notwithstanding any other provision of the Revised Code 2086
or any rule adopted by the state board to the contrary, the state 2087
board shall issue a resident educator license under section 2088
3319.22 of the Revised Code to any applicant who has completed at 2089
least two years of teaching in another state as a participant in 2090
the teach for America program and meets all of the conditions of 2091
divisions (A)(1) to (4) of this section. The state board shall 2092
credit an applicant under this division as having completed two 2093
years of the teacher residency program under section 3319.223 of 2094

the Revised Code. 2095

(D) In order to place teachers in this state, the teach for 2096
America program shall enter into an agreement with one or more 2097
accredited four-year public or private institutions of higher 2098
education in the state to provide optional training of teach for 2099
America participants for the purpose of enabling those 2100
participants to complete an optional master's degree or an 2101
equivalent amount of coursework. Nothing in this division shall 2102
require any teach for America participant to complete a master's 2103
degree as a condition of holding a license issued under this 2104
section. 2105

(E)(1) Each participant in the teach for America program 2106
shall successfully complete that program as a condition of 2107
continuing to hold a license issued pursuant to divisions (A) and 2108
(B) of this section. 2109

(2) If a participant in the teach for America program 2110
assigned to teach in a school district in this state resigns or is 2111
otherwise removed from the program prior to the program's 2112
completion, the board of education of that school district shall 2113
provide written notice of the participant's resignation to the 2114
department of education. 2115

Sec. 3319.261. (A) Notwithstanding any other provision of the 2116
Revised Code or any rule adopted by the state board of education 2117
to the contrary, the state board shall issue an alternative 2118
resident educator license under division (C) of section 3319.26 of 2119
the Revised Code to each applicant who meets the following 2120
conditions: 2121

(1) Holds a bachelor's degree from an accredited institution 2122
of higher education; 2123

(2) Has successfully completed a teacher education program 2124

<u>offered by one of the following entities:</u>	2125
(a) Graduation from an <u>The</u> American Montessori	2126
society affiliated teacher education program <u>society;</u>	2127
(b) Receipt of a certificate from the <u>The</u> association	2128
Montessori internationale;	2129
(c) <u>An institution accredited by the Montessori accreditation</u>	2130
<u>council for teacher education.</u>	2131
(3) Is employed in a school that operates a program that uses	2132
the Montessori method endorsed by the American Montessori society,	2133
<u>the Montessori accreditation council for teacher education,</u> or the	2134
association Montessori internationale as its primary method of	2135
instruction.	2136
(B) The holder of an alternative resident educator license	2137
issued under this section shall be subject to divisions (A), (B),	2138
(D), and (E) of section 3319.26 of the Revised Code and shall be	2139
granted a professional educator license upon successful completion	2140
of the requirements described in division (F) of section 3319.26	2141
of the Revised Code.	2142
Sec. 3321.13. (A) Whenever any child of compulsory school age	2143
withdraws from school the teacher of that child shall ascertain	2144
the reason for withdrawal. The fact of the withdrawal and the	2145
reason for it shall be immediately transmitted by the teacher to	2146
the superintendent of the city, local, or exempted village school	2147
district. If the child who has withdrawn from school has done so	2148
because of change of residence, the next residence shall be	2149
ascertained and shall be included in the notice thus transmitted.	2150
The superintendent shall thereupon forward a card showing the	2151
essential facts regarding the child and stating the place of the	2152
child's new residence to the superintendent of schools of the	2153
district to which the child has moved.	2154

The superintendent of public instruction may prescribe the forms to be used in the operation of this division.

(B)(1) Upon receipt of information that a child of compulsory school age has withdrawn from school for a reason other than because of change of residence and is not enrolled in and attending in accordance with school policy an approved program to obtain a diploma or its equivalent, the superintendent shall notify the registrar of motor vehicles and the juvenile judge of the county in which the district is located of the withdrawal and failure to enroll in and attend an approved program to obtain a diploma or its equivalent. ~~A notification to the registrar required by this division shall be given in the manner the registrar by rule requires and a~~ notification to the juvenile judge required by this division shall be given in writing. Each notification shall be given within two weeks after the withdrawal and failure to enroll in and attend an approved program or its equivalent.

(2) The board of education of a school district may adopt a resolution providing that the provisions of division (B)(2) of this section apply within the district. The provisions of division (B)(2) of this section do not apply within any school district, and no superintendent of a school district shall send a notification of the type described in division (B)(2) of this section to the registrar of motor vehicles or the juvenile judge of the county in which the district is located, unless the board of education of the district has adopted such a resolution. If the board of education of a school district adopts a resolution providing that the provisions of division (B)(2) of this section apply within the district, and if the superintendent of schools of that district receives information that, during any semester or term, a child of compulsory school age has been absent without legitimate excuse from the school the child is supposed to attend

for more than ten consecutive school days or for at least fifteen 2187
total school days, the superintendent shall notify the child and 2188
the child's parent, guardian, or custodian, in writing, that the 2189
information has been provided to the superintendent, that as a 2190
result of that information the child's temporary instruction 2191
permit or driver's license will be suspended or the opportunity to 2192
obtain such a permit or license will be denied, and that the child 2193
and the child's parent, guardian, or custodian may appear in 2194
person at a scheduled date, time, and place before the 2195
superintendent or a designee to challenge the information provided 2196
to the superintendent. 2197

The notification to the child and the child's parent, 2198
guardian, or custodian required by division (B)(2) of this section 2199
shall set forth the information received by the superintendent and 2200
shall inform the child and the child's parent, guardian, or 2201
custodian of the scheduled date, time, and place of the appearance 2202
that they may have before the superintendent or a designee. The 2203
date scheduled for the appearance shall be no earlier than three 2204
and no later than five days after the notification is given, 2205
provided that an extension may be granted upon request of the 2206
child or the child's parent, guardian, or custodian. If an 2207
extension is granted, the superintendent shall schedule a new 2208
date, time, and place for the appearance and shall inform the 2209
child and the child's parent, guardian, or custodian of the new 2210
date, time, and place. 2211

If the child and the child's parent, guardian, or custodian 2212
do not appear before the superintendent or a designee on the 2213
scheduled date and at the scheduled time and place, or if the 2214
child and the child's parent, guardian, or custodian appear before 2215
the superintendent or a designee on the scheduled date and at the 2216
scheduled time and place but the superintendent or a designee 2217
determines that the information the superintendent received 2218

indicating that, during the semester or term, the child had been 2219
absent without legitimate excuse from the school the child was 2220
supposed to attend for more than ten consecutive school days or 2221
for at least fifteen total school days, the superintendent shall 2222
notify the registrar of motor vehicles and the juvenile judge of 2223
the county in which the district is located that the child has 2224
been absent for that period of time and that the child does not 2225
have any legitimate excuse for the habitual absence. A 2226
~~notification to the registrar required by this division shall be~~ 2227
~~given in the manner the registrar by rule requires and a~~ 2228
notification to the juvenile judge required by this division shall 2229
be given in writing. Each notification shall be given within two 2230
weeks after the receipt of the information of the habitual absence 2231
from school without legitimate excuse, or, if the child and the 2232
child's parent, guardian, or custodian appear before the 2233
superintendent or a designee to challenge the information, within 2234
two weeks after the appearance. 2235

