

**As Introduced**

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

**H. B. No. 487**

**Representative Brenner**

—

**A BILL**

To amend sections 133.06, 921.06, 3301.0714, 1  
3301.0715, 3302.03, 3302.10, 3313.372, 3313.603, 2  
3313.6013, 3313.6016, 3313.90, 3314.08, 3317.03, 3  
3319.22, 3319.26, 3321.03, 3321.04, 3321.07, 4  
3321.08, 3321.09, 3324.07, 3326.36, 3328.24, 5  
3331.04, 3333.041, 3333.35, 3333.43, 3333.86, 6  
3345.06, 3365.04, 3365.041, 3365.05, 3365.06, 7  
3365.08, and 3365.11; to amend, for the purpose of 8  
adopting new section numbers as indicated in 9  
parentheses, sections 3365.04 (3365.06), 3365.041 10  
(3365.032), 3365.05 (3365.12), 3365.06 (3365.031), 11  
and 3365.11 (3365.09); to enact new sections 12  
3313.6015, 3365.01, 3365.02, 3365.03, 3365.04, 13  
3365.05, 3365.07, 3365.10, 3365.11, and 3365.15 14  
and sections 3365.071 and 3365.13; and to repeal 15  
sections 3313.6015, 3345.062, 3365.01, 3365.02, 16  
3365.021, 3365.022, 3365.03, 3365.07, 3365.09, 17  
3365.10, 3365.12, and 3365.15 of the Revised Code 18  
with regard to education provisions for students 19  
in grades kindergarten through twelve. 20

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

**Section 1.** That sections 133.06, 921.06, 3301.0714, 21

3301.0715, 3302.03, 3302.10, 3313.372, 3313.603, 3313.6013, 22  
3313.6016, 3313.90, 3314.08, 3317.03, 3319.22, 3319.26, 3321.03, 23  
3321.04, 3321.07, 3321.08, 3321.09, 3324.07, 3326.36, 3328.24, 24  
3331.04, 3333.041, 3333.35, 3333.43, 3333.86, 3345.06, 3365.04, 25  
3365.041, 3365.05, 3365.06, 3365.08, and 3365.11 be amended; 26  
sections 3365.04 (3365.06), 3365.041 (3365.032), 3365.05 27  
(3365.12), 3365.06 (3365.031), and 3365.11 (3365.09) be amended 28  
for the purpose of adopting new section numbers as indicated in 29  
parentheses; and new sections 3313.6015, 3365.01, 3365.02, 30  
3365.03, 3365.04, 3365.05, 3365.07, 3365.10, 3365.11, and 3365.15 31  
and sections 3365.071 and 3365.13 of the Revised Code be enacted 32  
to read as follows: 33

**Sec. 133.06.** (A) A school district shall not incur, without a 34  
vote of the electors, net indebtedness that exceeds an amount 35  
equal to one-tenth of one per cent of its tax valuation, except as 36  
provided in divisions (G) and (H) of this section and in division 37  
(C) of section 3313.372 of the Revised Code, or as prescribed in 38  
section 3318.052 or 3318.44 of the Revised Code, or as provided in 39  
division (J) of this section. 40

(B) Except as provided in divisions (E), (F), and (I) of this 41  
section, a school district shall not incur net indebtedness that 42  
exceeds an amount equal to nine per cent of its tax valuation. 43

(C) A school district shall not submit to a vote of the 44  
electors the question of the issuance of securities in an amount 45  
that will make the district's net indebtedness after the issuance 46  
of the securities exceed an amount equal to four per cent of its 47  
tax valuation, unless the superintendent of public instruction, 48  
acting under policies adopted by the state board of education, and 49  
the tax commissioner, acting under written policies of the 50  
commissioner, consent to the submission. A request for the 51  
consents shall be made at least one hundred twenty days prior to 52

the election at which the question is to be submitted. 53

The superintendent of public instruction shall certify to the 54  
district the superintendent's and the tax commissioner's decisions 55  
within thirty days after receipt of the request for consents. 56

If the electors do not approve the issuance of securities at 57  
the election for which the superintendent of public instruction 58  
and tax commissioner consented to the submission of the question, 59  
the school district may submit the same question to the electors 60  
on the date that the next special election may be held under 61  
section 3501.01 of the Revised Code without submitting a new 62  
request for consent. If the school district seeks to submit the 63  
same question at any other subsequent election, the district shall 64  
first submit a new request for consent in accordance with this 65  
division. 66

(D) In calculating the net indebtedness of a school district, 67  
none of the following shall be considered: 68

(1) Securities issued to acquire school buses and other 69  
equipment used in transporting pupils or issued pursuant to 70  
division (D) of section 133.10 of the Revised Code; 71

(2) Securities issued under division (F) of this section, 72  
under section 133.301 of the Revised Code, and, to the extent in 73  
excess of the limitation stated in division (B) of this section, 74  
under division (E) of this section; 75

(3) Indebtedness resulting from the dissolution of a joint 76  
vocational school district under section 3311.217 of the Revised 77  
Code, evidenced by outstanding securities of that joint vocational 78  
school district; 79

(4) Loans, evidenced by any securities, received under 80  
sections 3313.483, 3317.0210, and 3317.0211 of the Revised Code; 81

(5) Debt incurred under section 3313.374 of the Revised Code; 82

(6) Debt incurred pursuant to division (B)(5) of section 3313.37 of the Revised Code to acquire computers and related hardware;	83 84 85
(7) Debt incurred under section 3318.042 of the Revised Code.	86
(E) A school district may become a special needs district as to certain securities as provided in division (E) of this section.	87 88
(1) A board of education, by resolution, may declare its school district to be a special needs district by determining both of the following:	89 90 91
(a) The student population is not being adequately serviced by the existing permanent improvements of the district.	92 93
(b) The district cannot obtain sufficient funds by the issuance of securities within the limitation of division (B) of this section to provide additional or improved needed permanent improvements in time to meet the needs.	94 95 96 97
(2) The board of education shall certify a copy of that resolution to the superintendent of public instruction with a statistical report showing all of the following:	98 99 100
(a) The history of and a projection of the growth of the tax valuation;	101 102
(b) The projected needs;	103
(c) The estimated cost of permanent improvements proposed to meet such projected needs.	104 105
(3) The superintendent of public instruction shall certify the district as an approved special needs district if the superintendent finds both of the following:	106 107 108
(a) The district does not have available sufficient additional funds from state or federal sources to meet the projected needs.	109 110 111

(b) The projection of the potential average growth of tax valuation during the next five years, according to the information certified to the superintendent and any other information the superintendent obtains, indicates a likelihood of potential average growth of tax valuation of the district during the next five years of an average of not less than one and one-half per cent per year. The findings and certification of the superintendent shall be conclusive.

(4) An approved special needs district may incur net indebtedness by the issuance of securities in accordance with the provisions of this chapter in an amount that does not exceed an amount equal to the greater of the following:

(a) Twelve per cent of the sum of its tax valuation plus an amount that is the product of multiplying that tax valuation by the percentage by which the tax valuation has increased over the tax valuation on the first day of the sixtieth month preceding the month in which its board determines to submit to the electors the question of issuing the proposed securities;

(b) Twelve per cent of the sum of its tax valuation plus an amount that is the product of multiplying that tax valuation by the percentage, determined by the superintendent of public instruction, by which that tax valuation is projected to increase during the next ten years.

(F) A school district may issue securities for emergency purposes, in a principal amount that does not exceed an amount equal to three per cent of its tax valuation, as provided in this division.

(1) A board of education, by resolution, may declare an emergency if it determines both of the following:

(a) School buildings or other necessary school facilities in the district have been wholly or partially destroyed, or condemned

by a constituted public authority, or that such buildings or 143  
facilities are partially constructed, or so constructed or planned 144  
as to require additions and improvements to them before the 145  
buildings or facilities are usable for their intended purpose, or 146  
that corrections to permanent improvements are necessary to remove 147  
or prevent health or safety hazards. 148

(b) Existing fiscal and net indebtedness limitations make 149  
adequate replacement, additions, or improvements impossible. 150

(2) Upon the declaration of an emergency, the board of 151  
education may, by resolution, submit to the electors of the 152  
district pursuant to section 133.18 of the Revised Code the 153  
question of issuing securities for the purpose of paying the cost, 154  
in excess of any insurance or condemnation proceeds received by 155  
the district, of permanent improvements to respond to the 156  
emergency need. 157

(3) The procedures for the election shall be as provided in 158  
section 133.18 of the Revised Code, except that: 159

(a) The form of the ballot shall describe the emergency 160  
existing, refer to this division as the authority under which the 161  
emergency is declared, and state that the amount of the proposed 162  
securities exceeds the limitations prescribed by division (B) of 163  
this section; 164

(b) The resolution required by division (B) of section 133.18 165  
of the Revised Code shall be certified to the county auditor and 166  
the board of elections at least one hundred days prior to the 167  
election; 168

(c) The county auditor shall advise and, not later than 169  
ninety-five days before the election, confirm that advice by 170  
certification to, the board of education of the information 171  
required by division (C) of section 133.18 of the Revised Code; 172

(d) The board of education shall then certify its resolution 173

and the information required by division (D) of section 133.18 of 174  
the Revised Code to the board of elections not less than ninety 175  
days prior to the election. 176

(4) Notwithstanding division (B) of section 133.21 of the 177  
Revised Code, the first principal payment of securities issued 178  
under this division may be set at any date not later than sixty 179  
months after the earliest possible principal payment otherwise 180  
provided for in that division. 181

(G)(1) The board of education may contract with an architect, 182  
professional engineer, or other person experienced in the design 183  
and implementation of energy conservation measures for an analysis 184  
and recommendations pertaining to installations, modifications of 185  
installations, or remodeling that would significantly reduce 186  
energy consumption in buildings owned by the district. The report 187  
shall include estimates of all costs of such installations, 188  
modifications, or remodeling, including costs of design, 189  
engineering, installation, maintenance, repairs, measurement and 190  
verification of energy savings, and debt service, forgone residual 191  
value of materials or equipment replaced by the energy 192  
conservation measure, as defined by the Ohio school facilities 193  
commission, a baseline analysis of actual energy consumption data 194  
for the preceding three years with the utility baseline based on 195  
only the actual energy consumption data for the preceding twelve 196  
months, and estimates of the amounts by which energy consumption 197  
and resultant operational and maintenance costs, as defined by the 198  
commission, would be reduced. 199

If the board finds after receiving the report that the amount 200  
of money the district would spend on such installations, 201  
modifications, or remodeling is not likely to exceed the amount of 202  
money it would save in energy and resultant operational and 203  
maintenance costs over the ensuing fifteen years, the board may 204  
submit to the commission a copy of its findings and a request for 205

approval to incur indebtedness to finance the making or 206  
modification of installations or the remodeling of buildings for 207  
the purpose of significantly reducing energy consumption. 208

The school facilities commission, in consultation with the 209  
auditor of state, may deny a request under this division by the 210  
board of education any school district is in a state of fiscal 211  
watch pursuant to division (A) of section 3316.03 of the Revised 212  
Code, if it determines that the expenditure of funds is not in the 213  
best interest of the school district. 214

No district board of education of a school district that is 215  
in a state of fiscal emergency pursuant to division (B) of section 216  
3316.03 of the Revised Code shall submit a request without 217  
submitting evidence that the installations, modifications, or 218  
remodeling have been approved by the district's financial planning 219  
and supervision commission established under section 3316.05 of 220  
the Revised Code. 221

No board of education of a school district that, for three or 222  
more consecutive years, has been declared to be in a state of 223  
academic emergency under section 3302.03 of the Revised Code, as 224  
that section existed prior to March 22, 2013, and has failed to 225  
meet adequate yearly progress, or has met any condition set forth 226  
in division (A) ~~(2), (3), or (4)~~ (1)(b), (c), or (d) of section 227  
3302.10 of the Revised Code shall submit a request without first 228  
receiving approval to incur indebtedness from the district's 229  
academic distress commission, if one has been established for the 230  
district under that section, for so long as such commission 231  
continues ~~to be required~~ in operation for the district. 232

(2) The school facilities commission shall approve the 233  
board's request provided that the following conditions are 234  
satisfied: 235

(a) The commission determines that the board's findings are 236



reasonable.	237
(b) The request for approval is complete.	238
(c) The installations, modifications, or remodeling are	239
consistent with any project to construct or acquire classroom	240
facilities, or to reconstruct or make additions to existing	241
classroom facilities under sections 3318.01 to 3318.20 or sections	242
3318.40 to 3318.45 of the Revised Code.	243
Upon receipt of the commission's approval, the district may	244
issue securities without a vote of the electors in a principal	245
amount not to exceed nine-tenths of one per cent of its tax	246
valuation for the purpose of making such installations,	247
modifications, or remodeling, but the total net indebtedness of	248
the district without a vote of the electors incurred under this	249
and all other sections of the Revised Code, except section	250
3318.052 of the Revised Code, shall not exceed one per cent of the	251
district's tax valuation.	252
(3) So long as any securities issued under this division	253
remain outstanding, the board of education shall monitor the	254
energy consumption and resultant operational and maintenance costs	255
of buildings in which installations or modifications have been	256
made or remodeling has been done pursuant to this division <del>and</del> .	257
<u>Except as provided in division (G)(4) of this section, the board</u>	258
<u>shall maintain and annually update a report in a form and manner</u>	259
<u>prescribed by the school facilities commission</u> documenting the	260
reductions in energy consumption and resultant operational and	261
maintenance cost savings attributable to such installations,	262
modifications, or remodeling. <del>The report shall be certified by an</del>	263
<del>architect or engineer independent of any person that provided</del>	264
<del>goods or services to the board in connection with the energy</del>	265
<del>conservation measures that are the subject of the report.</del> The	266
resultant operational and maintenance cost savings shall be	267
certified by the school district treasurer. The report shall be	268

submitted annually to the commission. 269

(4) If the school facilities commission verifies that the 270  
certified annual reports submitted to the commission by a board of 271  
education under division (G)(3) of this section fulfill the 272  
guarantee required under division (B) of section 3313.372 of the 273  
Revised Code for three consecutive years, the board of education 274  
shall no longer be subject to the annual reporting requirements of 275  
division (G)(3) of this section. 276

(H) With the consent of the superintendent of public 277  
instruction, a school district may incur without a vote of the 278  
electors net indebtedness that exceeds the amounts stated in 279  
divisions (A) and (G) of this section for the purpose of paying 280  
costs of permanent improvements, if and to the extent that both of 281  
the following conditions are satisfied: 282

(1) The fiscal officer of the school district estimates that 283  
receipts of the school district from payments made under or 284  
pursuant to agreements entered into pursuant to section 725.02, 285  
1728.10, 3735.671, 5709.081, 5709.082, 5709.40, 5709.41, 5709.62, 286  
5709.63, 5709.632, 5709.73, 5709.78, or 5709.82 of the Revised 287  
Code, or distributions under division (C) of section 5709.43 of 288  
the Revised Code, or any combination thereof, are, after 289  
accounting for any appropriate coverage requirements, sufficient 290  
in time and amount, and are committed by the proceedings, to pay 291  
the debt charges on the securities issued to evidence that 292  
indebtedness and payable from those receipts, and the taxing 293  
authority of the district confirms the fiscal officer's estimate, 294  
which confirmation is approved by the superintendent of public 295  
instruction; 296

(2) The fiscal officer of the school district certifies, and 297  
the taxing authority of the district confirms, that the district, 298  
at the time of the certification and confirmation, reasonably 299  
expects to have sufficient revenue available for the purpose of 300

operating such permanent improvements for their intended purpose 301  
upon acquisition or completion thereof, and the superintendent of 302  
public instruction approves the taxing authority's confirmation. 303

The maximum maturity of securities issued under division (H) 304  
of this section shall be the lesser of twenty years or the maximum 305  
maturity calculated under section 133.20 of the Revised Code. 306

(I) A school district may incur net indebtedness by the 307  
issuance of securities in accordance with the provisions of this 308  
chapter in excess of the limit specified in division (B) or (C) of 309  
this section when necessary to raise the school district portion 310  
of the basic project cost and any additional funds necessary to 311  
participate in a project under Chapter 3318. of the Revised Code, 312  
including the cost of items designated by the ~~Ohio~~ school 313  
facilities commission as required locally funded initiatives, the 314  
cost of other locally funded initiatives in an amount that does 315  
not exceed fifty per cent of the district's portion of the basic 316  
project cost, and the cost for site acquisition. The ~~school~~ 317  
~~facilities~~ commission shall notify the superintendent of public 318  
instruction whenever a school district will exceed either limit 319  
pursuant to this division. 320