For purposes of division (B)(2) of this section, a legitimate 2236
excuse for absence from school includes, but is not limited to, 2237
the fact that the child in question has enrolled in another school 2238
or school district in this or another state, the fact that the 2239
child in question was excused from attendance for any of the 2240
reasons specified in section 3321.04 of the Revised Code, or the 2241
fact that the child in question has received an age and schooling 2242
certificate in accordance with section 3331.01 of the Revised 2243
Code. 2244

(3) Whenever a pupil is suspended or expelled from school 2245
pursuant to section 3313.66 of the Revised Code and the reason for 2246
the suspension or expulsion is the use or possession of alcohol, a 2247
drug of abuse, or alcohol and a drug of abuse, the superintendent 2248
of schools of that district may notify the registrar and the 2249
juvenile judge of the county in which the district is located of 2250

such suspension or expulsion. Any such notification of suspension 2251
or expulsion shall be given to the registrar, ~~in the manner the~~ 2252
~~registrar by rule requires~~ and shall be given to the juvenile 2253
judge in writing. The notifications shall be given within two 2254
weeks after the suspension or expulsion. 2255

(4) Whenever a pupil is suspended, expelled, removed, or 2256
permanently excluded from a school for misconduct included in a 2257
policy that the board of education of a city, exempted village, or 2258
local school district has adopted under division (A) of section 2259
3313.661 of the Revised Code, and the misconduct involves a 2260
firearm or a knife or other weapon as defined in that policy, the 2261
superintendent of schools of that district shall notify the 2262
registrar and the juvenile judge of the county in which the 2263
district is located of the suspension, expulsion, removal, or 2264
permanent exclusion. The notification shall be given to the 2265
registrar ~~in the manner the registrar, by rule, requires~~ and shall 2266
be given to the juvenile judge in writing. The notifications shall 2267
be given within two weeks after the suspension, expulsion, 2268
removal, or permanent exclusion. 2269

(5)(a) If a student has at least sixty cumulative hours of 2270
unexcused absences, the student's school district shall notify the 2271
student's parent, guardian, or custodian in writing that the 2272
student may be a chronic truant as defined under section 2152.02 2273
of the Revised Code. The notification shall specify that, if the 2274
student has at least one hundred five cumulative hours of 2275
unexcused absences, a complaint must be filed in the juvenile 2276
court of the county in which the child has a residence or legal 2277
settlement or in which the child is supposed to attend school 2278
jointly against the child and the parent, guardian, or custodian. 2279

(b) If a student has at least one hundred five cumulative 2280
hours of unexcused absences, the school district board of 2281
education shall take the appropriate action required under 2282

sections 3321.19 and 3321.191 of the Revised Code not later than 2283
ten days after the student accumulates one hundred five hours of 2284
unexcused absences. 2285

(c) If a student has at least two hundred sixty-five 2286
continuous hours of unexcused absences, the superintendent of the 2287
school district shall withdraw the student from the school. 2288

(d) The department of education shall track and record the 2289
number of students who meet any of the conditions prescribed in 2290
division (B)(5)(a), (b), or (c) of this section. If a district 2291
fails to comply with the provisions of division (B)(5)(a), (b), or 2292
(c) of this section, the superintendent of public instruction 2293
shall consider a reduction in the district's state operating 2294
payments under Chapter 3317. of the Revised Code on a case-by-case 2295
basis. 2296

(C) A notification of withdrawal, habitual absence without 2297
legitimate excuse, suspension, or expulsion given to the registrar 2298
or a juvenile judge under division (B)(1), (2), (3), ~~or (4)~~, or 2299
(5) of this section shall contain the name, address, date of 2300
birth, grade level, number of unexcused absences, school, and 2301
school district of the child. The notification also shall include 2302
the name of the child's parent, guardian, or custodian. If the 2303
superintendent finds, after giving a notification of withdrawal, 2304
habitual absence without legitimate excuse, suspension, or 2305
expulsion to the registrar and the juvenile judge under division 2306
(B)(1), (2), (3), ~~or (4)~~, or (5) of this section, that the 2307
notification was given in error, the superintendent immediately 2308
shall notify the registrar and the juvenile judge of that fact. 2309

Sec. 3345.86. (A) As used in this section, an "eligible 2310
institution" means a community college established under Chapter 2311
3354. of the Revised Code, a university branch established under 2312
Chapter 3355. of the Revised Code, a technical college established 2313

under Chapter 3357. of the Revised Code, or a state community 2314
college established under Chapter 3358. of the Revised Code. 2315

(B) An individual who is at least twenty-two years of age and 2316
who is an eligible individual as defined in section 3317.23 of the 2317
Revised Code may enroll in an eligible institution for up to two 2318
cumulative school years for the purpose of completing the 2319
requirements to earn a high school diploma. An individual enrolled 2320
under this division may elect to satisfy these requirements by 2321
successfully completing a competency-based instructional program 2322
that complies with the standards adopted by the state board of 2323
education under section 3317.231 of the Revised Code. 2324

The eligible institution in which the individual enrolls 2325
shall report that individual's enrollment on a full-time 2326
equivalency basis to the department of education. 2327

(C)(1) For each eligible institution that enrolls individuals 2328
under division (B) of this section, the department annually shall 2329
certify the enrollment and attendance, on a full-time equivalency 2330
basis, of each individual reported by the institution under that 2331
division. 2332

(2) For each individual enrolled in an eligible institution 2333
under division (B) of this section, the department annually shall 2334
pay to the institution an amount equal to the following: 2335

\$5,000 X the individual's enrollment on a full-time 2336
equivalency basis as certified under division (C)(1) of this 2337
section X the portion of the school year in which the individual 2338
is enrolled in the institution expressed as a percentage 2339

(D) If an individual enrolled in an eligible institution 2340
under division (B) of this section completes the requirements to 2341
earn a high school diploma, the institution shall certify the 2342
completion of those requirements to the city, local, or exempted 2343

village school district in which the individual resides. Upon 2344
receiving certification under this division, the city, local, or 2345
exempted village school district in which the individual resides 2346
shall issue a high school diploma to the individual. 2347

(E) An eligible institution that enrolls individuals under 2348
division (B) of this section shall be subject to the program 2349
administration standards adopted by the state board under section 2350
3317.231 of the Revised Code, as applicable. 2351

(F) For each individual enrolled in an eligible institution 2352
under division (B) of this section, the institution shall annually 2353
report to the department all of the following information in 2354
accordance with the standards adopted by the state board under 2355
section 3317.231 of the Revised Code: 2356

(1) Demographic information, including age at enrollment, 2357
gender, and race or ethnicity; 2358

(2) The number of courses needed to graduate at the time of 2359
enrollment; 2360

(3) The number of courses in which the individual 2361
participated during the previous school year and the subject of 2362
each of those courses; 2363

(4) The number of courses the individual completed during the 2364
previous school year and the subject of each of those courses; 2365

(5) The subject area graduation tests prescribed by statutory 2366
law that the individual, at the time of enrollment, was required 2367
to pass in order to be eligible to graduate; 2368

(6) The number of subject area graduation tests prescribed by 2369
statutory law that the individual passed during the previous 2370
school year and the subject area of each of those tests; 2371

(7) The date that the institution certified the individual's 2372
completion of the requirements to earn a high school diploma to 2373

the city, local, or exempted village school district in which the 2374
individual resides under division (D) of this section, if 2375
applicable. 2376

Sec. 3365.04. Each public and participating nonpublic 2377
secondary school shall do all of the following with respect to the 2378
college credit plus program: 2379

(A) Provide information about the program prior to the first 2380
day of March of each year to all students enrolled in grades six 2381
through eleven; 2382

(B) Provide counseling services to students in grades six 2383
through eleven and to their parents before the students 2384
participate in the program under this chapter to ensure that 2385
students and parents are fully aware of the possible consequences 2386
and benefits of participation. Counseling information shall 2387
include: 2388

(1) Program eligibility; 2389

(2) The process for granting academic credits; 2390

(3) Any necessary financial arrangements for tuition, 2391
textbooks, and fees; 2392

(4) Criteria for any transportation aid; 2393

(5) Available support services; 2394

(6) Scheduling; 2395

(7) Communicating the possible consequences and benefits of 2396
participation, including all of the following: 2397

(a) The consequences of failing or not completing a course 2398
under the program, including the effect on the student's ability 2399
to complete the secondary school's graduation requirements; 2400

(b) The effect of the grade attained in a course under the 2401
program being included in the student's grade point average, as 2402

applicable;	2403
(c) The benefits to the student for successfully completing a course under the program, including the ability to reduce the overall costs of, and the amount of time required for, a college education.	2404 2405 2406 2407
(8) The academic and social responsibilities of students and parents under the program;	2408 2409
(9) Information about and encouragement to use the counseling services of the college in which the student intends to enroll;	2410 2411
(10) The standard packet of information for the program developed by the chancellor of the Ohio board of regents pursuant to section 3365.15 of the Revised Code;	2412 2413 2414
For a participating nonpublic secondary school, counseling information shall also include an explanation that funding may be limited and that not all students who wish to participate may be able to do so.	2415 2416 2417 2418
(C) Promote the program on the school's web site, including the details of the school's current agreements with partnering colleges;	2419 2420 2421
(D) Schedule at least one informational session per school year to allow each partnering college that is located within thirty miles of the school to meet with interested students and parents. The session shall include the benefits and consequences of participation and shall outline any changes or additions to the requirements of the program. If there are no partnering colleges located within thirty miles of the school, the school shall coordinate with the closest partnering college to offer an informational session.	2422 2423 2424 2425 2426 2427 2428 2429 2430
(E) Implement a policy for the awarding of grades and the calculation of class standing for courses taken under division	2431 2432

(A)(2) or (B) of section 3365.06 of the Revised Code. The policy 2433
adopted under this division shall be equivalent to the school's 2434
policy for courses taken under the advanced standing programs 2435
described in divisions (A)(2) and (3) of section 3313.6013 of the 2436
Revised Code or for other courses designated as honors courses by 2437
the school. If the policy includes awarding a weighted grade or 2438
enhancing a student's class standing for these courses, the policy 2439
adopted under this section shall ~~also provide for these~~ require 2440
the same procedures to be applied to all courses taken under the 2441
college credit plus program, regardless of whether a similar 2442
course is offered at the school. 2443

(F) Develop model course pathways, pursuant to section 2444
3365.13 of the Revised Code, and publish the course pathways among 2445
the school's official list of course offerings for the program. 2446

(G) Annually collect, report, and track specified data 2447
related to the program according to data reporting guidelines 2448
adopted by the chancellor and the superintendent of public 2449
instruction pursuant to section 3365.15 of the Revised Code. 2450

Sec. 3365.05. Each public and participating private college 2451
shall do all of the following with respect to the college credit 2452
plus program: 2453

(A) Apply established standards and procedures for admission 2454
to the college and for course placement for participants. When 2455
determining admission and course placement, the college shall do 2456
all of the following: 2457

(1) Consider all available student data that may be an 2458
indicator of college readiness, including grade point average and 2459
end-of-course examination scores, if applicable; 2460

(2) Give priority to its current students regarding 2461
enrollment in courses. However, once a participant has been 2462

accepted into a course, the college shall not displace the 2463
participant for another student. 2464

(3) Adhere to any capacity limitations that the college has 2465
established for specified courses. 2466

If a participant meets the applicable eligibility criteria 2467
required for participation under the college credit plus program, 2468
no public or participating private college shall prohibit the 2469
admission of that participant based solely on the grade in which 2470
the participant is currently enrolled. 2471

(B) Send written notice to a participant, the participant's 2472
parent, the participant's secondary school, and the superintendent 2473
of public instruction, not later than fourteen calendar days prior 2474
to the first day of classes for that term, of the participant's 2475
admission to the college and to specified courses under the 2476
program. 2477

(C) Provide both of the following, not later than twenty-one 2478
calendar days after the first day of classes for that term, to 2479
each participant, participant's secondary school, and the 2480
superintendent of public instruction: 2481

(1) The courses and hours of enrollment of the participant; 2482

(2) The option elected by the participant under division (A) 2483
or (B) of section 3365.06 of the Revised Code for each course. 2484

The college shall also provide to each partnering school a 2485
roster of participants from that school that are enrolled in the 2486
college and a list of course assignments for each participant. 2487

(D) Promote the program on the college's web site, including 2488
the details of the college's current agreements with partnering 2489
secondary schools. 2490

(E) Coordinate with each partnering secondary school that is 2491
located within thirty miles of the college to present at least one 2492

informational session per school year for interested students and 2493
parents. The session shall include the benefits and consequences 2494
of participation and shall outline any changes or additions to the 2495
requirements of the program. If there are no partnering schools 2496
located within thirty miles of the college, the college shall 2497
coordinate with the closest partnering school to offer an 2498
informational session. 2499

(F) Assign an academic advisor that is employed by the 2500
college to each participant enrolled in that college. Prior to the 2501
date on which a withdrawal from a course would negatively affect a 2502
participant's transcribed grade, as prescribed by the college's 2503
established withdrawal policy, the college shall ensure that the 2504
academic advisor and the participant meet at least once to discuss 2505
the program and the courses in which the participant is enrolled. 2506

(G) Do both of the following with regard to high school 2507
teachers that are teaching courses for the college at a secondary 2508
school under the program: 2509

(1) Provide at least one professional development session per 2510
school year; 2511

(2) Conduct at least one classroom observation per school 2512
year for each course that is authorized by the college and taught 2513
by a high school teacher to ensure that the course meets the 2514
quality of a college-level course. 2515

(H) Annually collect, report, and track specified data 2516
related to the program according to data reporting guidelines 2517
adopted by the chancellor and the superintendent of public 2518
instruction pursuant to section 3365.15 of the Revised Code. 2519

(I) With the exception of divisions (D) and (E) of this 2520
section, any eligible out-of-state college participating in the 2521
college credit plus program shall be subject to the same 2522
requirements as a participating private college under this 2523

section. 2524

Sec. 3365.07. The department of education shall calculate and 2525
pay state funds to colleges for participants in the college credit 2526
plus program under division (B) of section 3365.06 of the Revised 2527
Code pursuant to this section. For a nonpublic secondary school 2528
participant, a nonchartered nonpublic secondary school 2529
participant, or a home-instructed participant, the department 2530
shall pay state funds pursuant to this section only if that 2531
participant is awarded funding according to rules adopted by the 2532
chancellor of the Ohio board of regents, in consultation with the 2533
superintendent of public instruction, pursuant to section 3365.071 2534
of the Revised Code. The program shall be the sole mechanism by 2535
which state funds are paid to colleges for students to earn 2536
college-level credit while enrolled in a secondary school, with 2537
the exception of the programs listed in division (A) of section 2538
3365.02 of the Revised Code. 2539