(J) A school district whose portion of the basic project cost 321  
of its classroom facilities project under sections 3318.01 to 322  
3318.20 of the Revised Code is greater than or equal to one 323  
hundred million dollars may incur without a vote of the electors 324  
net indebtedness in an amount up to two per cent of its tax 325  
valuation through the issuance of general obligation securities in 326  
order to generate all or part of the amount of its portion of the 327  
basic project cost if the controlling board has approved the 328  
school facilities commission's conditional approval of the project 329  
under section 3318.04 of the Revised Code. The school district 330  
board and the Ohio school facilities commission shall include the 331  
dedication of the proceeds of such securities in the agreement 332

entered into under section 3318.08 of the Revised Code. No state 333  
moneys shall be released for a project to which this section 334  
applies until the proceeds of any bonds issued under this section 335  
that are dedicated for the payment of the school district portion 336  
of the project are first deposited into the school district's 337  
project construction fund. 338

**Sec. 921.06.** (A)(1) No individual shall do any of the 339  
following without having a commercial applicator license issued by 340  
the director of agriculture: 341

(a) Apply pesticides for a pesticide business without direct 342  
supervision; 343

(b) Apply pesticides as part of the individual's duties while 344  
acting as an employee of the United States government, a state, 345  
county, township, or municipal corporation, or a park district, 346  
port authority, or sanitary district created under Chapter 1545., 347  
4582., or 6115. of the Revised Code, respectively; 348

(c) Apply restricted use pesticides. Division (A)(1)(c) of 349  
this section does not apply to a private applicator or an 350  
immediate family member or a subordinate employee of a private 351  
applicator who is acting under the direct supervision of that 352  
private applicator. 353

(d) If the individual is the owner of a business other than a 354  
pesticide business or an employee of such an owner, apply 355  
pesticides at any of the following publicly accessible sites that 356  
are located on the property: 357

(i) Food service operations that are licensed under Chapter 358  
3717. of the Revised Code; 359

(ii) Retail food establishments that are licensed under 360  
Chapter 3717. of the Revised Code; 361

(iii) Golf courses; 362

(iv) Rental properties of more than four apartment units at one location;	363 364
(v) Hospitals or medical facilities as defined in section 3701.01 of the Revised Code;	365 366
(vi) Child day-care centers or school child day-care centers as defined in section 5104.01 of the Revised Code;	367 368
(vii) Facilities owned or operated by a school district established under Chapter 3311. of the Revised Code, including an <del>education</del> <u>educational</u> service center, a community school established under Chapter 3314. of the Revised Code, or a chartered or nonchartered nonpublic school that meets minimum standards established by the state board of education;	369 370 371 372 373 374
(viii) <del>Colleges as defined in section 3365.01</del> <u>State institutions of higher education as defined in section 3345.011 of the Revised Code, nonprofit institutions holding a certificate of authorization pursuant to Chapter 1713. of the Revised Code, institutions holding a certificate of registration from the state board of career colleges and schools and program authorization for an associate or bachelor's degree program issued under section 3332.05 of the Revised Code, and private institutions exempt from regulation under Chapter 3332. of the Revised Code as prescribed in section 3333.046 of the Revised Code;</u>	375 376 377 378 379 380 381 382 383 384
(ix) Food processing establishments as defined in section 3715.021 of the Revised Code;	385 386
(x) Any other site designated by rule.	387
(e) Conduct authorized diagnostic inspections.	388
(2) Divisions (A)(1)(a) to (d) of this section do not apply to an individual who is acting as a trained serviceperson under the direct supervision of a commercial applicator.	389 390 391
(3) Licenses shall be issued for a period of time established	392

by rule and shall be renewed in accordance with deadlines 393  
established by rule. The fee for each such license shall be 394  
established by rule. If a license is not issued or renewed, the 395  
application fee shall be retained by the state as payment for the 396  
reasonable expense of processing the application. The director 397  
shall by rule classify by pesticide-use category licenses to be 398  
issued under this section. A single license may include more than 399  
one pesticide-use category. No individual shall be required to pay 400  
an additional license fee if the individual is licensed for more 401  
than one category. 402

The fee for each license or renewal does not apply to an 403  
applicant who is an employee of the department of agriculture 404  
whose job duties require licensure as a commercial applicator as a 405  
condition of employment. 406

(B) Application for a commercial applicator license shall be 407  
made on a form prescribed by the director. Each application for a 408  
license shall state the pesticide-use category or categories of 409  
license for which the applicant is applying and other information 410  
that the director determines essential to the administration of 411  
this chapter. 412

(C) If the director finds that the applicant is competent to 413  
apply pesticides and conduct diagnostic inspections and that the 414  
applicant has passed both the general examination and each 415  
applicable pesticide-use category examination as required under 416  
division (A) of section 921.12 of the Revised Code, the director 417  
shall issue a commercial applicator license limited to the 418  
pesticide-use category or categories for which the applicant is 419  
found to be competent. If the director rejects an application, the 420  
director may explain why the application was rejected, describe 421  
the additional requirements necessary for the applicant to obtain 422  
a license, and return the application. The applicant may resubmit 423  
the application without payment of any additional fee. 424

(D)(1) A person who is a commercial applicator shall be 425  
deemed to hold a private applicator's license for purposes of 426  
applying pesticides on agricultural commodities that are produced 427  
by the commercial applicator. 428

(2) A commercial applicator shall apply pesticides only in 429  
the pesticide-use category or categories in which the applicator 430  
is licensed under this chapter. 431

(E) All money collected under this section shall be credited 432  
to the pesticide, fertilizer, and lime program fund created in 433  
section 921.22 of the Revised Code. 434

**Sec. 3301.0714.** (A) The state board of education shall adopt 435  
rules for a statewide education management information system. The 436  
rules shall require the state board to establish guidelines for 437  
the establishment and maintenance of the system in accordance with 438  
this section and the rules adopted under this section. The 439  
guidelines shall include: 440

(1) Standards identifying and defining the types of data in 441  
the system in accordance with divisions (B) and (C) of this 442  
section; 443

(2) Procedures for annually collecting and reporting the data 444  
to the state board in accordance with division (D) of this 445  
section; 446

(3) Procedures for annually compiling the data in accordance 447  
with division (G) of this section; 448

(4) Procedures for annually reporting the data to the public 449  
in accordance with division (H) of this section. 450

(B) The guidelines adopted under this section shall require 451  
the data maintained in the education management information system 452  
to include at least the following: 453

(1) Student participation and performance data, for each 454

grade in each school district as a whole and for each grade in 455  
each school building in each school district, that includes: 456

(a) The numbers of students receiving each category of 457  
instructional service offered by the school district, such as 458  
regular education instruction, vocational education instruction, 459  
specialized instruction programs or enrichment instruction that is 460  
part of the educational curriculum, instruction for gifted 461  
students, instruction for students with disabilities, and remedial 462  
instruction. The guidelines shall require instructional services 463  
under this division to be divided into discrete categories if an 464  
instructional service is limited to a specific subject, a specific 465  
type of student, or both, such as regular instructional services 466  
in mathematics, remedial reading instructional services, 467  
instructional services specifically for students gifted in 468  
mathematics or some other subject area, or instructional services 469  
for students with a specific type of disability. The categories of 470  
instructional services required by the guidelines under this 471  
division shall be the same as the categories of instructional 472  
services used in determining cost units pursuant to division 473  
(C)(3) of this section. 474

(b) The numbers of students receiving support or 475  
extracurricular services for each of the support services or 476  
extracurricular programs offered by the school district, such as 477  
counseling services, health services, and extracurricular sports 478  
and fine arts programs. The categories of services required by the 479  
guidelines under this division shall be the same as the categories 480  
of services used in determining cost units pursuant to division 481  
(C)(4)(a) of this section. 482

(c) Average student grades in each subject in grades nine 483  
through twelve; 484

(d) Academic achievement levels as assessed under sections 485  
3301.0710, 3301.0711, and 3301.0712 of the Revised Code; 486



(e) The number of students designated as having a disabling condition pursuant to division (C)(1) of section 3301.0711 of the Revised Code;	487 488 489
(f) The numbers of students reported to the state board pursuant to division (C)(2) of section 3301.0711 of the Revised Code;	490 491 492
(g) Attendance rates and the average daily attendance for the year. For purposes of this division, a student shall be counted as present for any field trip that is approved by the school administration.	493 494 495 496
(h) Expulsion rates;	497
(i) Suspension rates;	498
(j) Dropout rates;	499
(k) Rates of retention in grade;	500
(l) For pupils in grades nine through twelve, the average number of carnegie units, as calculated in accordance with state board of education rules;	501 502 503
(m) Graduation rates, to be calculated in a manner specified by the department of education that reflects the rate at which students who were in the ninth grade three years prior to the current year complete school and that is consistent with nationally accepted reporting requirements;	504 505 506 507 508
(n) Results of diagnostic assessments administered to kindergarten students as required under section 3301.0715 of the Revised Code to permit a comparison of the academic readiness of kindergarten students. However, no district shall be required to report to the department the results of any diagnostic assessment administered to a kindergarten student, <u>except for the language and reading assessment described in division (A)(2) of section 3301.0715 of the Revised Code</u> , if the parent of that student	509 510 511 512 513 514 515 516

requests the district not to report those results. 517

(2) Personnel and classroom enrollment data for each school 518  
district, including: 519

(a) The total numbers of licensed employees and nonlicensed 520  
employees and the numbers of full-time equivalent licensed 521  
employees and nonlicensed employees providing each category of 522  
instructional service, instructional support service, and 523  
administrative support service used pursuant to division (C)(3) of 524  
this section. The guidelines adopted under this section shall 525  
require these categories of data to be maintained for the school 526  
district as a whole and, wherever applicable, for each grade in 527  
the school district as a whole, for each school building as a 528  
whole, and for each grade in each school building. 529

(b) The total number of employees and the number of full-time 530  
equivalent employees providing each category of service used 531  
pursuant to divisions (C)(4)(a) and (b) of this section, and the 532  
total numbers of licensed employees and nonlicensed employees and 533  
the numbers of full-time equivalent licensed employees and 534  
nonlicensed employees providing each category used pursuant to 535  
division (C)(4)(c) of this section. The guidelines adopted under 536  
this section shall require these categories of data to be 537  
maintained for the school district as a whole and, wherever 538  
applicable, for each grade in the school district as a whole, for 539  
each school building as a whole, and for each grade in each school 540  
building. 541

(c) The total number of regular classroom teachers teaching 542  
classes of regular education and the average number of pupils 543  
enrolled in each such class, in each of grades kindergarten 544  
through five in the district as a whole and in each school 545  
building in the school district. 546

(d) The number of lead teachers employed by each school 547

district and each school building. 548

(3)(a) Student demographic data for each school district, 549  
including information regarding the gender ratio of the school 550  
district's pupils, the racial make-up of the school district's 551  
pupils, the number of limited English proficient students in the 552  
district, and an appropriate measure of the number of the school 553  
district's pupils who reside in economically disadvantaged 554  
households. The demographic data shall be collected in a manner to 555  
allow correlation with data collected under division (B)(1) of 556  
this section. Categories for data collected pursuant to division 557  
(B)(3) of this section shall conform, where appropriate, to 558  
standard practices of agencies of the federal government. 559

(b) With respect to each student entering kindergarten, 560  
whether the student previously participated in a public preschool 561  
program, a private preschool program, or a head start program, and 562  
the number of years the student participated in each of these 563  
programs. 564

(4) Any data required to be collected pursuant to federal 565  
law. 566

(C) The education management information system shall include 567  
cost accounting data for each district as a whole and for each 568  
school building in each school district. The guidelines adopted 569  
under this section shall require the cost data for each school 570  
district to be maintained in a system of mutually exclusive cost 571  
units and shall require all of the costs of each school district 572  
to be divided among the cost units. The guidelines shall require 573  
the system of mutually exclusive cost units to include at least 574  
the following: 575

(1) Administrative costs for the school district as a whole. 576  
The guidelines shall require the cost units under this division 577  
(C)(1) to be designed so that each of them may be compiled and 578

reported in terms of average expenditure per pupil in formula ADM 579  
in the school district, as determined pursuant to section 3317.03 580  
of the Revised Code. 581

(2) Administrative costs for each school building in the 582  
school district. The guidelines shall require the cost units under 583  
this division (C)(2) to be designed so that each of them may be 584  
compiled and reported in terms of average expenditure per 585  
full-time equivalent pupil receiving instructional or support 586  
services in each building. 587

(3) Instructional services costs for each category of 588  
instructional service provided directly to students and required 589  
by guidelines adopted pursuant to division (B)(1)(a) of this 590  
section. The guidelines shall require the cost units under 591  
division (C)(3) of this section to be designed so that each of 592  
them may be compiled and reported in terms of average expenditure 593  
per pupil receiving the service in the school district as a whole 594  
and average expenditure per pupil receiving the service in each 595  
building in the school district and in terms of a total cost for 596  
each category of service and, as a breakdown of the total cost, a 597  
cost for each of the following components: 598

(a) The cost of each instructional services category required 599  
by guidelines adopted under division (B)(1)(a) of this section 600  
that is provided directly to students by a classroom teacher; 601

(b) The cost of the instructional support services, such as 602  
services provided by a speech-language pathologist, classroom 603  
aide, multimedia aide, or librarian, provided directly to students 604  
in conjunction with each instructional services category; 605

(c) The cost of the administrative support services related 606  
to each instructional services category, such as the cost of 607  
personnel that develop the curriculum for the instructional 608  
services category and the cost of personnel supervising or 609

coordinating the delivery of the instructional services category. 610

(4) Support or extracurricular services costs for each 611  
category of service directly provided to students and required by 612  
guidelines adopted pursuant to division (B)(1)(b) of this section. 613  
The guidelines shall require the cost units under division (C)(4) 614  
of this section to be designed so that each of them may be 615  
compiled and reported in terms of average expenditure per pupil 616  
receiving the service in the school district as a whole and 617  
average expenditure per pupil receiving the service in each 618  
building in the school district and in terms of a total cost for 619  
each category of service and, as a breakdown of the total cost, a 620  
cost for each of the following components: 621

(a) The cost of each support or extracurricular services 622  
category required by guidelines adopted under division (B)(1)(b) 623  
of this section that is provided directly to students by a 624  
licensed employee, such as services provided by a guidance 625  
counselor or any services provided by a licensed employee under a 626  
supplemental contract; 627

(b) The cost of each such services category provided directly 628  
to students by a nonlicensed employee, such as janitorial 629  
services, cafeteria services, or services of a sports trainer; 630

(c) The cost of the administrative services related to each 631  
services category in division (C)(4)(a) or (b) of this section, 632  
such as the cost of any licensed or nonlicensed employees that 633  
develop, supervise, coordinate, or otherwise are involved in 634  
administering or aiding the delivery of each services category. 635

(D)(1) The guidelines adopted under this section shall 636  
require school districts to collect information about individual 637  
students, staff members, or both in connection with any data 638  
required by division (B) or (C) of this section or other reporting 639  
requirements established in the Revised Code. The guidelines may 640

also require school districts to report information about 641  
individual staff members in connection with any data required by 642  
division (B) or (C) of this section or other reporting 643  
requirements established in the Revised Code. The guidelines shall 644  
not authorize school districts to request social security numbers 645  
of individual students. The guidelines shall prohibit the 646  
reporting under this section of a student's name, address, and 647  
social security number to the state board of education or the 648  
department of education. The guidelines shall also prohibit the 649  
reporting under this section of any personally identifiable 650  
information about any student, except for the purpose of assigning 651  
the data verification code required by division (D)(2) of this 652  
section, to any other person unless such person is employed by the 653  
school district or the information technology center operated 654  
under section 3301.075 of the Revised Code and is authorized by 655  
the district or technology center to have access to such 656  
information or is employed by an entity with which the department 657  
contracts for the scoring or the development of state assessments. 658  
The guidelines may require school districts to provide the social 659  
security numbers of individual staff members and the county of 660  
residence for a student. Nothing in this section prohibits the 661  
state board of education or department of education from providing 662  
a student's county of residence to the department of taxation to 663  
facilitate the distribution of tax revenue. 664