(A) For each public or nonpublic secondary school participant 2540
enrolled in a public college: 2541

(1) If no agreement has been entered into under division 2542
(A)(2) of this section, both of the following shall apply: 2543

(a) The department shall pay to the college the applicable 2544
amount as follows: 2545

(i) For a participant enrolled in a college course delivered 2546
on the college campus, at another location operated by the 2547
college, or online, the default ceiling amount; 2548

(ii) For a participant enrolled in a college course delivered 2549
at the participant's secondary school but taught by college 2550
faculty, fifty per cent of the default ceiling amount; 2551

(iii) For a participant enrolled in a college course 2552
delivered at the participant's secondary school and taught by a 2553

high school teacher who has met the credential requirements 2554
established for purposes of the program in rules adopted by the 2555
chancellor of the Ohio board of regents, the default floor amount. 2556

(b) The participant's secondary school shall pay for 2557
textbooks, and the college shall waive payment of all other fees 2558
related to participation in the program. 2559

(2) The governing entity of a participant's secondary school 2560
and the college may enter into an agreement to establish an 2561
alternative payment structure for tuition, textbooks, and fees. 2562
Under such an agreement, payments for each participant made by the 2563
department shall be not less than the default floor amount, unless 2564
approved by the chancellor, and not more than the default ceiling 2565
amount. The chancellor shall approve an agreement that includes a 2566
payment below the default floor amount, as long as the provisions 2567
of the agreement comply with all other requirements of this 2568
chapter to ensure program quality. If no agreement is entered into 2569
under division (A)(2) of this section, both of the following shall 2570
apply: 2571

(a) The department shall pay to the college the applicable 2572
default amounts prescribed by division (A)(1)(a) of this section, 2573
depending upon the method of delivery and instruction. 2574

(b) In accordance with division (A)(1)(b) of this section, 2575
the participant's secondary school shall pay for textbooks, and 2576
the college shall waive payment of all other fees related to 2577
participation in the program. 2578

(3) No participant that is enrolled in a public college shall 2579
be charged for any tuition, textbooks, or other fees related to 2580
participation in the program. 2581

(B) For each public secondary school participant enrolled in 2582
a private college: 2583

(1) If no agreement has been entered into under division 2584

(B)(2) of this section, the department shall pay to the college 2585
the applicable amount calculated in the same manner as in division 2586
(A)(1)(a) of this section. 2587

(2) The governing entity of a participant's secondary school 2588
and the college may enter into an agreement to establish an 2589
alternative payment structure for tuition, textbooks, and fees. 2590
Under such an agreement, payments shall be not less than the 2591
default floor amount, unless approved by the chancellor, and not 2592
more than the default ceiling amount. 2593

If an agreement is entered into under division (B)(2) of this 2594
section, both of the following shall apply: 2595

(a) The department shall make a payment to the college for 2596
each participant that is equal to the default floor amount, unless 2597
approved by the chancellor to pay an amount below the default 2598
floor amount. The chancellor shall approve an agreement that 2599
includes a payment below the default floor amount, as long as the 2600
provisions of the agreement comply with all other requirements of 2601
this chapter to ensure program quality. 2602

(b) Payment for costs for the participant that exceed the 2603
amount paid by the department pursuant to division (B)(2)(a) of 2604
this section shall be negotiated by the school and the college. 2605
The agreement may include a stipulation permitting the charging of 2606
a participant, so long as the school provides information to all 2607
participants on the no-cost options available under this chapter. 2608

However, under no circumstances shall: 2609

(i) Payments for a participant made by the department under 2610
~~this~~ division (B)(2) of this section exceed the default ceiling 2611
amount; 2612

(ii) The amount charged to a participant under division 2613
(B)(2) of this section exceed the difference between the maximum 2614
per participant charge amount and the default floor amount; 2615

(iii) The sum of the payments made by the department for a participant and the amount charged to that participant under division (B)(2) of this section exceed the following amounts, as applicable:

(I) For a participant enrolled in a college course delivered on the college campus, at another location operated by the college, or online, the maximum per participant charge amount;

(II) For a participant enrolled in a college course delivered at the participant's secondary school but taught by college faculty, one hundred twenty-five dollars;

(III) For a participant enrolled in a college course delivered at the participant's secondary school and taught by a high school teacher who has met the credential requirements established for purposes of the program in rules adopted by the chancellor of the Ohio board of regents, one hundred dollars.

(iv) A participant that is identified as economically disadvantaged according to rules adopted by the department be charged under division (B)(2) of this section for any tuition, textbooks, or other fees related to participation in the program.

(C) For each nonpublic secondary school participant enrolled in a private or eligible out-of-state college, the department shall pay to the college the applicable amount calculated in the same manner as in division (A)(1)(a) of this section. Payment for costs for the participant that exceed the amount paid by the department shall be negotiated by the governing body of the nonpublic secondary school and the college.

However, under no circumstances shall:

(1) The payments for a participant made by the department under this division exceed the default ceiling amount.

(2) Any nonpublic secondary school participant, who is

enrolled in that secondary school with a scholarship awarded under 2646
either the educational choice scholarship pilot program, as 2647
prescribed by sections 3310.01 to 3310.17, or the pilot project 2648
scholarship program, as prescribed by sections 3313.974 to 2649
3313.979 of the Revised Code, and who qualifies as a low-income 2650
student under either of those programs, be charged for any 2651
tuition, textbooks, or other fees related to participation in the 2652
college credit plus program. 2653

(D) For each nonchartered nonpublic secondary school 2654
participant and each home-instructed participant enrolled in a 2655
public, private, or eligible out-of-state college, the department 2656
shall pay to the college the default ceiling amount, if that 2657
participant is enrolled in a college course delivered on the 2658
college campus, at another location operated by the college, or 2659
online. 2660

(E) Not later than thirty days after the end of each term, 2661
each college expecting to receive payment for the costs of a 2662
participant under this section shall notify the department of the 2663
number of enrolled credit hours for each participant. 2664

(F) Each January and July, or as soon as possible thereafter, 2665
the department shall make the applicable payments under this 2666
section to each college, which provided proper notification to the 2667
department under division (E) of this section, for the number of 2668
enrolled credit hours for participants enrolled in the college 2669
under division (B) of section 3365.06 of the Revised Code. The 2670
department shall not make any payments to a college under this 2671
section if a participant withdrew from a course prior to the date 2672
on which a withdrawal from the course would have negatively 2673
affected the participant's transcribed grade, as prescribed by 2674
the college's established withdrawal policy. 2675

(1) Payments made for public secondary school participants 2676
under this section shall be deducted from the school foundation 2677

payments made to the participant's school district or, if the 2678
participant is enrolled in a community school, a STEM school, or a 2679
college-preparatory boarding school, from the payments made to 2680
that school under section 3314.08, 3326.33, or 3328.34 of the 2681
Revised Code. If the participant is enrolled in a joint vocational 2682
school district, a portion of the amount shall be deducted from 2683
the payments to the joint vocational school district and a portion 2684
shall be deducted from the payments to the participant's city, 2685
local, or exempted village school district in accordance with the 2686
full-time equivalency of the student's enrollment in each 2687
district. Amounts deducted under division (F)(1) of this section 2688
shall be calculated in accordance with rules adopted by the 2689
chancellor, in consultation with the state superintendent, 2690
pursuant to division (B) of section 3365.071 of the Revised Code. 2691

(2) Payments made for nonpublic secondary school 2692
participants, nonchartered nonpublic secondary school 2693
participants, and home-instructed participants under this section 2694
shall be deducted from moneys appropriated by the general assembly 2695
for such purpose. Payments shall be allocated and distributed in 2696
accordance with rules adopted by the chancellor, in consultation 2697
with the state superintendent, pursuant to division (A) of section 2698
3365.071 of the Revised Code. 2699

(G) Any public college that enrolls a student under division 2700
(B) of section 3365.06 of the Revised Code may include that 2701
student in the calculation used to determine its state share of 2702
instruction funds appropriated to the Ohio board of regents by the 2703
general assembly. 2704

Section 2. That existing sections 3301.0711, 3301.0712, 2705
3302.02, 3302.03, 3302.035, 3313.534, 3313.612, 3313.672, 2706
3313.814, 3314.06, 3314.38, 3317.034, 3317.23, 3317.24, 3319.227, 2707
3319.261, 3321.13, 3345.86, 3365.04, 3365.05, and 3365.07 of the 2708

Revised Code are hereby repealed. 2709

Section 3. That Section 263.20 of Am. Sub. H.B. 59 of the 2710
130th General Assembly, as amended by Am. Sub. H.B. 487 of the 2711
130th General Assembly, be amended to read as follows: 2712

Sec. 263.20. OPERATING EXPENSES 2713

A portion of the foregoing appropriation item 200321, 2714
Operating Expenses, shall be used by the Department of Education 2715
to provide matching funds under 20 U.S.C. 2321. 2716

EARLY CHILDHOOD EDUCATION 2717

Of the foregoing appropriation item 200408, Early Childhood 2718
Education, up to \$50,000 in each fiscal year shall be used to 2719
support the operations of the "Ready, Set, Go...to Kindergarten" 2720
Program at the Horizon Education Center in Lorain County. The 2721
effectiveness of the program shall be evaluated and reported to 2722
the Department of Education in a study that includes statistics on 2723
program participants' scores for the "Get It, Got It, Go!" 2724
assessment and the kindergarten readiness assessment. 2725

The Department of Education shall distribute the remainder of 2726
the foregoing appropriation item 200408, Early Childhood 2727
Education, to pay the costs of early childhood education programs. 2728
The Department shall distribute such funds directly to qualifying 2729
providers. 2730

(A) As used in this section: 2731

(1) "Provider" means a city, local, exempted village, or 2732
joint vocational school district; an educational service center; a 2733
community school; a chartered nonpublic school; an early childhood 2734
education child care provider licensed under Chapter 5104. of the 2735
Revised Code that participates in and meets at least the third 2736
highest tier of the tiered quality rating and improvement system 2737

described in section 5104.30 of the Revised Code; or a combination 2738
of entities described in this paragraph. 2739

(2)(a) In the case of a city, local, or exempted village 2740
school district or early childhood education child care provider 2741
licensed under Chapter 5104. of the Revised Code, "new eligible 2742
provider" means a provider that did not receive state funding for 2743
Early Childhood Education in the previous fiscal year or 2744
demonstrates a need for early childhood programs as defined in 2745
division (D) of this section. 2746

(b) In the case of a community school, "new eligible 2747
provider" means a community school that operates a program that 2748
uses the Montessori method endorsed by the American Montessori 2749
society, the Montessori accreditation council for teacher 2750
education, or the association Montessori internationale as its 2751
primary method of instruction, as authorized by division (A) of 2752
section 3314.06 of the Revised Code, that did not receive state 2753
funding for Early Childhood Education in the previous fiscal year 2754
or demonstrates a need for early childhood programs as defined in 2755
division (D) of this section. 2756

(3) "Eligible child" means a child who is at least three 2757
years of age as of the district entry date for kindergarten, is 2758
not of the age to be eligible for kindergarten, and whose family 2759
earns not more than two hundred per cent of the federal poverty 2760
guidelines as defined in division (A)(3) of section 5101.46 of the 2761
Revised Code. Children with an Individualized Education Program 2762
and where the Early Childhood Education program is the least 2763
restrictive environment may be enrolled on their third birthday. 2764

(4) "Early learning program standards" means early learning 2765
program standards for school readiness developed by the Department 2766
to assess the operation of early learning programs. 2767

(B) In each fiscal year, up to two per cent of the total 2768

appropriation may be used by the Department for program support 2769
and technical assistance. The Department shall distribute the 2770
remainder of the appropriation in each fiscal year to serve 2771
eligible children. 2772

(C) The Department shall provide an annual report to the 2773
Governor, the Speaker of the House of Representatives, and the 2774
President of the Senate and post the report to the Department's 2775
web site, regarding early childhood education programs operated 2776
under this section and the early learning program standards. 2777

(D) After setting aside the amounts to make payments due from 2778
the previous fiscal year, in fiscal year 2014, the Department 2779
shall distribute funds first to recipients of funds for early 2780
childhood education programs under Section 267.10.10 of Am. Sub. 2781
H.B. 153 of the 129th General Assembly, as amended by Am. Sub. 2782
H.B. 487 of the 129th General Assembly, in the previous fiscal 2783
year and the balance to new eligible providers of early childhood 2784
education programs under this section or to existing providers to 2785
serve more eligible children or for purposes of program expansion, 2786
improvement, or special projects to promote quality and 2787
innovation. 2788

After setting aside the amounts to make payments due from the 2789
previous fiscal year, in fiscal year 2015, the Department shall 2790
distribute funds first to providers of early childhood education 2791
programs under this section in the previous fiscal year and the 2792
balance to new eligible providers or to existing providers to 2793
serve more eligible children as outlined under division (E) of 2794
this section or for purposes of program expansion, improvement, or 2795
special projects to promote quality and innovation. 2796

(E) The Department shall distribute any new or remaining 2797
funding to existing providers of early childhood education 2798
programs or any new eligible providers in an effort to invest in 2799
high quality early childhood programs where there is a need as 2800

determined by the Department. The Department shall distribute the 2801
new or remaining funds to existing providers of early childhood 2802
education programs or any new eligible providers to serve 2803
additional eligible children based on community economic 2804
disadvantage, limited access to high quality preschool or 2805
childcare services, and demonstration of high quality preschool 2806
services as determined by the Department using new metrics 2807
developed pursuant to Ohio's Race to the Top-Early Learning 2808
Challenge Grant, awarded to the Department in December 2011. 2809

Awards under divisions (D) and (E) of this section shall be 2810
distributed on a per-pupil basis, and in accordance with division 2811
(I) of this section. The Department may adjust the per-pupil 2812
amount so that the per-pupil amount multiplied by the number of 2813
eligible children enrolled and receiving services on the first day 2814
of December or the business day closest to that date equals the 2815
amount allocated under this section. 2816