(2)(a) The guidelines shall provide for each school district 665  
or community school to assign a data verification code that is 666  
unique on a statewide basis over time to each student whose 667  
initial Ohio enrollment is in that district or school and to 668  
report all required individual student data for that student 669  
utilizing such code. The guidelines shall also provide for 670  
assigning data verification codes to all students enrolled in 671  
districts or community schools on the effective date of the 672  
guidelines established under this section. The assignment of data 673

verification codes for other entities, as described in division 674  
(D)(2)(c) of this section, the use of those codes, and the 675  
reporting and use of associated individual student data shall be 676  
coordinated by the department in accordance with state and federal 677  
law. 678

School districts shall report individual student data to the 679  
department through the information technology centers utilizing 680  
the code. The entities described in division (D)(2)(c) of this 681  
section shall report individual student data to the department in 682  
the manner prescribed by the department. 683

Except as provided in sections 3301.941, 3310.11, 3310.42, 684  
3310.63, 3313.978, and 3317.20 of the Revised Code, at no time 685  
shall the state board or the department have access to information 686  
that would enable any data verification code to be matched to 687  
personally identifiable student data. 688

(b) Each school district and community school shall ensure 689  
that the data verification code is included in the student's 690  
records reported to any subsequent school district, community 691  
school, or state institution of higher education, as defined in 692  
section 3345.011 of the Revised Code, in which the student 693  
enrolls. Any such subsequent district or school shall utilize the 694  
same identifier in its reporting of data under this section. 695

(c) The director of any state agency that administers a 696  
publicly funded program providing services to children who are 697  
younger than compulsory school age, as defined in section 3321.01 698  
of the Revised Code, including the directors of health, job and 699  
family services, mental health and addiction services, and 700  
developmental disabilities, shall request and receive, pursuant to 701  
sections 3301.0723 and 3701.62 of the Revised Code, a data 702  
verification code for a child who is receiving those services. 703

(E) The guidelines adopted under this section may require 704

school districts to collect and report data, information, or 705  
reports other than that described in divisions (A), (B), and (C) 706  
of this section for the purpose of complying with other reporting 707  
requirements established in the Revised Code. The other data, 708  
information, or reports may be maintained in the education 709  
management information system but are not required to be compiled 710  
as part of the profile formats required under division (G) of this 711  
section or the annual statewide report required under division (H) 712  
of this section. 713

(F) Beginning with the school year that begins July 1, 1991, 714  
the board of education of each school district shall annually 715  
collect and report to the state board, in accordance with the 716  
guidelines established by the board, the data required pursuant to 717  
this section. A school district may collect and report these data 718  
notwithstanding section 2151.357 or 3319.321 of the Revised Code. 719

(G) The state board shall, in accordance with the procedures 720  
it adopts, annually compile the data reported by each school 721  
district pursuant to division (D) of this section. The state board 722  
shall design formats for profiling each school district as a whole 723  
and each school building within each district and shall compile 724  
the data in accordance with these formats. These profile formats 725  
shall: 726

(1) Include all of the data gathered under this section in a 727  
manner that facilitates comparison among school districts and 728  
among school buildings within each school district; 729

(2) Present the data on academic achievement levels as 730  
assessed by the testing of student achievement maintained pursuant 731  
to division (B)(1)(d) of this section. 732

(H)(1) The state board shall, in accordance with the 733  
procedures it adopts, annually prepare a statewide report for all 734  
school districts and the general public that includes the profile 735



of each of the school districts developed pursuant to division (G) 736  
of this section. Copies of the report shall be sent to each school 737  
district. 738

(2) The state board shall, in accordance with the procedures 739  
it adopts, annually prepare an individual report for each school 740  
district and the general public that includes the profiles of each 741  
of the school buildings in that school district developed pursuant 742  
to division (G) of this section. Copies of the report shall be 743  
sent to the superintendent of the district and to each member of 744  
the district board of education. 745

(3) Copies of the reports received from the state board under 746  
divisions (H)(1) and (2) of this section shall be made available 747  
to the general public at each school district's offices. Each 748  
district board of education shall make copies of each report 749  
available to any person upon request and payment of a reasonable 750  
fee for the cost of reproducing the report. The board shall 751  
annually publish in a newspaper of general circulation in the 752  
school district, at least twice during the two weeks prior to the 753  
week in which the reports will first be available, a notice 754  
containing the address where the reports are available and the 755  
date on which the reports will be available. 756

(I) Any data that is collected or maintained pursuant to this 757  
section and that identifies an individual pupil is not a public 758  
record for the purposes of section 149.43 of the Revised Code. 759

(J) As used in this section: 760

(1) "School district" means any city, local, exempted 761  
village, or joint vocational school district and, in accordance 762  
with section 3314.17 of the Revised Code, any community school. As 763  
used in division (L) of this section, "school district" also 764  
includes any educational service center or other educational 765  
entity required to submit data using the system established under 766

this section. 767

(2) "Cost" means any expenditure for operating expenses made 768  
by a school district excluding any expenditures for debt 769  
retirement except for payments made to any commercial lending 770  
institution for any loan approved pursuant to section 3313.483 of 771  
the Revised Code. 772

(K) Any person who removes data from the information system 773  
established under this section for the purpose of releasing it to 774  
any person not entitled under law to have access to such 775  
information is subject to section 2913.42 of the Revised Code 776  
prohibiting tampering with data. 777

(L)(1) In accordance with division (L)(2) of this section and 778  
the rules adopted under division (L)(10) of this section, the 779  
department of education may sanction any school district that 780  
reports incomplete or inaccurate data, reports data that does not 781  
conform to data requirements and descriptions published by the 782  
department, fails to report data in a timely manner, or otherwise 783  
does not make a good faith effort to report data as required by 784  
this section. 785

(2) If the department decides to sanction a school district 786  
under this division, the department shall take the following 787  
sequential actions: 788

(a) Notify the district in writing that the department has 789  
determined that data has not been reported as required under this 790  
section and require the district to review its data submission and 791  
submit corrected data by a deadline established by the department. 792  
The department also may require the district to develop a 793  
corrective action plan, which shall include provisions for the 794  
district to provide mandatory staff training on data reporting 795  
procedures. 796

(b) Withhold up to ten per cent of the total amount of state 797

funds due to the district for the current fiscal year and, if not 798  
previously required under division (L)(2)(a) of this section, 799  
require the district to develop a corrective action plan in 800  
accordance with that division; 801

(c) Withhold an additional amount of up to twenty per cent of 802  
the total amount of state funds due to the district for the 803  
current fiscal year; 804

(d) Direct department staff or an outside entity to 805  
investigate the district's data reporting practices and make 806  
recommendations for subsequent actions. The recommendations may 807  
include one or more of the following actions: 808

(i) Arrange for an audit of the district's data reporting 809  
practices by department staff or an outside entity; 810

(ii) Conduct a site visit and evaluation of the district; 811

(iii) Withhold an additional amount of up to thirty per cent 812  
of the total amount of state funds due to the district for the 813  
current fiscal year; 814

(iv) Continue monitoring the district's data reporting; 815

(v) Assign department staff to supervise the district's data 816  
management system; 817

(vi) Conduct an investigation to determine whether to suspend 818  
or revoke the license of any district employee in accordance with 819  
division (N) of this section; 820

(vii) If the district is issued a report card under section 821  
3302.03 of the Revised Code, indicate on the report card that the 822  
district has been sanctioned for failing to report data as 823  
required by this section; 824

(viii) If the district is issued a report card under section 825  
3302.03 of the Revised Code and incomplete or inaccurate data 826  
submitted by the district likely caused the district to receive a 827

higher performance rating than it deserved under that section, 828  
issue a revised report card for the district; 829

(ix) Any other action designed to correct the district's data 830  
reporting problems. 831

(3) Any time the department takes an action against a school 832  
district under division (L)(2) of this section, the department 833  
shall make a report of the circumstances that prompted the action. 834  
The department shall send a copy of the report to the district 835  
superintendent or chief administrator and maintain a copy of the 836  
report in its files. 837

(4) If any action taken under division (L)(2) of this section 838  
resolves a school district's data reporting problems to the 839  
department's satisfaction, the department shall not take any 840  
further actions described by that division. If the department 841  
withheld funds from the district under that division, the 842  
department may release those funds to the district, except that if 843  
the department withheld funding under division (L)(2)(c) of this 844  
section, the department shall not release the funds withheld under 845  
division (L)(2)(b) of this section and, if the department withheld 846  
funding under division (L)(2)(d) of this section, the department 847  
shall not release the funds withheld under division (L)(2)(b) or 848  
(c) of this section. 849

(5) Notwithstanding anything in this section to the contrary, 850  
the department may use its own staff or an outside entity to 851  
conduct an audit of a school district's data reporting practices 852  
any time the department has reason to believe the district has not 853  
made a good faith effort to report data as required by this 854  
section. If any audit conducted by an outside entity under 855  
division (L)(2)(d)(i) or (5) of this section confirms that a 856  
district has not made a good faith effort to report data as 857  
required by this section, the district shall reimburse the 858  
department for the full cost of the audit. The department may 859

withhold state funds due to the district for this purpose. 860

(6) Prior to issuing a revised report card for a school 861  
district under division (L)(2)(d)(viii) of this section, the 862  
department may hold a hearing to provide the district with an 863  
opportunity to demonstrate that it made a good faith effort to 864  
report data as required by this section. The hearing shall be 865  
conducted by a referee appointed by the department. Based on the 866  
information provided in the hearing, the referee shall recommend 867  
whether the department should issue a revised report card for the 868  
district. If the referee affirms the department's contention that 869  
the district did not make a good faith effort to report data as 870  
required by this section, the district shall bear the full cost of 871  
conducting the hearing and of issuing any revised report card. 872

(7) If the department determines that any inaccurate data 873  
reported under this section caused a school district to receive 874  
excess state funds in any fiscal year, the district shall 875  
reimburse the department an amount equal to the excess funds, in 876  
accordance with a payment schedule determined by the department. 877  
The department may withhold state funds due to the district for 878  
this purpose. 879

(8) Any school district that has funds withheld under 880  
division (L)(2) of this section may appeal the withholding in 881  
accordance with Chapter 119. of the Revised Code. 882

(9) In all cases of a disagreement between the department and 883  
a school district regarding the appropriateness of an action taken 884  
under division (L)(2) of this section, the burden of proof shall 885  
be on the district to demonstrate that it made a good faith effort 886  
to report data as required by this section. 887

(10) The state board of education shall adopt rules under 888  
Chapter 119. of the Revised Code to implement division (L) of this 889  
section. 890

(M) No information technology center or school district shall 891  
acquire, change, or update its student administration software 892  
package to manage and report data required to be reported to the 893  
department unless it converts to a student software package that 894  
is certified by the department. 895

(N) The state board of education, in accordance with sections 896  
3319.31 and 3319.311 of the Revised Code, may suspend or revoke a 897  
license as defined under division (A) of section 3319.31 of the 898  
Revised Code that has been issued to any school district employee 899  
found to have willfully reported erroneous, inaccurate, or 900  
incomplete data to the education management information system. 901

(O) No person shall release or maintain any information about 902  
any student in violation of this section. Whoever violates this 903  
division is guilty of a misdemeanor of the fourth degree. 904

(P) The department shall disaggregate the data collected 905  
under division (B)(1)(n) of this section according to the race and 906  
socioeconomic status of the students assessed. ~~No data collected 907  
under that division shall be included on the report cards required 908  
by section 3302.03 of the Revised Code.~~ 909

(Q) If the department cannot compile any of the information 910  
required by division (H) of section 3302.03 of the Revised Code 911  
based upon the data collected under this section, the department 912  
shall develop a plan and a reasonable timeline for the collection 913  
of any data necessary to comply with that division. 914

**Sec. 3301.0715.** (A) Except as otherwise required under 915  
division (B)(1) of section 3313.608 of the Revised Code, the board 916  
of education of each city, local, and exempted village school 917  
district shall administer each applicable diagnostic assessment 918  
developed and provided to the district in accordance with section 919  
3301.079 of the Revised Code to the following: 920

(1) Any student who transfers into the district or to a different school within the district if each applicable diagnostic assessment was not administered by the district or school the student previously attended in the current school year, within thirty days after the date of transfer. If the district or school into which the student transfers cannot determine whether the student has taken any applicable diagnostic assessment in the current school year, the district or school may administer the diagnostic assessment to the student. However, if a student transfers into the district prior to the administration of the diagnostic assessments to all students under division (B) of this section, the district may administer the diagnostic assessments to that student on the date or dates determined under that division.

~~(2)(a) Prior to July 1, 2014, each kindergarten student, not earlier than four weeks prior to the first day of school and not later than the first day of October.~~

~~(b) Beginning July 1, 2014, each Each kindergarten student, not earlier than the first day of the school year and not later than the first day of November, except that the language and reading skills portion of the assessment shall be administered by the thirtieth day of September to fulfill the requirements of division (B) of section 3313.608 of the Revised Code.~~

For the purpose of division (A)(2) of this section, the district shall administer the kindergarten readiness assessment provided by the department of education. In no case shall the results of the readiness assessment be used to prohibit a student from enrolling in kindergarten.

(3) Each student enrolled in first, second, or third grade.

Division (A) of this section does not apply to students with significant cognitive disabilities, as defined by the department of education.

(B) Each district board shall administer each diagnostic 952  
assessment when the board deems appropriate, provided the 953  
administration complies with section 3313.608 of the Revised Code. 954  
However, the board shall administer any diagnostic assessment at 955  
least once annually to all students in the appropriate grade 956  
level. A district board may administer any diagnostic assessment 957  
in the fall and spring of a school year to measure the amount of 958  
academic growth attributable to the instruction received by 959  
students during that school year. 960

(C) Any district that received ~~an excellent or effective~~ 961  
~~rating a grade of "A" or "B" for the performance index score under~~ 962  
~~division (A)(1)(b), (B)(1)(b), or (C)(1)(b) of section 3302.03 of~~ 963  
~~the Revised Code or for the value-added progress dimension under~~ 964  
~~division (A)(1)(e), (B)(1)(e), or (C)(1)(e) of section 3302.03 of~~ 965  
~~the Revised Code~~ for the immediately preceding school year, 966  
~~pursuant to section 3302.03 of the Revised Code as it existed~~ 967  
~~prior to March 22, 2013, or the equivalent of such rating as~~ 968  
~~determined by the department of education,~~ may use different 969  
diagnostic assessments from those adopted under division (D) of 970  
section 3301.079 of the Revised Code in order to satisfy the 971  
requirements of division (A)(~~2~~)(3) of this section. 972

(D) Each district board shall utilize and score any 973  
diagnostic assessment administered under division (A) of this 974  
section in accordance with rules established by the department. 975  
After the administration of any diagnostic assessment, each 976  
district shall provide a student's completed diagnostic 977  
assessment, the results of such assessment, and any other 978  
accompanying documents used during the administration of the 979  
assessment to the parent of that student, and shall include all 980  
such documents and information in any plan developed for the 981  
student under division (C) of section 3313.608 of the Revised 982  
Code. Each district shall submit to the department, in the manner 983



the department prescribes, the results of the diagnostic 984  
assessments administered under this section, regardless of the 985  
type of assessment used under section 3313.608 of the Revised 986  
Code. The department may issue reports with respect to the data 987  
collected. The department may report school and district level 988  
kindergarten diagnostic assessment data and use diagnostic 989  
assessment data to calculate the measure prescribed by divisions 990  
(B)(1)(g) and (C)(1)(g) of section 3302.03 of the Revised Code. 991

(E) Each district board shall provide intervention services 992  
to students whose diagnostic assessments show that they are 993  
failing to make satisfactory progress toward attaining the 994  
academic standards for their grade level. 995