(F) Costs for developing and administering an early childhood 2817
education program may not exceed fifteen per cent of the total 2818
approved costs of the program. 2819

All providers shall maintain such fiscal control and 2820
accounting procedures as may be necessary to ensure the 2821
disbursement of, and accounting for, these funds. The control of 2822
funds provided in this program, and title to property obtained, 2823
shall be under the authority of the approved provider for purposes 2824
provided in the program unless, as described in division (K) of 2825
this section, the program waives its right for funding or a 2826
program's funding is eliminated or reduced due to its inability to 2827
meet financial or early learning program standards. The approved 2828
provider shall administer and use such property and funds for the 2829
purposes specified. 2830

(G) The Department may examine a provider's financial and 2831
program records. If the financial practices of the program are not 2832

in accordance with standard accounting principles or do not meet 2833
financial standards outlined under division (F) of this section, 2834
or if the program fails to substantially meet the early learning 2835
program standards, meet a quality rating level in the tiered 2836
quality rating and improvement system developed under section 2837
5104.30 of the Revised Code as prescribed by the Department, or 2838
exhibits below average performance as measured against the 2839
standards, the early childhood education program shall propose and 2840
implement a corrective action plan that has been approved by the 2841
Department. The approved corrective action plan shall be signed by 2842
the chief executive officer and the executive of the official 2843
governing body of the provider. The corrective action plan shall 2844
include a schedule for monitoring by the Department. Such 2845
monitoring may include monthly reports, inspections, a timeline 2846
for correction of deficiencies, and technical assistance to be 2847
provided by the Department or obtained by the early childhood 2848
education program. The Department may withhold funding pending 2849
corrective action. If an early childhood education program fails 2850
to satisfactorily complete a corrective action plan, the 2851
Department may deny expansion funding to the program or withdraw 2852
all or part of the funding to the program and establish a new 2853
eligible provider through a selection process established by the 2854
Department. 2855

(H)(1) If the early childhood education program is licensed 2856
by the Department of Education and is not highly rated, as 2857
determined by the Director of Job and Family Services, under the 2858
tiered quality rating and improvement system described in section 2859
5104.30 of the Revised Code, the program shall do all of the 2860
following: 2861

(a) Meet teacher qualification requirements prescribed by 2862
section 3301.311 of the Revised Code; 2863

(b) Align curriculum to the early learning content standards 2864

developed by the Department;	2865
(c) Meet any child or program assessment requirements prescribed by the Department;	2866 2867
(d) Require teachers, except teachers enrolled and working to obtain a degree pursuant to section 3301.311 of the Revised Code, to attend a minimum of twenty hours every two years of professional development as prescribed by the Department;	2868 2869 2870 2871
(e) Document and report child progress as prescribed by the Department;	2872 2873
(f) Meet and report compliance with the early learning program standards as prescribed by the Department;	2874 2875
(g) Participate in the tiered quality rating and improvement system developed under section 5104.30 of the Revised Code. Effective July 1, 2016, all programs shall be rated through the system.	2876 2877 2878 2879
(2) If the program is highly rated, as determined by the Director of Job and Family Services, under the tiered quality rating and improvement system developed under section 5104.30 of the Revised Code, the program shall comply with the requirements of that system.	2880 2881 2882 2883 2884
(I) Per-pupil funding for programs subject to this section shall be sufficient to provide eligible children with services for a standard early childhood schedule which shall be defined in this section as a minimum of twelve and one-half hours per school week as defined in section 3313.62 of the Revised Code for the minimum school year as defined in sections 3313.48, 3313.481, and 3313.482 of the Revised Code. Nothing in this section shall be construed to prohibit program providers from utilizing other funds to serve eligible children in programs that exceed the twelve and one-half hours per week or that exceed the minimum school year. For any provider for which a standard early childhood education schedule	2885 2886 2887 2888 2889 2890 2891 2892 2893 2894 2895

creates a hardship or for which the provider shows evidence that 2896
the provider is working in collaboration with a preschool special 2897
education program, the provider may submit a waiver to the 2898
Department requesting an alternate schedule. If the Department 2899
approves a waiver for an alternate schedule that provides services 2900
for less time than the standard early childhood education 2901
schedule, the Department may reduce the provider's annual 2902
allocation proportionately. Under no circumstances shall an annual 2903
allocation be increased because of the approval of an alternate 2904
schedule. 2905

(J) Each provider shall develop a sliding fee scale based on 2906
family incomes and shall charge families who earn more than two 2907
hundred per cent of the federal poverty guidelines, as defined in 2908
division (A)(3) of section 5101.46 of the Revised Code, for the 2909
early childhood education program. 2910

The Department shall conduct an annual survey of each 2911
provider to determine whether the provider charges families 2912
tuition or fees, the amount families are charged relative to 2913
family income levels, and the number of families and students 2914
charged tuition and fees for the early childhood program. 2915

(K) If an early childhood education program voluntarily 2916
waives its right for funding, or has its funding eliminated for 2917
not meeting financial standards or the early learning program 2918
standards, the provider shall transfer control of title to 2919
property, equipment, and remaining supplies obtained through the 2920
program to providers designated by the Department and return any 2921
unexpended funds to the Department along with any reports 2922
prescribed by the Department. The funding made available from a 2923
program that waives its right for funding or has its funding 2924
eliminated or reduced may be used by the Department for new grant 2925
awards or expansion grants. The Department may award new grants or 2926
expansion grants to eligible providers who apply. The eligible 2927

providers who apply must do so in accordance with the selection 2928
process established by the Department. 2929

(L) Eligible expenditures for the Early Childhood Education 2930
Program shall be claimed each fiscal year to help meet the state's 2931
TANF maintenance of effort requirement. The Superintendent of 2932
Public Instruction and the Director of Job and Family Services 2933
shall enter into an interagency agreement to carry out the 2934
requirements under this division, which shall include developing 2935
reporting guidelines for these expenditures. 2936

(M) The Early Childhood Advisory Council established under 2937
section 3301.90 of the Revised Code shall provide, by October 1, 2938
2013, recommendations including, but not limited to, the 2939
administration, implementation, and distribution of funding for an 2940
early childhood voucher program, to the Superintendent of Public 2941
Instruction, the Governor's Office of 21st Century Education, the 2942
Speaker of the House of Representatives, the President of the 2943
Senate, and the chairpersons of the standing committees of the 2944
House of Representatives and the Senate that deal primarily with 2945
issues of education. Decisions on the implementation of the 2946
voucher program shall be made by the Governor's Office of 21st 2947
Century Education with recommendations from the State 2948
Superintendent of Public Instruction and the Early Childhood 2949
Advisory Council. 2950

Section 4. That existing Section 263.20 of Am. Sub. H.B. 59 2951
of the 130th General Assembly, as amended by Am. Sub. H.B. 487 of 2952
the 130th General Assembly, is hereby repealed. 2953

Section 5. That Section 263.320 of Am. Sub. H.B. 59 of the 2954
130th General Assembly, as amended by Am. Sub. H.B. 483 of the 2955
130th General Assembly, be amended to read as follows: 2956

Sec. 263.320. LOTTERY PROFITS EDUCATION FUND 2957

Appropriation item 200612, Foundation Funding (Fund 7017), 2958
shall be used in conjunction with appropriation item 200550, 2959
Foundation Funding (GRF), to provide state foundation payments to 2960
school districts. 2961

The Department of Education, with the approval of the 2962
Director of Budget and Management, shall determine the monthly 2963
distribution schedules of appropriation item 200550, Foundation 2964
Funding (GRF), and appropriation item 200612, Foundation Funding 2965
(Fund 7017). If adjustments to the monthly distribution schedule 2966
are necessary, the Department of Education shall make such 2967
adjustments with the approval of the Director of Budget and 2968
Management. 2969

CAREER ADVISING AND MENTORING PROGRAM 2970

The foregoing appropriation item 200629, Career Advising and 2971
Mentoring, shall be used by the State Superintendent of Public 2972
Instruction to create the Career Advising and Mentoring Grant 2973
Program. The Superintendent shall develop guidelines for the 2974
grants. The program shall award competitive matching grants to 2975
provide funding for local networks of volunteers and organizations 2976
to sponsor career advising and mentoring for students in eligible 2977
school districts. Each grant award shall match up to three times 2978
the funds allocated to the project by the local network. Eligible 2979
school districts are those with a high percentage of students in 2980
poverty, a high number of students not graduating on time, and 2981
other criteria as determined by the State Superintendent. Eligible 2982
school districts shall partner with members of the business 2983
community, civic organizations, or the faith-based community to 2984
provide sustainable career advising and mentoring services. 2985

An amount equal to the unexpended, unencumbered portion of 2986
the foregoing appropriation item 200629, Career Advising and 2987
Mentoring Program, at the end of fiscal year 2015 is hereby 2988
reappropriated to the Department of Education for the same purpose 2989

<u>for fiscal year 2016.</u>	2990
STRAIGHT A FUND	2991
Of the foregoing appropriation item 200648, Straight A Fund,	2992
up to \$70,000 in each fiscal year shall be used by Kids Unlimited	2993
of Toledo for quality after-school tutoring and mentoring programs	2994
in two elementary school buildings in Lucas County. The school	2995
buildings may include any community school, chartered nonpublic	2996
school, or building that is part of a city, local, or exempted	2997
village school district. Kids Unlimited of Toledo shall provide	2998
local matching funds equal to the set-aside.	2999
Of the foregoing appropriation item 200648, Straight A Fund,	3000
up to \$250,000 in each fiscal year may be used to make competitive	3001
grants in accordance with Section 263.324 of this act.	3002
Of the foregoing appropriation item 200648, Straight A Fund,	3003
up to \$6,000,000 in fiscal year 2014 shall be distributed to the	3004
Cleveland Municipal School District to be used, as determined by	3005
the Department of Education, to implement provisions of Am. Sub.	3006
H.B. 525 of the 129th General Assembly.	3007
Of the foregoing appropriation item 200648, Straight A Fund,	3008
up to \$5,000,000 in each fiscal year shall be provided to school	3009
districts that meet the conditions prescribed in division (G)(3)	3010
of section 3317.0212 of the Revised Code to support innovations	3011
that improve the efficiency of pupil transportation. This may	3012
include, but is not limited to, the purchase of buses and other	3013
equipment. The Department of Education shall distribute these	3014
funds to districts based on each district's qualifying ridership	3015
as reported under division (B) of section 3317.0212 of the Revised	3016
Code.	3017
The remainder of appropriation item 200648, Straight A Fund,	3018
shall be used to make competitive grants in accordance with	3019
Section 263.325 of this act.	3020

EDCHOICE EXPANSION 3021

The foregoing appropriation item 200666, EdChoice Expansion, 3022
shall be used as follows: 3023

(A) In fiscal year 2014, notwithstanding section 3310.032 of 3024
the Revised Code, the Department of Education shall administer an 3025
expansion of the Educational Choice Scholarship program as 3026
follows: 3027

(1) A student is an "eligible student" for purposes of the 3028
expansion of the Educational Choice Scholarship Pilot Program 3029
under division (A) of this section if the student's resident 3030
district is not a school district in which the pilot project 3031
scholarship program is operating under sections 3313.974 to 3032
3313.979 of the Revised Code and the student's family income is at 3033
or below two hundred per cent of the federal poverty guidelines, 3034
as defined in section 5101.46 of the Revised Code. 3035

(2) The Department shall pay scholarships to attend chartered 3036
nonpublic schools in accordance with section 3310.08 of the 3037
Revised Code. The number of scholarships awarded under division 3038
(A) of this section shall not exceed the number that can be funded 3039
with appropriations made by the general assembly for this purpose. 3040

(3) Scholarships under division (A) of this section shall be 3041
awarded for the 2013-2014 school year, to eligible students who 3042
are entering kindergarten in that school year for the first time. 3043

(4) If the number of eligible students who apply for a 3044
scholarship exceeds the scholarships available based on the 3045
appropriation for division (A) of this section, the department 3046
shall award scholarships in the following order of priority: 3047

(a) First, to eligible students with family incomes at or 3048
below one hundred per cent of the federal poverty guidelines. 3049

(b) Second, to other eligible students who qualify under 3050

division (A) of this section. If the number of students described 3051
in division (A)(4)(b) of this section exceeds the number of 3052
available scholarships after awards are made under division 3053
(A)(4)(a) of this section, the department shall select students 3054
described in division (A)(4)(b) of this section by lot to receive 3055
any remaining scholarships. 3056

(5) A student who receives a scholarship under division (A) 3057
of this section remains an eligible student and may continue to 3058
receive scholarships under section 3310.032 of the Revised Code in 3059
subsequent school years until the student completes grade twelve, 3060
so long as the student satisfies the conditions specified in 3061
divisions (E)(2) and (3) of section 3310.03 of the Revised Code. 3062

Once a scholarship is awarded under this section, the student 3063
shall remain eligible for that scholarship for the current and 3064
subsequent school years, even if the student's family income rises 3065
above the amount specified in division (A) of section 3310.032 of 3066
the Revised Code, provided the student remains enrolled in a 3067
chartered nonpublic school. 3068

(B) In fiscal year 2015, to provide for the scholarships 3069
awarded under the expansion of the educational choice program 3070
established under section 3310.032 of the Revised Code. The number 3071
of scholarships awarded under the expansion of the educational 3072
choice program shall not exceed the number that can be funded with 3073
the appropriations made by the General Assembly for this purpose. 3074

COMMUNITY SCHOOL FACILITIES 3075

The foregoing appropriation item 200684, Community School 3076
Facilities, shall be used to pay each community school established 3077
under Chapter 3314. of the Revised Code that is not an internet- 3078
or computer-based community school and each STEM school 3079
established under Chapter 3326. of the Revised Code an amount 3080
equal to \$100 for each full-time equivalent pupil for assistance 3081

with the cost associated with facilities. If the amount 3082
appropriated is not sufficient, the Department of Education shall 3083
prorate the amounts so that the aggregate amount appropriated is 3084
not exceeded. 3085

Section 6. That existing Section 263.320 of Am. Sub. H.B. 59 3086
of the 130th General Assembly, as amended by Am. Sub. H.B. 483 of 3087
the 130th General Assembly, is hereby repealed. 3088

Section 7. That Section 9 of Am. Sub. H.B. 487 of the 130th 3089
General Assembly be amended to read as follows: 3090