**Sec. 3302.03.** Annually, not later than the fifteenth day of 996  
September or the preceding Friday when that day falls on a 997  
Saturday or Sunday, the department of education shall assign a 998  
letter grade for overall academic performance and for each 999  
separate performance measure for each school district, and each 1000  
school building in a district, in accordance with this section. 1001  
The state board shall adopt rules pursuant to Chapter 119. of the 1002  
Revised Code to establish performance criteria for each letter 1003  
grade and prescribe a method by which the department assigns each 1004  
letter grade. For a school building to which any of the 1005  
performance measures do not apply, due to grade levels served by 1006  
the building, the state board shall designate the performance 1007  
measures that are applicable to the building and that must be 1008  
calculated separately and used to calculate the building's overall 1009  
grade. The department shall issue annual report cards reflecting 1010  
the performance of each school district, each building within each 1011  
district, and for the state as a whole using the performance 1012  
measures and letter grade system described in this section. The 1013  
department shall include on the report card for each district and 1014  
each building within each district the most recent two-year trend 1015

data in student achievement for each subject and each grade. 1016

(A)(1) For the 2012-2013 school year, the department shall 1017  
issue grades as described in division (E) of this section for each 1018  
of the following performance measures: 1019

(a) Annual measurable objectives; 1020

(b) Performance index score for a school district or 1021  
building. Grades shall be awarded as a percentage of the total 1022  
possible points on the performance index system as adopted by the 1023  
state board. In adopting benchmarks for assigning letter grades 1024  
under division (A)(1)(b) of this section, the state board of 1025  
education shall designate ninety per cent or higher for an "A," at 1026  
least seventy per cent but not more than eighty per cent for a 1027  
"C," and less than fifty per cent for an "F." 1028

(c) The extent to which the school district or building meets 1029  
each of the applicable performance indicators established by the 1030  
state board under section 3302.02 of the Revised Code and the 1031  
percentage of applicable performance indicators that have been 1032  
achieved. In adopting benchmarks for assigning letter grades under 1033  
division (A)(1)(c) of this section, the state board shall 1034  
designate ninety per cent or higher for an "A." 1035

(d) The four- and five-year adjusted cohort graduation rates. 1036

In adopting benchmarks for assigning letter grades under 1037  
division (A)(1)(d), (B)(1)(d), or (C)(1)(d) of this section, the 1038  
department shall designate a four-year adjusted cohort graduation 1039  
rate of ninety-three per cent or higher for an "A" and a five-year 1040  
cohort graduation rate of ninety-five per cent or higher for an 1041  
"A." 1042

(e) The overall score under the value-added progress 1043  
dimension of a school district or building, for which the 1044  
department shall use up to three years of value-added data as 1045  
available. The letter grade assigned for this growth measure shall 1046

be as follows: 1047

(i) A score that is at least two standard errors of measure 1048  
above the mean score shall be designated as an "A." 1049

(ii) A score that is at least one standard error of measure 1050  
but less than two standard errors of measure above the mean score 1051  
shall be designated as a "B." 1052

(iii) A score that is less than one standard error of measure 1053  
above the mean score but greater than or equal to one standard 1054  
error of measure below the mean score shall be designated as a 1055  
"C." 1056

(iv) A score that is not greater than one standard error of 1057  
measure below the mean score but is greater than or equal to two 1058  
standard errors of measure below the mean score shall be 1059  
designated as a "D." 1060

(v) A score that is not greater than two standard errors of 1061  
measure below the mean score shall be designated as an "F." 1062

Whenever the value-added progress dimension is used as a 1063  
graded performance measure, whether as an overall measure or as a 1064  
measure of separate subgroups, the grades for the measure shall be 1065  
calculated in the same manner as prescribed in division (A)(1)(e) 1066  
of this section. 1067

(f) The value-added progress dimension score for a school 1068  
district or building disaggregated for each of the following 1069  
subgroups: students identified as gifted, students with 1070  
disabilities, and students whose performance places them in the 1071  
lowest quintile for achievement on a statewide basis. Each 1072  
subgroup shall be a separate graded measure. 1073

(2) Not later than April 30, 2013, the state board of 1074  
education shall adopt a resolution describing the performance 1075  
measures, benchmarks, and grading system for the 2012-2013 school 1076

year and, not later than June 30, 2013, shall adopt rules in 1077  
accordance with Chapter 119. of the Revised Code that prescribe 1078  
the methods by which the performance measures under division 1079  
(A)(1) of this section shall be assessed and assigned a letter 1080  
grade, including performance benchmarks for each letter grade. 1081

At least forty-five days prior to the state board's adoption 1082  
of rules to prescribe the methods by which the performance 1083  
measures under division (A)(1) of this section shall be assessed 1084  
and assigned a letter grade, the department shall conduct a public 1085  
presentation before the standing committees of the house of 1086  
representatives and the senate that consider education legislation 1087  
describing such methods, including performance benchmarks. 1088

(3) There shall not be an overall letter grade for a school 1089  
district or building for the 2012-2013 school year. 1090

(B)(1) For the 2013-2014 school year, the department shall 1091  
issue grades as described in division (E) of this section for each 1092  
of the following performance measures: 1093

(a) Annual measurable objectives; 1094

(b) Performance index score for a school district or 1095  
building. Grades shall be awarded as a percentage of the total 1096  
possible points on the performance index system as created by the 1097  
department. In adopting benchmarks for assigning letter grades 1098  
under division (B)(1)(b) of this section, the state board shall 1099  
designate ninety per cent or higher for an "A," at least seventy 1100  
per cent but not more than eighty per cent for a "C," and less 1101  
than fifty per cent for an "F." 1102

(c) The extent to which the school district or building meets 1103  
each of the applicable performance indicators established by the 1104  
state board under section 3302.03 of the Revised Code and the 1105  
percentage of applicable performance indicators that have been 1106  
achieved. In adopting benchmarks for assigning letter grades under 1107

division (B)(1)(c) of this section, the state board shall 1108  
designate ninety per cent or higher for an "A." 1109

(d) The four- and five-year adjusted cohort graduation rates; 1110

(e) The overall score under the value-added progress 1111  
dimension of a school district or building, for which the 1112  
department shall use up to three years of value-added data as 1113  
available. 1114

(f) The value-added progress dimension score for a school 1115  
district or building disaggregated for each of the following 1116  
subgroups: students identified as gifted in superior cognitive 1117  
ability and specific academic ability fields under Chapter 3324. 1118  
of the Revised Code, students with disabilities, and students 1119  
whose performance places them in the lowest quintile for 1120  
achievement on a statewide basis. Each subgroup shall be a 1121  
separate graded measure. 1122

(g) Whether a school district or building is making progress 1123  
in improving literacy in grades kindergarten through three, as 1124  
determined using a method prescribed by the state board. The state 1125  
board shall adopt rules to prescribe benchmarks and standards for 1126  
assigning grades to districts and buildings for purposes of 1127  
division (B)(1)(g) of this section. In adopting benchmarks for 1128  
assigning letter grades under divisions (B)(1)(g) and (C)(1)(g) of 1129  
this section, the state board shall determine progress made based 1130  
on the reduction in the percentage of students scoring below grade 1131  
level, or below proficient, compared from year to year on the 1132  
reading and writing diagnostic assessments administered under 1133  
section 3301.0715 of the Revised Code and the third grade English 1134  
language arts assessment under section 3301.0710 of the Revised 1135  
Code, as applicable. The state board shall designate for a "C" 1136  
grade a value that is not lower than the statewide average value 1137  
for this measure. No grade shall be issued under divisions 1138  
(B)(1)(g) and (C)(1)(g) of this section for a district or building 1139

in which less than five per cent of students have scored below 1140  
grade level on the diagnostic assessment administered to students 1141  
in kindergarten under division (B)(1) of section 3313.608 of the 1142  
Revised Code. 1143

(2) In addition to the graded measures in division (B)(1) of 1144  
this section, the department shall include on a school district's 1145  
or building's report card all of the following without an assigned 1146  
letter grade: 1147

(a) The percentage of students enrolled in a district or 1148  
building participating in advanced placement classes and the 1149  
percentage of those students who received a score of three or 1150  
better on advanced placement examinations; 1151

(b) The number of a district's or building's students who 1152  
have earned at least three college credits through dual enrollment 1153  
or advanced standing programs, such as the post-secondary 1154  
enrollment options program under Chapter 3365. of the Revised Code 1155  
and state-approved career-technical courses offered through dual 1156  
enrollment or statewide articulation, that appear on a student's 1157  
transcript or other official document, either of which is issued 1158  
by the institution of higher education from which the student 1159  
earned the college credit. The credits earned that are reported 1160  
under divisions (B)(2)(b) and (C)(2)(c) of this section shall not 1161  
include any that are remedial or developmental and shall include 1162  
those that count toward the curriculum requirements established 1163  
for completion of a degree. 1164

(c) The percentage of students enrolled in a district or 1165  
building who have taken a national standardized test used for 1166  
college admission determinations and the percentage of those 1167  
students who are determined to be remediation-free in accordance 1168  
with standards adopted under division (F) of section 3345.061 of 1169  
the Revised Code; 1170

(d) The percentage of the district's or the building's students who receive industry credentials. The state board shall adopt criteria for acceptable industry 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 of rules to prescribe the methods by which the performance measures under division (B)(1) of this section shall be assessed and assigned a letter grade, the department shall conduct a public presentation before the standing committees of the house of representatives and the senate that consider education legislation describing such methods, including performance benchmarks.

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

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

(a) Annual measurable objectives;

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

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

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

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

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

For the metric prescribed by division (C)(1)(e) of this section, the state board may adopt a student academic progress measure to be used instead of the value-added progress dimension.



If the state board adopts such a measure, it also shall prescribe 1233  
a method for assigning letter grades for the new measure that is 1234  
comparable to the method prescribed in division (A)(1)(e) of this 1235  
section. 1236

(f) The value-added progress dimension score of a school 1237  
district or building disaggregated for each of the following 1238  
subgroups: students identified as gifted in superior cognitive 1239  
ability and specific academic ability fields under Chapter 3324. 1240  
of the Revised Code, students with disabilities, and students 1241  
whose performance places them in the lowest quintile for 1242  
achievement on a statewide basis, as determined by a method 1243  
prescribed by the state board. Each subgroup shall be a separate 1244  
graded measure. 1245

The state board may adopt student academic progress measures 1246  
to be used instead of the value-added progress dimension. If the 1247  
state board adopts such measures, it also shall prescribe a method 1248  
for assigning letter grades for the new measures that is 1249  
comparable to the method prescribed in division (A)(1)(e) of this 1250  
section. 1251

(g) Whether a school district or building is making progress 1252  
in improving literacy in grades kindergarten through three, as 1253  
determined using a method prescribed by the state board. The state 1254  
board shall adopt rules to prescribe benchmarks and standards for 1255  
assigning grades to a district or building for purposes of 1256  
division (C)(1)(g) of this section. The state board shall 1257  
designate for a "C" grade a value that is not lower than the 1258  
statewide average value for this measure. No grade shall be issued 1259  
under division (C)(1)(g) of this section for a district or 1260  
building in which less than five per cent of students have scored 1261  
below grade level on the kindergarten diagnostic assessment under 1262  
division (B)(1) of section 3313.608 of the Revised Code. 1263

(2) In addition to the graded measures in division (C)(1) of 1264

this section, the department shall include on a school district's 1265  
or building's report card all of the following without an assigned 1266  
letter grade: 1267

(a) The percentage of students enrolled in a district or 1268  
building who have taken a national standardized test used for 1269  
college admission determinations and the percentage of those 1270  
students who are determined to be remediation-free in accordance 1271  
with the standards adopted under division (F) of section 3345.061 1272  
of the Revised Code; 1273

(b) The percentage of students enrolled in a district or 1274  
building participating in advanced placement classes and the 1275  
percentage of those students who received a score of three or 1276  
better on advanced placement examinations; 1277

(c) The number of a district's or building's students who 1278  
have earned at least three college credits through ~~dual enrollment~~ 1279  
~~advanced standing~~ programs, such as the ~~post-secondary enrollment~~ 1280  
~~options college credit plus~~ program under Chapter 3365. of the 1281  
Revised Code and state-approved career-technical courses offered 1282  
through dual enrollment or statewide articulation, that appear on 1283  
a student's transcript or other official document, either of which 1284  
is issued by the institution of higher education from which the 1285  
student earned the college credit. The credits earned that are 1286  
reported under divisions (B)(2)(b) and (C)(2)(c) of this section 1287  
shall not include any that are remedial or developmental and shall 1288  
include those that count toward the curriculum requirements 1289  
established for completion of a degree. 1290

(d) The percentage of the district's or building's students 1291  
who receive an honor's diploma under division (B) of section 1292  
3313.61 of the Revised Code; 1293

(e) The percentage of the district's or building's students 1294  
who receive industry credentials; 1295

(f) The percentage of students enrolled in a district or building who are participating in an international baccalaureate program and the percentage of those students who receive a score of four or better on the international baccalaureate examinations;	1296 1297 1298 1299
(g) The results of the college and career-ready assessments administered under division (B)(1) of section 3301.0712 of the Revised Code.	1300 1301 1302
(3) The state board shall adopt rules pursuant to Chapter 119. of the Revised Code that establish a method to assign an overall grade for a school district or school building for the 2014-2015 school year and each school year thereafter. The rules shall group the performance measures in divisions (C)(1) and (2) of this section into the following components:	1303 1304 1305 1306 1307 1308
(a) Gap closing, which shall include the performance measure in division (C)(1)(a) of this section;	1309 1310
(b) Achievement, which shall include the performance measures in divisions (C)(1)(b) and (c) of this section;	1311 1312
(c) Progress, which shall include the performance measures in divisions (C)(1)(e) and (f) of this section;	1313 1314
(d) Graduation, which shall include the performance measure in division (C)(1)(d) of this section;	1315 1316
(e) Kindergarten through third-grade literacy, which shall include the performance measure in division (C)(1)(g) of this section;	1317 1318 1319
(f) Prepared for success, which shall include the performance measures in divisions (C)(2)(a), (b), (c), (d), (e), and (f) of this section. The state board shall develop a method to determine a grade for the component in division (C)(3)(f) of this section using the performance measures in divisions (C)(2)(a), (b), (c), (d), (e), and (f) of this section. When available, the state board	1320 1321 1322 1323 1324 1325

may incorporate the performance measure under division (C)(2)(g) 1326  
of this section into the component under division (C)(3)(f) of 1327  
this section. When determining the overall grade for the prepared 1328  
for success component prescribed by division (C)(3)(f) of this 1329  
section, no individual student shall be counted in more than one 1330  
performance measure. However, if a student qualifies for more than 1331  
one performance measure in the component, the state board may, in 1332  
its method to determine a grade for the component, specify an 1333  
additional weight for such a student that is not greater than or 1334  
equal to 1.0. In determining the overall score under division 1335  
(C)(3)(f) of this section, the state board shall ensure that the 1336  
pool of students included in the performance measures aggregated 1337  
under that division are all of the students included in the four- 1338  
and five-year adjusted graduation cohort. 1339

In the rules adopted under division (C)(3) of this section, 1340  
the state board shall adopt a method for determining a grade for 1341  
each component in divisions (C)(3)(a) to (f) of this section. The 1342  
state board also shall establish a method to assign an overall 1343  
grade of "A," "B," "C," "D," or "F" using the grades assigned for 1344  
each component. The method the state board adopts for assigning an 1345  
overall grade shall give equal weight to the components in 1346  
divisions (C)(3)(b) and (c) of this section. 1347

At least forty-five days prior to the state board's adoption 1348  
of rules to prescribe the methods for calculating the overall 1349  
grade for the report card, as required by this division, the 1350  
department shall conduct a public presentation before the standing 1351  
committees of the house of representatives and the senate that 1352  
consider education legislation describing the format for the 1353  
report card, weights that will be assigned to the components of 1354  
the overall grade, and the method for calculating the overall 1355  
grade. 1356

(D) Not later than July 1, 2015, the state board shall 1357

develop a measure of student academic progress for high school 1358  
students. Beginning with the report card for the 2015-2016 school 1359  
year, each school district and applicable school building shall be 1360  
assigned a separate letter grade for this measure and the 1361  
district's or building's grade for that measure shall be included 1362  
in determining the district's or building's overall letter grade. 1363  
This measure shall be included within the measure prescribed in 1364  
division (C)(3)(c) of this section in the calculation for the 1365  
overall letter grade. 1366