Sec. 9. (A) For the 2014-2015 school year, each school 3091
district, community school established under Chapter 3314., or 3092
STEM school established under Chapter 3326. of the Revised Code 3093
shall administer to third grade students, for purposes of section 3094
3313.608 of the Revised Code, the English language arts assessment 3095
required under division (A)(1)(a) of section 3301.0710 of the 3096
Revised Code ~~to third grade students for purposes of section~~ 3097
~~3313.608 of the Revised Code as follows:~~ 3098

~~(1) For the fall administration of the assessment, each 3099
district or school shall administer the English language arts 3100
assessment for third graders that the school administered for the 3101
previous year under that section 3301.0710 of the Revised Code. 3102~~

~~(2) For the spring administration of the assessment to any 3103
student who fails to attain at least the score range prescribed by 3104
division (A)(3) of section 3301.0710 of the Revised Code, each 3105
district or school shall administer the English language arts 3106
assessment for third graders that the school administered for the 3107
previous year under section 3301.0710 of the Revised Code. 3108~~

~~(3) For the spring administration of the assessment to any 3109
student who has attained at least the score range prescribed by 3110~~

~~division (A)(3) of section 3301.0710 of the Revised Code, each 3111
district or school shall administer the English language arts 3112
assessment developed by the Partnership for Assessment of 3113
Readiness for College and Careers (PARCC). 3114~~

(B) ~~The~~ For the 2014-2015 school year, the Department shall 3115
use the assessments described in ~~divisions~~ division (A)(1) and (2) 3116
of this section to calculate a district's or school's grades on 3117
the state report card prescribed by section 3302.03 of the Revised 3118
Code. However, notwithstanding anything to the contrary in the 3119
Revised Code, the Department shall not use the results of the 3120
third-grade English language arts assessments described in 3121
division (A) of this section in determining the performance index 3122
score of a school district or building. 3123

A school district or building shall be considered to have met 3124
the performance indicator for the third-grade English language 3125
arts assessment described in division (A) of this section, if at 3126
least eighty per cent of the tested students attain a score of 3127
proficient or higher on the assessment. 3128

Section 8. That existing Section 9 of Am. Sub. H.B. 487 of 3129
the 130th General Assembly is hereby repealed. 3130

Section 9. Notwithstanding division (G)(2) of section 3131
3301.0711 of the Revised Code, for the 2014-2015 school year only, 3132
the Department of Education or an entity with which the Department 3133
contracts for the scoring of the assessments prescribed by 3134
divisions (A)(1) and (B)(1) and (2) of section 3301.0710 of the 3135
Revised Code shall send to each school district board a list of 3136
the individual scores of all persons taking such an assessment for 3137
that school year not later than December 31, 2015. 3138

Section 10. For the 2014-2015 school year, for the state 3139
report card prescribed by section 3302.03 of the Revised Code, 3140

notwithstanding anything to the contrary in the Revised Code, the 3141
Department of Education shall calculate the performance index 3142
score and the performance indicators met report card measures 3143
based on the following assessments as follows: 3144

(A) For students enrolled in any of grades nine through 3145
twelve, the scores from the assessments administered under 3146
division (B)(1) of section 3301.0710 of the Revised Code. 3147

Any scores from assessments under division (B)(2) of section 3148
3301.0712 of the Revised Code taken by students in any of grades 3149
nine through twelve shall be reported only and shall not be 3150
included in the calculation of a letter grade for a school 3151
district or building's performance index or performance indicator 3152
score. 3153

(B) For students enrolled in grade eight or below, the scores 3154
from the assessments administered under division (B)(2) of section 3155
3301.0712 of the Revised Code. 3156

Section 11. (A)(1) For the 2014-2015 school year, if a 3157
student is enrolled in an appropriate course under either of the 3158
dual enrollment programs described in former divisions (A)(1) or 3159
(4) of section 3313.6013 of the Revised Code, as it existed prior 3160
to September 17, 2014, in the area of physical science or biology, 3161
American history, or American government, that student shall not 3162
be required to take the physical science or biology, American 3163
history, or American government end-of-course examination, 3164
whichever is applicable, prescribed under division (B)(2) of 3165
section 3301.0712 of the Revised Code. Instead, that student's 3166
final course grade shall be used in lieu of the applicable 3167
end-of-course examination prescribed under that section. 3168

(2) For the 2014-2015 school year, if a student is enrolled 3169
in an appropriate course under the dual enrollment program 3170

described in former division (A)(3) of section 3313.6013 of the Revised Code, as it existed prior to September 17, 2014, in the area of physical science or biology, American history, or American government, that student shall either:

(a) Take the applicable examination under that dual enrollment program in lieu of the physical science or biology, American history, or American government end-of-course examination, whichever is applicable, prescribed under division (B)(2) of section 3301.0712 of the Revised Code;

(b) Not be required to take the physical science or biology, American history, or American government end-of-course examination, whichever is applicable, prescribed under division (B)(2) of section 3301.0712 of the Revised Code. Instead, that student's final course grade shall be used in lieu of the applicable end-of-course examination prescribed under that section.

Divisions (A)(1) and (A)(2)(b) of this section shall apply only to courses for which students receive transcribed credit, as defined in division (U) of section 3365.01 of the Revised Code. Neither division shall apply to remedial or developmental courses.

(B) For purposes of this section:

(1) The State Board of Education shall specify the score levels for each examination required under this section for purposes of calculating the minimum cumulative performance score that demonstrates the level of academic achievement necessary to earn a high school diploma.

(2) The Superintendent of Public Instruction and the Chancellor of the Ohio Board of Regents jointly shall adopt guidelines for purposes of calculating the minimum final course grade that demonstrates the level of academic achievement necessary to earn a high school diploma.

Section 12. Notwithstanding section 3302.03 of the Revised Code, the Department of Education shall issue grades as described in division (E) of section 3302.03 of the Revised Code for each of the performance measures prescribed in division (C)(1) of that section for the 2014-2015 school year not later than January 15, 2016.

Section 13. Notwithstanding anything to the contrary in section 3302.035 of the Revised Code, the Department of Education shall issue the reports required under that section on the performance measures for a school district's or school's students with disabilities subgroup, using data from the 2014-2015 school year, not later than January 15, 2016.

For each school year thereafter, the Department shall issue those reports on the first day of October as required under that section.

Section 14. Not later than November 1, 2015, the State Board of Education shall make a recommendation on whether or not to extend by one year the safe harbor provisions prescribed by section 3302.036 of the Revised Code and Section 13 of Am. Sub. H.B. 487 of the 130th General Assembly.

Section 15. Notwithstanding section 3302.21 of the Revised Code, for the 2014-2015 school year only, the Department of Education shall not rank school districts, community schools, and STEM schools according to the performance measures prescribed in divisions (A)(1), (2), and (5) of that section. However, the Department shall rank districts and schools according to the measures prescribed in divisions (A)(3) and (4) of that section for the 2014-2015 school year not later than January 15, 2016.

Section 16. Notwithstanding section 3302.22 of the Revised

Code, the State Board of Education may adopt a resolution excusing	3231
the Department of Education from determining the top ten per cent	3232
of schools for the Governor's Effective and Efficient Schools	3233
Recognition Program under section 3302.22 of the Revised Code for	3234
the 2014-2015 school year.	3235