(E) The letter grades assigned to a school district or 1367  
building under this section shall be as follows: 1368

(1) "A" for a district or school making excellent progress; 1369

(2) "B" for a district or school making above average 1370  
progress; 1371

(3) "C" for a district or school making average progress; 1372

(4) "D" for a district or school making below average 1373  
progress; 1374

(5) "F" for a district or school failing to meet minimum 1375  
progress. 1376

(F) When reporting data on student achievement and progress, 1377  
the department shall disaggregate that data according to the 1378  
following categories: 1379

(1) Performance of students by grade-level; 1380

(2) Performance of students by race and ethnic group; 1381

(3) Performance of students by gender; 1382

(4) Performance of students grouped by those who have been 1383  
enrolled in a district or school for three or more years; 1384

(5) Performance of students grouped by those who have been 1385  
enrolled in a district or school for more than one year and less 1386

than three years;	1387
(6) Performance of students grouped by those who have been enrolled in a district or school for one year or less;	1388 1389
(7) Performance of students grouped by those who are economically disadvantaged;	1390 1391
(8) Performance of students grouped by those who are enrolled in a conversion community school established under Chapter 3314. of the Revised Code;	1392 1393 1394
(9) Performance of students grouped by those who are classified as limited English proficient;	1395 1396
(10) Performance of students grouped by those who have disabilities;	1397 1398
(11) Performance of students grouped by those who are classified as migrants;	1399 1400
(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.	1401 1402 1403 1404 1405 1406 1407 1408 1409
(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.	1410 1411 1412
The department may disaggregate data on student performance according to other categories that the department determines are appropriate. To the extent possible, the department shall disaggregate data on student performance according to any	1413 1414 1415 1416

combinations of two or more of the categories listed in divisions 1417  
(F)(1) to (13) of this section that it deems relevant. 1418

In reporting data pursuant to division (F) of this section, 1419  
the department shall not include in the report cards any data 1420  
statistical in nature that is statistically unreliable or that 1421  
could result in the identification of individual students. For 1422  
this purpose, the department shall not report student performance 1423  
data for any group identified in division (F) of this section that 1424  
contains less than ten students. If the department does not report 1425  
student performance data for a group because it contains less than 1426  
ten students, the department shall indicate on the report card 1427  
that is why data was not reported. 1428

(G) The department may include with the report cards any 1429  
additional education and fiscal performance data it deems 1430  
valuable. 1431

(H) The department shall include on each report card a list 1432  
of additional information collected by the department that is 1433  
available regarding the district or building for which the report 1434  
card is issued. When available, such additional information shall 1435  
include student mobility data disaggregated by race and 1436  
socioeconomic status, college enrollment data, and the reports 1437  
prepared under section 3302.031 of the Revised Code. 1438

The department shall maintain a site on the world wide web. 1439  
The report card shall include the address of the site and shall 1440  
specify that such additional information is available to the 1441  
public at that site. The department shall also provide a copy of 1442  
each item on the list to the superintendent of each school 1443  
district. The district superintendent shall provide a copy of any 1444  
item on the list to anyone who requests it. 1445

(I) Division (I) of this section does not apply to conversion 1446  
community schools that primarily enroll students between sixteen 1447

and twenty-two years of age who dropped out of high school or are 1448  
at risk of dropping out of high school due to poor attendance, 1449  
disciplinary problems, or suspensions. 1450

(1) For any district that sponsors a conversion community 1451  
school under Chapter 3314. of the Revised Code, the department 1452  
shall combine data regarding the academic performance of students 1453  
enrolled in the community school with comparable data from the 1454  
schools of the district for the purpose of determining the 1455  
performance of the district as a whole on the report card issued 1456  
for the district under this section or section 3302.033 of the 1457  
Revised Code. 1458

(2) Any district that leases a building to a community school 1459  
located in the district or that enters into an agreement with a 1460  
community school located in the district whereby the district and 1461  
the school endorse each other's programs may elect to have data 1462  
regarding the academic performance of students enrolled in the 1463  
community school combined with comparable data from the schools of 1464  
the district for the purpose of determining the performance of the 1465  
district as a whole on the district report card. Any district that 1466  
so elects shall annually file a copy of the lease or agreement 1467  
with the department. 1468

(3) Any municipal school district, as defined in section 1469  
3311.71 of the Revised Code, that sponsors a community school 1470  
located within the district's territory, or that enters into an 1471  
agreement with a community school located within the district's 1472  
territory whereby the district and the community school endorse 1473  
each other's programs, may exercise either or both of the 1474  
following elections: 1475

(a) To have data regarding the academic performance of 1476  
students enrolled in that community school combined with 1477  
comparable data from the schools of the district for the purpose 1478  
of determining the performance of the district as a whole on the 1479



district's report card; 1480

(b) To have the number of students attending that community 1481  
school noted separately on the district's report card. 1482

The election authorized under division (I)(3)(a) of this 1483  
section is subject to approval by the governing authority of the 1484  
community school. 1485

Any municipal school district that exercises an election to 1486  
combine or include data under division (I)(3) of this section, by 1487  
the first day of October of each year, shall file with the 1488  
department documentation indicating eligibility for that election, 1489  
as required by the department. 1490

(J) The department shall include on each report card the 1491  
percentage of teachers in the district or building who are highly 1492  
qualified, as defined by the "No Child Left Behind Act of 2001," 1493  
and a comparison of that percentage with the percentages of such 1494  
teachers in similar districts and buildings. 1495

(K)(1) In calculating English language arts, mathematics, 1496  
social studies, or science assessment passage rates used to 1497  
determine school district or building performance under this 1498  
section, the department shall include all students taking an 1499  
assessment with accommodation or to whom an alternate assessment 1500  
is administered pursuant to division (C)(1) or (3) of section 1501  
3301.0711 of the Revised Code. 1502

(2) In calculating performance index scores, rates of 1503  
achievement on the performance indicators established by the state 1504  
board under section 3302.02 of the Revised Code, and annual 1505  
measurable objectives for determining adequate yearly progress for 1506  
school districts and buildings under this section, the department 1507  
shall do all of the following: 1508

(a) Include for each district or building only those students 1509  
who are included in the ADM certified for the first full school 1510

week of October and are continuously enrolled in the district or building through the time of the spring administration of any assessment prescribed by division (A)(1) or (B)(1) of section 3301.0710 of the Revised Code that is administered to the student's grade level;

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

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

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

**Sec. 3302.10.** (A) ~~Beginning July 1, 2007, the superintendent of public instruction shall establish an academic distress commission for each~~ (1) Subject to division (A)(2) of this section, any school district that meets any combination of the following conditions for two of the three or more consecutive most recent years shall be subject to the establishment of an academic distress commission:

~~(1)(a)~~ (a) The district has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code, as that section existed prior to ~~the effective date of this amendment~~ March 22, 2013, and has failed to make adequate yearly progress~~.~~

~~(2)(b)~~ (b) The district has received a grade of "F" for the performance index score and a grade of "D" or "F" for the

value-added progress dimension of section 3302.03 of the Revised Code for the 2013-2014 school year.

~~(3)(c)~~ The district has received an overall grade of "F" under division (C)~~(2)~~ or a grade of "F" for the value added progress dimension under division (C)(1)(e)(3) of section 3302.03 of the Revised Code ~~+~~

~~(4)~~ At least fifty per cent of the schools operated by the district have received an overall grade of "D" or "F" under division (C)(3) of section 3302.03 of the Revised Code.

(d) The district's academic performance makes it subject to the most severe level of state intervention as specified by the most recent "Elementary and Secondary Education Act" waiver issued to the state by the United States department of education.

(2) A school district that meets any of the conditions prescribed in division (A)(1) of this section but has received on the report card issued for the most recent school year a grade of "A" or "B" on at least two components prescribed under division (C)(3) of section 3302.03 of the Revised Code shall not be subject to the establishment of an academic distress commission for the following school year.

(B) Each commission shall assist the district for which it was established in improving the district's academic performance.

Each commission is a body both corporate and politic, constituting an agency and instrumentality of the state and performing essential governmental functions of the state. A commission shall be known as the "academic distress commission for ..... (name of school district)," and, in that name, may exercise all authority vested in such a commission by this section. A separate commission shall be established for each school district to which this division applies.

~~(B)(C)~~ Each academic distress commission shall consist of

five voting members, three of whom shall be appointed by the 1572  
superintendent of public instruction and two of whom shall be 1573  
residents of the applicable school district appointed by the 1574  
president of the district board of education. When a school 1575  
district becomes subject to this section, the superintendent of 1576  
public instruction shall provide written notification of that fact 1577  
to the district board of education and shall request the president 1578  
of the district board to submit to the superintendent of public 1579  
instruction, in writing, the names of the president's appointees 1580  
to the commission. The superintendent of public instruction and 1581  
the president of the district board shall make appointments to the 1582  
commission within thirty days after the district is notified that 1583  
it is subject to this section. 1584

Members of the commission shall serve at the pleasure of 1585  
their appointing authority during the life of the commission. In 1586  
the event of the death, resignation, incapacity, removal, or 1587  
ineligibility to serve of a member, the appointing authority shall 1588  
appoint a successor within fifteen days after the vacancy occurs. 1589  
Members shall serve without compensation, but shall be paid by the 1590  
commission their necessary and actual expenses incurred while 1591  
engaged in the business of the commission. 1592

~~(C)~~(D) Immediately after appointment of the initial members 1593  
of an academic distress commission, the superintendent of public 1594  
instruction shall call the first meeting of the commission and 1595  
shall cause written notice of the time, date, and place of that 1596  
meeting to be given to each member of the commission at least 1597  
forty-eight hours in advance of the meeting. The first meeting 1598  
shall include an overview of the commission's roles and 1599  
responsibilities, the requirements of section 2921.42 and Chapter 1600  
102. of the Revised Code as they pertain to commission members, 1601  
the requirements of section 121.22 of the Revised Code, and the 1602  
provisions of division ~~(F)~~(H) of this section. At its first 1603

meeting, the commission shall adopt temporary bylaws in accordance 1604  
with division ~~(D)~~(F) of this section to govern its operations 1605  
until the adoption of permanent bylaws. 1606

(E) The superintendent of public instruction shall designate 1607  
a chairperson for the commission from among the members appointed 1608  
by the superintendent. The chairperson shall call and conduct 1609  
meetings, set meeting agendas, and serve as a liaison between the 1610  
commission and the district board of education. The chairperson 1611  
also shall appoint a secretary, who shall not be a member of the 1612  
commission. 1613

The department of education shall provide administrative 1614  
support for the commission, provide data requested by the 1615  
commission, and inform the commission of available state resources 1616  
that could assist the commission in its work. 1617

~~(D)~~(F) Each academic distress commission may adopt and alter 1618  
bylaws and rules, which shall not be subject to section 111.15 or 1619  
Chapter 119. of the Revised Code, for the conduct of its affairs 1620  
and for the manner, subject to this section, in which its powers 1621  
and functions shall be exercised and embodied. 1622

~~(E)~~(G) Three members of an academic distress commission 1623  
constitute a quorum of the commission. The affirmative vote of 1624  
three members of the commission is necessary for any action taken 1625  
by vote of the commission. No vacancy in the membership of the 1626  
commission shall impair the rights of a quorum by such vote to 1627  
exercise all the rights and perform all the duties of the 1628  
commission. Members of the commission are not disqualified from 1629  
voting by reason of the functions of any other office they hold 1630  
and are not disqualified from exercising the functions of the 1631  
other office with respect to the school district, its officers, or 1632  
the commission. 1633

~~(F)~~(H) The members of an academic distress commission, the 1634

superintendent of public instruction, and any person authorized to 1635  
act on behalf of or assist them shall not be personally liable or 1636  
subject to any suit, judgment, or claim for damages resulting from 1637  
the exercise of or failure to exercise the powers, duties, and 1638  
functions granted to them in regard to their functioning under 1639  
this section, but the commission, superintendent of public 1640  
instruction, and such other persons shall be subject to mandamus 1641  
proceedings to compel performance of their duties under this 1642  
section. 1643

~~(G)~~(I) Each member of an academic distress commission shall 1644  
file the statement described in section 102.02 of the Revised Code 1645  
with the Ohio ethics commission. The statement shall be 1646  
confidential, subject to review, as described in division (B) of 1647  
that section. 1648

~~(H)~~(J) Meetings of each academic distress commission shall be 1649  
subject to section 121.22 of the Revised Code. 1650

~~(I)~~(K)(1) Within one hundred twenty days after the first 1651  
meeting of an academic distress commission, the commission shall 1652  
adopt an academic recovery plan to improve academic performance in 1653  
the school district. The plan shall address academic problems at 1654  
both the district and school levels. The plan shall include the 1655  
following: 1656

(a) Short-term and long-term actions to be taken to improve 1657  
the district's academic performance, including any actions 1658  
required by section 3302.04 or 3302.041 of the Revised Code; 1659

(b) The sequence and timing of the actions described in 1660  
division ~~(I)~~(K)(1)(a) of this section and the persons responsible 1661  
for implementing the actions; 1662

(c) Resources that will be applied toward improvement 1663  
efforts; 1664

(d) Procedures for monitoring and evaluating improvement 1665

efforts; 1666

(e) Requirements for reporting to the commission and the 1667  
district board of education on the status of improvement efforts. 1668

(2) The commission may amend the academic recovery plan 1669  
subsequent to adoption. The commission shall update the plan at 1670  
least annually. 1671

(3) The commission shall submit the academic recovery plan it 1672  
adopts or updates to the superintendent of public instruction for 1673  
approval immediately following its adoption or updating. The 1674  
superintendent shall evaluate the plan and either approve or 1675  
disapprove it within thirty days after its submission. If the plan 1676  
is disapproved, the superintendent shall recommend modifications 1677  
that will render it acceptable. No academic distress commission 1678  
shall implement an academic recovery plan unless the 1679  
superintendent has approved it. 1680

(4) County, state, and school district officers and employees 1681  
shall assist the commission diligently and promptly in the 1682  
implementation of the academic recovery plan. 1683

~~(J)~~(L) Each academic distress commission shall seek input 1684  
from the district board of education regarding ways to improve the 1685  
district's academic performance, but any decision of the 1686  
commission related to any authority granted to the commission 1687  
under this section shall be final. 1688

The commission may do any of the following: 1689

(1) Appoint school building administrators and reassign 1690  
administrative personnel; 1691

(2) Terminate the contracts of administrators or 1692  
administrative personnel. The commission shall not be required to 1693  
comply with section 3319.16 of the Revised Code with respect to 1694  
any contract terminated under this division. 1695

(3) Contract with a private entity to perform school or district management functions; 1696  
1697

(4) Establish a budget for the district and approve district appropriations and expenditures, unless a financial planning and supervision commission has been established for the district pursuant to section 3316.05 of the Revised Code. 1698  
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~~(K)~~(M) If the board of education of a district for which an academic distress commission has been established under this section renews any collective bargaining agreement under Chapter 4117. of the Revised Code during the existence of the commission, the district board shall not enter into any agreement that would render any decision of the commission unenforceable. Section 3302.08 of the Revised Code does not apply to this division. 1702  
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Notwithstanding any provision to the contrary in Chapter 4117. of the Revised Code, if the board of education has entered into a collective bargaining agreement after September 29, 2005, that contains stipulations relinquishing one or more of the rights or responsibilities listed in division (C) of section 4117.08 of the Revised Code, those stipulations are not enforceable and the district board shall resume holding those rights or responsibilities as if it had not relinquished them in that agreement until such time as both the academic distress commission ceases to exist and the district board agrees to relinquish those rights or responsibilities in a new collective bargaining agreement. The provisions of this paragraph apply to a collective bargaining agreement entered into after September 29, 2005, and those provisions are deemed to be part of that agreement regardless of whether the district satisfied the conditions prescribed in division (A) of this section at the time the district entered into that agreement. 1709  
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~~(L)~~(N)(1) An academic distress commission shall cease to exist when the district for which it was established ~~receives a~~ 1726  
1727



~~performance rating of in need of continuous improvement or better,~~ 1728  
~~under section 3302.03 of the Revised Code as that section existed~~ 1729  
~~prior to the effective date of this amendment, or a has received,~~ 1730  
on two of the three most recent report cards, any combination of 1731  
the following: 1732

(a) A grade of "C" or better for both the performance index 1733  
score under division (A)(1)(b), (B)(1)(b), or (C)(1)(b) and the 1734  
value-added progress dimension under division (A)(1)(e), 1735  
(B)(1)(e), or (C)(1)(e) of section 3302.03 of the Revised Code ~~for~~ 1736  
~~two of the three prior school years; however, the;~~ 1737

(b) An overall grade of "C" or better under division (C)(3) 1738  
of section 3302.03 of the Revised Code; 1739

(c) A level of academic performance such that the school 1740  
district is no longer subject to the most severe level of state 1741  
intervention as described in division (A)(1)(d) of this section. 1742

(2) The superintendent of public instruction may dissolve the 1743  
commission earlier than as prescribed by division (N)(1) of this 1744  
section if the superintendent determines that the district can 1745  
perform adequately without the supervision of the commission. Upon 1746  
termination of the commission, the department of education shall 1747  
compile a final report of the commission's activities to assist 1748  
other academic distress commissions in the conduct of their 1749  
functions. 1750

**Sec. 3313.372.** (A) As used in this section, "energy 1751  
conservation measure" means an installation or modification of an 1752  
installation in, or remodeling of, a building, to reduce energy 1753  
consumption. It includes: 1754

(1) Insulation of the building structure and systems within 1755  
the building; 1756

(2) Storm windows and doors, multiglazed windows and doors, 1757

heat absorbing or heat reflective glazed and coated window and	1758
door systems, additional glazing, reductions in glass area, and	1759
other window and door system modifications that reduce energy	1760
consumption;	1761
(3) Automatic energy control systems;	1762
(4) Heating, ventilating, or air conditioning system	1763
modifications or replacements;	1764
(5) Caulking and weatherstripping;	1765
(6) Replacement or modification of lighting fixtures to	1766
increase the energy efficiency of the system without increasing	1767
the overall illumination of a facility, unless such increase in	1768
illumination is necessary to conform to the applicable state or	1769
local building code for the proposed lighting system;	1770
(7) Energy recovery systems;	1771
(8) Cogeneration systems that produce steam or forms of	1772
energy such as heat, as well as electricity, for use primarily	1773
within a building or complex of buildings;	1774
(9) Any other modification, installation, or remodeling	1775
approved by the Ohio school facilities commission as an energy	1776
conservation measure.	1777
(B) A board of education of a city, exempted village, local,	1778
or joint vocational school district may enter into an installment	1779
payment contract for the purchase and installation of energy	1780
conservation measures. The provisions of such installment payment	1781
contracts dealing with interest charges and financing terms shall	1782
not be subject to the competitive bidding requirements of section	1783
3313.46 of the Revised Code, and shall be on the following terms:	1784
(1) Not less than one-fifteenth of the costs thereof shall be	1785
paid within two years from the date of purchase.	1786
(2) The remaining balance of the costs thereof shall be paid	1787

within fifteen years from the date of purchase. 1788

The provisions of any installment payment contract entered 1789  
into pursuant to this section shall provide that all payments, 1790  
except payments for repairs and obligations on termination of the 1791  
contract prior to its expiration, ~~be stated as a percentage of~~ 1792  
shall not exceed the calculated energy, water, or waste water cost 1793  
savings, avoided operating costs, and avoided capital costs 1794  
attributable to the one or more measures over a defined period of 1795  
time. Those payments shall be made only to the extent that the 1796  
savings described in this division actually occur. The contractor 1797  
shall warrant and guarantee that the energy conservation measures 1798  
shall realize guaranteed savings and shall be responsible to pay 1799  
an amount equal to any savings shortfall. 1800

An installment payment contract entered into by a board of 1801  
education under this section shall require the board to contract 1802  
in accordance with division (A) of section 3313.46 of the Revised 1803  
Code for the installation, modification, or remodeling of energy 1804  
conservation measures unless division (A) of section 3313.46 of 1805  
the Revised Code does not apply pursuant to division (B)(3) of 1806  
that section, in which case the contract shall be awarded through 1807  
a competitive selection process pursuant to rules adopted by the 1808  
school facilities commission. 1809

An installment payment contract entered into by a board of 1810  
education under this section may include services for measurement 1811  
and verification of energy savings associated with the guarantee. 1812  
The annual cost of measurement and verification services shall not 1813  
exceed ten per cent of the guaranteed savings in any year of the 1814  
installment payment contract. 1815

(C) The board may issue the notes of the school district 1816  
signed by the president and the treasurer of the board and 1817  
specifying the terms of the purchase and securing the deferred 1818  
payments provided in this section, payable at the times provided 1819

and bearing interest at a rate not exceeding the rate determined 1820  
as provided in section 9.95 of the Revised Code. The notes may 1821  
contain an option for prepayment and shall not be subject to 1822  
Chapter 133. of the Revised Code. In the resolution authorizing 1823  
the notes, the board may provide, without the vote of the electors 1824  
of the district, for annually levying and collecting taxes in 1825  
amounts sufficient to pay the interest on and retire the notes, 1826  
except that the total net indebtedness of the district without a 1827  
vote of the electors incurred under this and all other sections of 1828  
the Revised Code, except section 3318.052 of the Revised Code, 1829  
shall not exceed one per cent of the district's tax valuation. 1830  
Revenues derived from local taxes or otherwise, for the purpose of 1831  
conserving energy or for defraying the current operating expenses 1832  
of the district, may be applied to the payment of interest and the 1833  
retirement of such notes. The notes may be sold at private sale or 1834  
given to the contractor under the installment payment contract 1835  
authorized by division (B) of this section. 1836

(D) Debt incurred under this section shall not be included in 1837  
the calculation of the net indebtedness of a school district under 1838  
section 133.06 of the Revised Code. 1839

(E) No school district board shall enter into an installment 1840  
payment contract under division (B) of this section unless it 1841  
first obtains a report of the costs of the energy conservation 1842  
measures and the savings thereof as described under division (G) 1843  
of section 133.06 of the Revised Code as a requirement for issuing 1844  
energy securities, makes a finding that the amount spent on such 1845  
measures is not likely to exceed the amount of money it would save 1846  
in energy costs and resultant operational and maintenance costs as 1847  
described in that division, except that that finding shall cover 1848  
the ensuing fifteen years, and the Ohio school facilities 1849  
commission determines that the district board's findings are 1850  
reasonable and approves the contract as described in that 1851

division. 1852

The district board shall monitor the savings and maintain a 1853  
report of those savings, which shall be submitted to the 1854  
commission in the same manner as required by division (G) of 1855  
section 133.06 of the Revised Code in the case of energy 1856  
securities. 1857

**Sec. 3313.603.** (A) As used in this section: 1858

(1) "One unit" means a minimum of one hundred twenty hours of 1859  
course instruction, except that for a laboratory course, "one 1860  
unit" means a minimum of one hundred fifty hours of course 1861  
instruction. 1862

(2) "One-half unit" means a minimum of sixty hours of course 1863  
instruction, except that for physical education courses, "one-half 1864  
unit" means a minimum of one hundred twenty hours of course 1865  
instruction. 1866

(B) Beginning September 15, 2001, except as required in 1867  
division (C) of this section and division (C) of section 3313.614 1868  
of the Revised Code, the requirements for graduation from every 1869  
high school shall include twenty units earned in grades nine 1870  
through twelve and shall be distributed as follows: 1871

(1) English language arts, four units; 1872

(2) Health, one-half unit; 1873

(3) Mathematics, three units; 1874

(4) Physical education, one-half unit; 1875

(5) Science, two units until September 15, 2003, and three 1876  
units thereafter, which at all times shall include both of the 1877  
following: 1878

(a) Biological sciences, one unit; 1879

(b) Physical sciences, one unit. 1880

(6) History and government, one unit, which shall comply with 1881  
division (M) of this section and shall include both of the 1882  
following: 1883

(a) American history, one-half unit; 1884

(b) American government, one-half unit. 1885

(7) Social studies, two units. 1886

(8) Elective units, seven units until September 15, 2003, and 1887  
six units thereafter. 1888

Each student's electives shall include at least one unit, or 1889  
two half units, chosen from among the areas of 1890  
business/technology, fine arts, and/or foreign language. 1891

(C) Beginning with students who enter ninth grade for the 1892  
first time on or after July 1, 2010, except as provided in 1893  
divisions (D) to (F) of this section, the requirements for 1894  
graduation from every public and chartered nonpublic high school 1895  
shall include twenty units that are designed to prepare students 1896  
for the workforce and college. The units shall be distributed as 1897  
follows: 1898

(1) English language arts, four units; 1899

(2) Health, one-half unit, which shall include instruction in 1900  
nutrition and the benefits of nutritious foods and physical 1901  
activity for overall health; 1902

(3) Mathematics, four units, which shall include one unit of 1903  
algebra II or the equivalent of algebra II; 1904

(4) Physical education, one-half unit; 1905

(5) Science, three units with inquiry-based laboratory 1906  
experience that engages students in asking valid scientific 1907  
questions and gathering and analyzing information, which shall 1908  
include the following, or their equivalent: 1909

(a) Physical sciences, one unit;	1910
(b) Life sciences, one unit;	1911
(c) Advanced study in one or more of the following sciences, one unit:	1912 1913
(i) Chemistry, physics, or other physical science;	1914
(ii) Advanced biology or other life science;	1915
(iii) Astronomy, physical geology, or other earth or space science.	1916 1917
(6) History and government, one unit, which shall comply with division (M) of this section and shall include both of the following:	1918 1919 1920
(a) American history, one-half unit;	1921
(b) American government, one-half unit.	1922
(7) Social studies, two units.	1923
Each school shall integrate the study of economics and financial literacy, as expressed in the social studies academic content standards adopted by the state board of education under division (A)(1) of section 3301.079 of the Revised Code and the academic content standards for financial literacy and entrepreneurship adopted under division (A)(2) of that section, into one or more existing social studies credits required under division (C)(7) of this section, or into the content of another class, so that every high school student receives instruction in those concepts. In developing the curriculum required by this paragraph, schools shall use available public-private partnerships and resources and materials that exist in business, industry, and through the centers for economics education at institutions of higher education in the state.	1924 1925 1926 1927 1928 1929 1930 1931 1932 1933 1934 1935 1936 1937
(8) Five units consisting of one or any combination of foreign language, fine arts, business, career-technical education,	1938 1939

family and consumer sciences, technology, agricultural education, 1940  
a junior reserve officer training corps (JROTC) program approved 1941  
by the congress of the United States under title 10 of the United 1942  
States Code, or English language arts, mathematics, science, or 1943  
social studies courses not otherwise required under division (C) 1944  
of this section. 1945

Ohioans must be prepared to apply increased knowledge and 1946  
skills in the workplace and to adapt their knowledge and skills 1947  
quickly to meet the rapidly changing conditions of the 1948  
twenty-first century. National studies indicate that all high 1949  
school graduates need the same academic foundation, regardless of 1950  
the opportunities they pursue after graduation. The goal of Ohio's 1951  
system of elementary and secondary education is to prepare all 1952  
students for and seamlessly connect all students to success in 1953  
life beyond high school graduation, regardless of whether the next 1954  
step is entering the workforce, beginning an apprenticeship, 1955  
engaging in post-secondary training, serving in the military, or 1956  
pursuing a college degree. 1957

The Ohio core curriculum is the standard expectation for all 1958  
students entering ninth grade for the first time at a public or 1959  
chartered nonpublic high school on or after July 1, 2010. A 1960  
student may satisfy this expectation through a variety of methods, 1961  
including, but not limited to, integrated, applied, 1962  
career-technical, and traditional coursework. 1963

Whereas teacher quality is essential for student success in 1964  
completing the Ohio core curriculum, the general assembly shall 1965  
appropriate funds for strategic initiatives designed to strengthen 1966  
schools' capacities to hire and retain highly qualified teachers 1967  
in the subject areas required by the curriculum. Such initiatives 1968  
are expected to require an investment of \$120,000,000 over five 1969  
years. 1970

Stronger coordination between high schools and institutions 1971



of higher education is necessary to prepare students for more 1972  
challenging academic endeavors and to lessen the need for academic 1973  
remediation in college, thereby reducing the costs of higher 1974  
education for Ohio's students, families, and the state. The state 1975  
board and the chancellor of the Ohio board of regents shall 1976  
develop policies to ensure that only in rare instances will 1977  
students who complete the Ohio core curriculum require academic 1978  
remediation after high school. 1979

School districts, community schools, and chartered nonpublic 1980  
schools shall integrate technology into learning experiences 1981  
across the curriculum in order to maximize efficiency, enhance 1982  
learning, and prepare students for success in the 1983  
technology-driven twenty-first century. Districts and schools 1984  
shall use distance and web-based course delivery as a method of 1985  
providing or augmenting all instruction required under this 1986  
division, including laboratory experience in science. Districts 1987  
and schools shall utilize technology access and electronic 1988  
learning opportunities provided by the broadcast educational media 1989  
commission, chancellor, the Ohio learning network, education 1990  
technology centers, public television stations, and other public 1991  
and private providers. 1992

(D) Except as provided in division (E) of this section, a 1993  
student who enters ninth grade on or after July 1, 2010, and 1994  
before July 1, ~~2014~~ 2016, may qualify for graduation from a public 1995  
or chartered nonpublic high school even though the student has not 1996  
completed the Ohio core curriculum prescribed in division (C) of 1997  
this section if all of the following conditions are satisfied: 1998

(1) After the student has attended high school for two years, 1999  
as determined by the school, the student and the student's parent, 2000  
guardian, or custodian sign and file with the school a written 2001  
statement asserting the parent's, guardian's, or custodian's 2002  
consent to the student's graduating without completing the Ohio 2003

core curriculum and acknowledging that one consequence of not 2004  
completing the Ohio core curriculum is ineligibility to enroll in 2005  
most state universities in Ohio without further coursework. 2006

(2) The student and parent, guardian, or custodian fulfill 2007  
any procedural requirements the school stipulates to ensure the 2008  
student's and parent's, guardian's, or custodian's informed 2009  
consent and to facilitate orderly filing of statements under 2010  
division (D)(1) of this section. 2011

(3) The student and the student's parent, guardian, or 2012  
custodian and a representative of the student's high school 2013  
jointly develop ~~an individual career~~ a student success plan for 2014  
the student under division (C)(1) of section 3313.6015 of the 2015  
Revised Code that specifies the student matriculating to a 2016  
two-year degree program, acquiring a business and industry 2017  
credential, or entering an apprenticeship. 2018

(4) The student's high school provides counseling and support 2019  
for the student related to the plan developed under division 2020  
(D)(3) of this section during the remainder of the student's high 2021  
school experience. 2022

(5) The student successfully completes, at a minimum, the 2023  
curriculum prescribed in division (B) of this section. 2024

The department of education, in collaboration with the 2025  
chancellor, shall analyze student performance data to determine if 2026  
there are mitigating factors that warrant extending the exception 2027  
permitted by division (D) of this section to high school classes 2028  
beyond those entering ninth grade before July 1, ~~2014~~ 2016. The 2029  
department shall submit its findings and any recommendations not 2030  
later than August 1, ~~2014~~ 2016, to the speaker and minority leader 2031  
of the house of representatives, the president and minority leader 2032  
of the senate, the chairpersons and ranking minority members of 2033  
the standing committees of the house of representatives and the 2034

senate that consider education legislation, the state board of 2035  
education, and the superintendent of public instruction. 2036

(E) Each school district and chartered nonpublic school 2037  
retains the authority to require an even more rigorous minimum 2038  
curriculum for high school graduation than specified in division 2039  
(B) or (C) of this section. A school district board of education, 2040  
through the adoption of a resolution, or the governing authority 2041  
of a chartered nonpublic school may stipulate any of the 2042  
following: 2043

(1) A minimum high school curriculum that requires more than 2044  
twenty units of academic credit to graduate; 2045

(2) An exception to the district's or school's minimum high 2046  
school curriculum that is comparable to the exception provided in 2047  
division (D) of this section but with additional requirements, 2048  
which may include a requirement that the student successfully 2049  
complete more than the minimum curriculum prescribed in division 2050  
(B) of this section; 2051

(3) That no exception comparable to that provided in division 2052  
(D) of this section is available. 2053

(F) A student enrolled in a dropout prevention and recovery 2054  
program, which program has received a waiver from the department, 2055  
may qualify for graduation from high school by successfully 2056  
completing a competency-based instructional program administered 2057  
by the dropout prevention and recovery program in lieu of 2058  
completing the Ohio core curriculum prescribed in division (C) of 2059  
this section. The department shall grant a waiver to a dropout 2060  
prevention and recovery program, within sixty days after the 2061  
program applies for the waiver, if the program meets all of the 2062  
following conditions: 2063

(1) The program serves only students not younger than sixteen 2064  
years of age and not older than twenty-one years of age. 2065

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

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

(4) The program develops ~~an individual career~~ a student success plan for the student under division (C)(1) of section 3313.6015 of the Revised Code that specifies the student's matriculating to a two-year degree program, acquiring a business and industry credential, or entering an apprenticeship.

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

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

(7) Prior to receiving the waiver, the program has submitted to the department an instructional plan that demonstrates how the academic content standards adopted by the state board under

section 3301.079 of the Revised Code will be taught and assessed. 2097

(8) Prior to receiving the waiver, the program has submitted 2098  
to the department a policy on career advising that satisfies the 2099  
requirements of section 3313.6015 of the Revised Code, with an 2100  
emphasis on how every student will receive career advising. 2101

(9) Prior to receiving the waiver, the program has submitted 2102  
to the department a written agreement outlining the future 2103  
cooperation between the program and any combination of local job 2104  
training, postsecondary education, nonprofit, and health and 2105  
social service organizations to provide services for students in 2106  
the program and their families. 2107

Divisions (F)(8) and (9) of this section apply only to 2108  
waivers granted on or after the effective date of this amendment. 2109

If the department does not act either to grant the waiver or 2110  
to reject the program application for the waiver within sixty days 2111  
as required under this section, the waiver shall be considered to 2112  
be granted. 2113

(G) Every high school may permit students below the ninth 2114  
grade to take advanced work. If a high school so permits, it shall 2115  
award high school credit for successful completion of the advanced 2116  
work and shall count such advanced work toward the graduation 2117  
requirements of division (B) or (C) of this section if the 2118  
advanced work was both: 2119

(1) Taught by a person who possesses a license or certificate 2120  
issued under section 3301.071, 3319.22, or 3319.222 of the Revised 2121  
Code that is valid for teaching high school; 2122

(2) Designated by the board of education of the city, local, 2123  
or exempted village school district, the board of the cooperative 2124  
education school district, or the governing authority of the 2125  
chartered nonpublic school as meeting the high school curriculum 2126  
requirements. 2127

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

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

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

(J) The state board, in consultation with the chancellor, shall adopt a statewide plan implementing methods for students to earn units of high school credit based on a demonstration of subject area competency, instead of or in combination with completing hours of classroom instruction. The state board shall adopt the plan not later than March 31, 2009, and commence phasing in the plan during the 2009-2010 school year. The plan shall include a standard method for recording demonstrated proficiency on high school transcripts. Each school district and community school shall comply with the state board's plan adopted under this division and award units of high school credit in accordance with the plan. The state board may adopt existing methods for earning high school credit based on a demonstration of subject area competency as necessary prior to the 2009-2010 school year.

(K) This division does not apply to students who qualify for graduation from high school under division (D) or (F) of this

section, or to students pursuing a career-technical instructional 2160  
track as determined by the school district board of education or 2161  
the chartered nonpublic school's governing authority. 2162  
Nevertheless, the general assembly encourages such students to 2163  
consider enrolling in a fine arts course as an elective. 2164

Beginning with students who enter ninth grade for the first 2165  
time on or after July 1, 2010, each student enrolled in a public 2166  
or chartered nonpublic high school shall complete two semesters or 2167  
the equivalent of fine arts to graduate from high school. The 2168  
coursework may be completed in any of grades seven to twelve. Each 2169  
student who completes a fine arts course in grade seven or eight 2170  
may elect to count that course toward the five units of electives 2171  
required for graduation under division (C)(8) of this section, if 2172  
the course satisfied the requirements of division (G) of this 2173  
section. In that case, the high school shall award the student 2174  
high school credit for the course and count the course toward the 2175  
five units required under division (C)(8) of this section. If the 2176  
course in grade seven or eight did not satisfy the requirements of 2177  
division (G) of this section, the high school shall not award the 2178  
student high school credit for the course but shall count the 2179  
course toward the two semesters or the equivalent of fine arts 2180  
required by this division. 2181

(L) Notwithstanding anything to the contrary in this section, 2182  
the board of education of each school district and the governing 2183  
authority of each chartered nonpublic school may adopt a policy to 2184  
excuse from the high school physical education requirement each 2185  
student who, during high school, has participated in 2186  
interscholastic athletics, marching band, or cheerleading for at 2187  
least two full seasons or in the junior reserve officer training 2188  
corps for at least two full school years. If the board or 2189  
authority adopts such a policy, the board or authority shall not 2190  
require the student to complete any physical education course as a 2191

condition to graduate. However, the student shall be required to 2192  
complete one-half unit, consisting of at least sixty hours of 2193  
instruction, in another course of study. In the case of a student 2194  
who has participated in the junior reserve officer training corps 2195  
for at least two full school years, credit received for that 2196  
participation may be used to satisfy the requirement to complete 2197  
one-half unit in another course of study. 2198

(M) It is important that high school students learn and 2199  
understand United States history and the governments of both the 2200  
United States and the state of Ohio. Therefore, beginning with 2201  
students who enter ninth grade for the first time on or after July 2202  
1, 2012, the study of American history and American government 2203  
required by divisions (B)(6) and (C)(6) of this section shall 2204  
include the study of all of the following documents: 2205

(1) The Declaration of Independence; 2206

(2) The Northwest Ordinance; 2207

(3) The Constitution of the United States with emphasis on 2208  
the Bill of Rights; 2209

(4) The Ohio Constitution. 2210

The study of each of the documents prescribed in divisions 2211  
(M)(1) to (4) of this section shall include study of that document 2212  
in its original context. 2213

The study of American history and government required by 2214  
divisions (B)(6) and (C)(6) of this section shall include the 2215  
historical evidence of the role of documents such as the 2216  
Federalist Papers and the Anti-Federalist Papers to firmly 2217  
establish the historical background leading to the establishment 2218  
of the provisions of the Constitution and Bill of Rights. 2219

**Sec. 3313.6013.** (A) As used in this section, "~~dual enrollment~~ 2220  
advanced standing program" means a program that enables a student 2221



to earn credit toward a degree from an institution of higher 2222  
education while enrolled in high school or that enables a student 2223  
to complete coursework while enrolled in high school that may earn 2224  
credit toward a degree from an institution of higher education 2225  
upon the student's attainment of a specified score on an 2226  
examination covering the coursework. ~~Dual enrollment~~ Advanced 2227  
standing programs may include any of the following: 2228

(1) The ~~post secondary enrollment options~~ college credit plus 2229  
program established under Chapter 3365. of the Revised Code; 2230

(2) Advanced placement courses; 2231

(3) ~~Any similar program established pursuant to an agreement~~ 2232  
~~between a school district or chartered nonpublic high school and~~ 2233  
~~an institution of higher education~~ International baccalaureate 2234  
diploma courses; 2235

(4) Early college high ~~schools~~ school programs. 2236

(B) Each city, local, exempted village, and joint vocational 2237  
school district and each chartered nonpublic high school shall 2238  
provide students enrolled in grades nine through twelve with the 2239  
opportunity to participate in a ~~dual enrollment~~ an advanced 2240  
standing program. For this purpose, each school district and 2241  
chartered nonpublic high school shall offer at least one ~~dual~~ 2242  
~~enrollment~~ advanced standing program in accordance with division 2243  
(B)(1) or (2) of this section, as applicable. 2244

(1) A city, local, or exempted village school district meets 2245  
the requirements of this division through its mandatory 2246  
participation in the ~~post secondary enrollment options~~ college 2247  
credit plus program established under Chapter 3365. of the Revised 2248  
Code. However, a city, local, or exempted village school district 2249  
may offer any other ~~dual enrollment~~ advanced standing program, in 2250  
addition to the ~~post secondary enrollment options~~ college credit 2251  
plus program, and each joint vocational school district shall 2252

offer at least one other ~~dual enrollment~~ advanced standing 2253  
program, to students in good standing, as defined by the 2254  
partnership for continued learning under section 3301.42 of the 2255  
Revised Code as it existed prior to October 16, 2009, or as 2256  
subsequently defined by the department of education. 2257

(2) A chartered nonpublic high school that elects to 2258  
participate in the ~~post-secondary enrollment options~~ college 2259  
credit plus program established under Chapter 3365. of the Revised 2260  
Code meets the requirements of this division. Each chartered 2261  
nonpublic high school that elects not to participate in the 2262  
~~post-secondary enrollment options~~ college credit plus program 2263  
instead shall offer at least one other ~~dual enrollment~~ advanced 2264  
standing program to students in good standing, as defined by the 2265  
partnership for continued learning under section 3301.42 of the 2266  
Revised Code as it existed prior to October 16, 2009, or as 2267  
subsequently defined by the department of education. 2268

(C) Each school district and each chartered nonpublic high 2269  
school shall provide information about the ~~dual enrollment~~ 2270  
advanced standing programs offered by the district or school to 2271  
all students enrolled in grades eight through eleven. 2272

(D) ~~No~~ Except for the college credit plus program as 2273  
described in division (A)(1) of this section, no city, local, 2274  
exempted village, and joint vocational school district shall 2275  
charge an enrolled student an additional fee or tuition for 2276  
participation in any ~~dual enrollment~~ advanced standing program 2277  
offered by the district. Students may be required to pay the costs 2278  
associated with taking an advanced placement or international 2279  
baccalaureate examination. 2280

(E) Any agreement between a school district or school and an 2281  
associated college, as defined in section 3365.10 of the Revised 2282  
Code, governing the operation of an early college high school 2283  
program shall be subject to the requirements of the college credit 2284

plus program, with the following exceptions: 2285

(1) Any aspect of the agreement that does not relate to the 2286  
conferral of transcribed credit, as defined in section 3365.01 of 2287  
the Revised Code, shall not be subject to the requirements of the 2288  
college credit plus program. 2289

(2) If the early college high school program began operating 2290  
prior to July 1, 2014, the agreement shall not be subject to the 2291  
requirements of the college credit plus program until the later of 2292  
the date on which the existing agreement expires or July 1, 2015. 2293

(3) If the district, school, or associated college obtains a 2294  
waiver for the agreement under section 3365.10 of the Revised 2295  
Code, the agreement shall not be subject to the requirements of 2296  
the college credit plus program. 2297

(4) If the district, school, or associated college operating 2298  
the early college high school program was granted an award under 2299  
Section 263.325 of Am. Sub. H.B. 59 of the 130th general assembly 2300  
for the 2014-2015 school year, as the lead applicant on the grant 2301  
or as part of a consortium, for a project involving the 2302  
establishment or expansion of an early college high school, the 2303  
agreement shall not be subject to the requirements of the college 2304  
credit plus program during the period of time for which the 2305  
project is funded by the grant award under that section. 2306

The college credit plus program shall not govern any advanced 2307  
placement course or international baccalaureate diploma course as 2308  
described under this section. 2309

(F) As used in this section, "early college high school 2310  
program" means a program operated by a school district or school 2311  
and an associated college, as defined in section 3365.10 of the 2312  
Revised Code, that provides a personalized learning plan, which is 2313  
based on accelerated curriculum and includes both high school and 2314  
college-level coursework, and enables the following students to 2315

earn a high school diploma and an associate degree, or the 2316  
equivalent number of transcribed credits, upon successful 2317  
completion of the program: 2318

(1) Students who are underrepresented in regard to completing 2319  
post-secondary education; 2320

(2) Students who are economically disadvantaged, as defined 2321  
by the department of education; 2322

(3) Students whose parents did not earn a college degree. 2323

**Sec. 3313.6015.** (A)(1) Beginning in the 2014-2015 school 2324  
year, the board of education of each city, local, exempted 2325  
village, and joint vocational school district shall adopt a policy 2326  
on career advising that complies with this section. Thereafter, 2327  
the policy shall be updated at least once every two years. 2328

(2) The board shall make the policy publicly available to 2329  
students, parents, guardians, or custodians, local post-secondary 2330  
institutions, and residents of the district. The district shall 2331  
post the policy in a prominent location on its web site, if it has 2332  
one. 2333

(B) The policy on career advising shall specify how the 2334  
district will do all of the following: 2335

(1) Provide students with grade-level examples that link 2336  
their schoolwork to one or more career fields. A district may use 2337  
career connections developed under division (B)(2) of section 2338  
3301.079 of the Revised Code for this purpose. 2339

(2) Create a plan to provide career advising to students in 2340  
grades six through twelve; 2341

(3) Provide additional interventions and career advising for 2342  
students who are identified as at risk of dropping out of school 2343  
in accordance with division (C) of this section; 2344

(4) Train its employees on how to advise students on career pathways, including training on advising students using online tools; 2345  
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(5) Develop multiple, clear academic pathways through high school that students may choose in order to earn a high school diploma; 2348  
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(6) Identify and publicize courses that can award students both traditional academic and career-technical credit; 2351  
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(7) Document the career advising provided to each student for review by the student, the student's parent, guardian, or custodian, and future schools that the student may attend. A district shall not otherwise release this information without the written consent of the student's parent, guardian, or custodian, if the student is less than eighteen years old, or the written consent of the student, if the student is at least eighteen years old. 2353  
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(8) Prepare students for their transition from high school to their post-secondary destinations, including any special interventions that are necessary for students in need of remediation in mathematics or English language arts. 2361  
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(C)(1) Each district shall identify students who are at risk of dropping out of school using a method that is both research-based and locally-based. If a student is identified as at risk of dropping out of school, the district shall develop a student success plan that addresses the student's academic pathway to a successful graduation and the role of career-technical education, competency-based education, and experiential learning, as appropriate, in that pathway. 2365  
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(2) Prior to developing a student success plan for a student, the district shall invite the student's parent, guardian, or custodian to assist in developing the plan. If the student's 2373  
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parent, guardian, or custodian does not participate in the 2376  
development of the plan, the district shall provide to the parent, 2377  
guardian, or custodian a copy of the student's success plan and a 2378  
statement of the importance of a high school diploma and the 2379  
academic pathways available to the student in order to 2380  
successfully graduate. 2381

(3) Following the development of a student success plan for a 2382  
student, the district shall provide career advising to the student 2383  
that is aligned with the plan and the district's plan to provide 2384  
career advising created under division (B)(2) of this section. 2385

(D) Not later than September 30, 2014, the department of 2386  
education shall develop and post on its web site model policies on 2387  
career advising and model student success plans. 2388

**Sec. 3313.6016.** (A) Beginning in the 2011-2012 school year, 2389  
the department of education shall administer a pilot program 2390  
requiring daily physical activity for students. Any school 2391  
district; community school established under Chapter 3314. of the 2392  
Revised Code; science, technology, engineering, and mathematics 2393  
school established under Chapter 3326. of the Revised Code; or 2394  
chartered nonpublic school annually may elect to participate in 2395  
the pilot program by notifying the department of its interest by a 2396  
date established by the department. If a school district elects to 2397  
participate in the pilot program, the district shall select one or 2398  
more school buildings to participate in the program. To the 2399  
maximum extent possible, the department shall seek to include in 2400  
the pilot program districts and schools that are located in urban, 2401  
suburban, and rural areas distributed geographically throughout 2402  
the state. The department shall administer the pilot program in 2403  
accordance with this section. 2404

(B) Except as provided in division (C) of this section, each 2405  
district or school participating in the pilot program shall 2406

require all students in the school building selected under 2407  
division (A) of this section to engage in at least thirty minutes 2408  
of moderate to rigorous physical activity each school day or at 2409  
least one hundred fifty minutes of moderate to rigorous physical 2410  
activity each week, exclusive of recess. Physical activity engaged 2411  
in during the following may count toward the daily requirement: 2412

(1) A physical education course; 2413

(2) A program or activity occurring before or after the 2414  
regular school day, as defined in section 3313.814 of the Revised 2415  
Code, that is sponsored or approved by the school of attendance, 2416  
provided school officials are able to monitor students' 2417  
participation to ensure compliance with the requirement. 2418

(C) None of the following shall be subject to the requirement 2419  
of division (B) of this section: 2420

(1) Any student enrolled in the ~~post-secondary enrollment~~ 2421  
~~options~~ college credit plus program established under Chapter 2422  
3365. of the Revised Code; 2423

(2) Any student enrolled in a career-technical education 2424  
program operated by the district or school; 2425

(3) Any student enrolled in a dropout prevention and recovery 2426  
program operated by the district or school. 2427

(D) For any period in which a student is participating in 2428  
interscholastic athletics, marching band, cheerleading, or a 2429  
junior reserve officer training corps program, the district or 2430  
school may excuse the student from the requirement of division (B) 2431  
of this section. 2432

(E) The district or school may excuse any kindergarten 2433  
student who is not enrolled in all-day kindergarten, as defined in 2434  
section 3321.05 of the Revised Code, from the requirement of 2435  
division (B) of this section. 2436

(F) Each district or school annually shall report to the department, in the manner prescribed by the department, how the district or school implemented the thirty minutes of daily physical activity and the financial costs of implementation. The department shall issue an annual report of the data collected under this division.

**Sec. 3313.90.** As used in this section, "formula ADM" has the same meaning as in section 3317.02 of the Revised Code. Notwithstanding division (D) of section 3311.19 and division (D) of section 3311.52 of the Revised Code, the provisions of this section that apply to a city school district do not apply to any joint vocational or cooperative education school district.

(A) ~~Each~~ Except as provided in division (B) of this section, ~~each~~ city, local, and exempted village school district shall, by one of the following means, provide ~~vocational~~ to students enrolled in grades seven through twelve career-technical education adequate to prepare a ~~pupil~~ student enrolled therein for an occupation:

(1) Establishing and maintaining a ~~vocational~~ career-technical education program that meets standards adopted by the state board of education;

(2) Being a member of a joint vocational school district that meets standards adopted by the state board;

(3) Contracting for ~~vocational~~ career-technical education with a joint vocational school district or another school district that meets the standards adopted by the state board.

The standards of the state board of education shall include criteria for the participation by nonpublic students in ~~vocational~~ career-technical education programs without financial assessment, charge, or tuition to such student except such assessments,



charges, or tuition paid by resident public school students in 2467  
such programs. Such nonpublic school students shall be included in 2468  
the formula ADM of the school district maintaining the ~~vocational~~ 2469  
career-technical education program as part-time students in 2470  
proportion to the time spent in the ~~vocational~~ career-technical 2471  
education program. 2472

By the thirtieth day of October of each year, the 2473  
superintendent of public instruction shall determine and certify 2474  
to the superintendent of each school district subject to this 2475  
section either that the district is in compliance with the 2476  
requirements of this section for the current school year or that 2477  
the district is not in compliance. If the superintendent certifies 2478  
that the district is not in compliance, he shall notify the board 2479  
of education of the district of the actions necessary to bring the 2480  
district into compliance with this section. 2481

In meeting standards established by the state board of 2482  
education, school districts, where practicable, shall provide 2483  
~~vocational~~ career-technical education programs in high schools. A 2484  
minimum enrollment of fifteen hundred ~~pupils~~ students in grades 2485  
nine through twelve is established as a base for comprehensive 2486  
~~vocational~~ career-technical education course offerings. Beginning 2487  
with the 2014-2015 school year, this base shall increase to a 2488  
minimum enrollment of two thousand two hundred fifty students in 2489  
grades seven through twelve. A school district may meet this 2490  
requirement alone, through a cooperative arrangement pursuant to 2491  
section 3313.92 of the Revised Code, through school district 2492  
consolidation, by membership in a joint vocational school 2493  
district, by contract with a school district, by contract with a 2494  
school licensed by any state agency established by the Revised 2495  
Code which school operates its courses offered for contracting 2496  
with public schools under standards as to staffing and facilities 2497  
comparable to those prescribed by the state board of education for 2498

public schools provided no instructor in such courses shall be 2499  
required to be certificated by the state department of education, 2500  
or in a combination of such ways. Exceptions to the minimum 2501  
~~requirement of fifteen hundred pupils enrollment prescribed by~~ 2502  
this section may be made by the state board of education based on 2503  
sparsity of population or other factors indicating that 2504  
comprehensive educational and ~~vocational~~ career-technical 2505  
education programs as required by this section can be provided 2506  
through an alternate plan. 2507

(B) ~~Approval of state funds for the construction and~~ 2508  
~~operation of vocational facilities in any city, local, or exempted~~ 2509  
~~village school district shall be contingent upon a comprehensive~~ 2510  
~~vocational program plan approved by the state board of education~~ 2511  
~~no later than July 1, 1970. The state board of education shall not~~ 2512  
~~approve a school district plan unless the plan proposed reasonably~~ 2513  
~~meets the vocational needs of other school districts in the~~ 2514  
~~general area of the school districts in the general area of the~~ 2515  
~~school district submitting the plan. The plan shall be submitted~~ 2516  
~~to the state board of education no later than April 1, 1970. Such~~ 2517  
~~plan shall contain:~~ 2518

(1) ~~The organization for vocational education pursuant to the~~ 2519  
~~requirements of this section;~~ 2520

(2) ~~Vocational programs to be offered in the respective~~ 2521  
~~comprehensive high schools, in specialized schools or skill~~ 2522  
~~centers, and in joint vocational schools;~~ 2523

(3) ~~Remodeled, additional, and new vocational facilities~~ 2524  
~~required at the respective locations.~~ 2525

~~In approving the organization for vocational education the~~ 2526  
~~state board of education shall provide that no city, local, or~~ 2527  
~~exempted village school district is excluded in the statewide plan~~ 2528  
For any particular school year, the board of education of a city, 2529

local, or exempted village school district may obtain from the 2530  
department a waiver from the requirement to provide 2531  
career-technical education to students enrolled in grades seven 2532  
and eight by doing both of the following: 2533

(1) Adopting, at a regularly scheduled board meeting, a 2534  
resolution to request the waiver; 2535

(2) Submitting a copy of the resolution to the department by 2536  
the thirtieth day of September of the school year for which 2537  
career-technical education will not be provided to students 2538  
enrolled in grades seven and eight. 2539

**Sec. 3314.08.** (A) As used in this section: 2540

(1)(a) "Category one career-technical education student" 2541  
means a student who is receiving the career-technical education 2542  
services described in division (A) of section 3317.014 of the 2543  
Revised Code. 2544

(b) "Category two career-technical student" means a student 2545  
who is receiving the career-technical education services described 2546  
in division (B) of section 3317.014 of the Revised Code. 2547

(c) "Category three career-technical student" means a student 2548  
who is receiving the career-technical education services described 2549  
in division (C) of section 3317.014 of the Revised Code. 2550

(d) "Category four career-technical student" means a student 2551  
who is receiving the career-technical education services described 2552  
in division (D) of section 3317.014 of the Revised Code. 2553

(e) "Category five career-technical education student" means 2554  
a student who is receiving the career-technical education services 2555  
described in division (E) of section 3317.014 of the Revised Code. 2556

(2)(a) "Category one limited English proficient student" 2557  
means a limited English proficient student described in division 2558  
(A) of section 3317.016 of the Revised Code. 2559

(b) "Category two limited English proficient student" means a 2560  
limited English proficient student described in division (B) of 2561  
section 3317.016 of the Revised Code. 2562

(c) "Category three limited English proficient student" means 2563  
a limited English proficient student described in division (C) of 2564  
section 3317.016 of the Revised Code. 2565

(3)(a) "Category one special education student" means a 2566  
student who is receiving special education services for a 2567  
disability specified in division (A) of section 3317.013 of the 2568  
Revised Code. 2569

(b) "Category two special education student" means a student 2570  
who is receiving special education services for a disability 2571  
specified in division (B) of section 3317.013 of the Revised Code. 2572

(c) "Category three special education student" means a 2573  
student who is receiving special education services for a 2574  
disability specified in division (C) of section 3317.013 of the 2575  
Revised Code. 2576

(d) "Category four special education student" means a student 2577  
who is receiving special education services for a disability 2578  
specified in division (D) of section 3317.013 of the Revised Code. 2579

(e) "Category five special education student" means a student 2580  
who is receiving special education services for a disability 2581  
specified in division (E) of section 3317.013 of the Revised Code. 2582

(f) "Category six special education student" means a student 2583  
who is receiving special education services for a disability 2584  
specified in division (F) of section 3317.013 of the Revised Code. 2585

(4) "Formula amount" has the same meaning as in section 2586  
3317.02 of the Revised Code. 2587

(5) "IEP" has the same meaning as in section 3323.01 of the 2588  
Revised Code. 2589

(6) "Resident district" means the school district in which a student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code.

(7) "State education aid" has the same meaning as in section 5751.20 of the Revised Code.

(B) The state board of education shall adopt rules requiring both of the following:

(1) The board of education of each city, exempted village, and local school district to annually report the number of students entitled to attend school in the district who are enrolled in each grade kindergarten through twelve in a community school established under this chapter, and for each child, the community school in which the child is enrolled.

(2) The governing authority of each community school established under this chapter to annually report all of the following:

(a) The number of students enrolled in grades one through twelve and the full-time equivalent number of students enrolled in kindergarten in the school who are not receiving special education and related services pursuant to an IEP;

(b) The number of enrolled students in grades one through twelve and the full-time equivalent number of enrolled students in kindergarten, who are receiving special education and related services pursuant to an IEP;

(c) The number of students reported under division (B)(2)(b) of this section receiving special education and related services pursuant to an IEP for a disability described in each of divisions (A) to (F) of section 3317.013 of the Revised Code;

(d) The full-time equivalent number of students reported under divisions (B)(2)(a) and (b) of this section who are enrolled

in career-technical education programs or classes described in 2620  
each of divisions (A) to (E) of section 3317.014 of the Revised 2621  
Code that are provided by the community school; 2622

(e) Twenty per cent of the number of students reported under 2623  
divisions (B)(2)(a) and (b) of this section who are not reported 2624  
under division (B)(2)(d) of this section but who are enrolled in 2625  
career-technical education programs or classes described in each 2626  
of divisions (A) to (E) of section 3317.014 of the Revised Code at 2627  
a joint vocational school district or another district in the 2628  
career-technical planning district to which the school is 2629  
assigned; 2630

(f) The number of students reported under divisions (B)(2)(a) 2631  
and (b) of this section who are category one to three limited 2632  
English proficient students described in each of divisions (A) to 2633  
(C) of section 3317.016 of the Revised Code; 2634

(g) The number of students reported under divisions (B)(2)(a) 2635  
and (b) who are economically disadvantaged, as defined by the 2636  
department. A student shall not be categorically excluded from the 2637  
number reported under division (B)(2)(g) of this section based on 2638  
anything other than family income. 2639

(h) For each student, the city, exempted village, or local 2640  
school district in which the student is entitled to attend school 2641  
under section 3313.64 or 3313.65 of the Revised Code. 2642

A school district board and a community school governing 2643  
authority shall include in their respective reports under division 2644  
(B) of this section any child admitted in accordance with division 2645  
(A)(2) of section 3321.01 of the Revised Code. 2646

A governing authority of a community school shall not include 2647  
in its report under division (B)(2) of this section any student 2648  
for whom tuition is charged under division (F) of this section. 2649

(C)(1) Except as provided in division (C)(2) of this section, 2650

and subject to divisions (C)(3), (4), (5), (6), and (7) of this 2651  
section, on a full-time equivalency basis, for each student 2652  
enrolled in a community school established under this chapter, the 2653  
department of education annually shall deduct from the state 2654  
education aid of a student's resident district and, if necessary, 2655  
from the payment made to the district under sections 321.24 and 2656  
323.156 of the Revised Code and pay to the community school the 2657  
sum of the following: 2658

(a) An opportunity grant in an amount equal to the formula 2659  
amount; 2660

(b) The per pupil amount of targeted assistance funds 2661  
calculated under division (A) of section 3317.0217 of the Revised 2662  
Code for the student's resident district, as determined by the 2663  
department, X 0.25; 2664

(c) Additional state aid for special education and related 2665  
services provided under Chapter 3323. of the Revised Code as 2666  
follows: 2667

(i) If the student is a category one special education 2668  
student, the amount specified in division (A) of section 3317.013 2669  
of the Revised Code; 2670

(ii) If the student is a category two special education 2671  
student, the amount specified in division (B) of section 3317.013 2672  
of the Revised Code; 2673

(iii) If the student is a category three special education 2674  
student, the amount specified in division (C) of section 3317.013 2675  
of the Revised Code; 2676

(iv) If the student is a category four special education 2677  
student, the amount specified in division (D) of section 3317.013 2678  
of the Revised Code; 2679

(v) If the student is a category five special education 2680

student, the amount specified in division (E) of section 3317.013	2681
of the Revised Code;	2682
(vi) If the student is a category six special education	2683
student, the amount specified in division (F) of section 3317.013	2684
of the Revised Code.	2685
(d) If the student is in kindergarten through third grade, an	2686
additional amount of \$211, in fiscal year 2014, and \$290, in	2687
fiscal year 2015;	2688
(e) If the student is economically disadvantaged, an	2689
additional amount equal to the following:	2690
(\$269, in fiscal year 2014, or \$272, in fiscal year 2015) X	2691
(the resident district's economically disadvantaged index)	2692
(f) Limited English proficiency funds as follows:	2693
(i) If the student is a category one limited English	2694
proficient student, the amount specified in division (A) of	2695
section 3317.016 of the Revised Code;	2696
(ii) If the student is a category two limited English	2697
proficient student, the amount specified in division (B) of	2698
section 3317.016 of the Revised Code;	2699
(iii) If the student is a category three limited English	2700
proficient student, the amount specified in division (C) of	2701
section 3317.016 of the Revised Code.	2702
(g) Career-technical education funds as follows:	2703
(i) If the student is a category one career-technical	2704
education student, the amount specified in division (A) of section	2705
3317.014 of the Revised Code;	2706
(ii) If the student is a category two career-technical	2707
education student, the amount specified in division (B) of section	2708
3317.014 of the Revised Code;	2709



(iii) If the student is a category three career-technical education student, the amount specified in division (C) of section 3317.014 of the Revised Code;	2710 2711 2712
(iv) If the student is a category four career-technical education student, the amount specified in division (D) of section 3317.014 of the Revised Code;	2713 2714 2715
(v) If the student is a category five career-technical education student, the amount specified in division (E) of section 3317.014 of the Revised Code.	2716 2717 2718
Deduction and payment of funds under division (C)(1)(g) of this section is subject to approval by the lead district of a career-technical planning district or the department of education under section 3317.161 of the Revised Code.	2719 2720 2721 2722
(2) When deducting from the state education aid of a student's resident district for students enrolled in an internet- or computer-based community school and making payments to such school under this section, the department shall make the deductions and payments described in only divisions (C)(1)(a), (c), and (g) of this section.	2723 2724 2725 2726 2727 2728
No deductions or payments shall be made for a student enrolled in such school under division (C)(1)(b), (d), (e), or (f) of this section.	2729 2730 2731
(3)(a) If a community school's costs for a fiscal year for a student receiving special education and related services pursuant to an IEP for a disability described in divisions (B) to (F) of section 3317.013 of the Revised Code exceed the threshold catastrophic cost for serving the student as specified in division (B) of section 3317.0214 of the Revised Code, the school may submit to the superintendent of public instruction documentation, as prescribed by the superintendent, of all its costs for that student. Upon submission of documentation for a student of the	2732 2733 2734 2735 2736 2737 2738 2739 2740

type and in the manner prescribed, the department shall pay to the 2741  
community school an amount equal to the school's costs for the 2742  
student in excess of the threshold catastrophic costs. 2743

(b) The community school shall report under division 2744  
(C)(3)(a) of this section, and the department shall pay for, only 2745  
the costs of educational expenses and the related services 2746  
provided to the student in accordance with the student's 2747  
individualized education program. Any legal fees, court costs, or 2748  
other costs associated with any cause of action relating to the 2749  
student may not be included in the amount. 2750

(4) In any fiscal year, a community school receiving funds 2751  
under division (C)(1)(g) of this section shall spend those funds 2752  
only for the purposes that the department designates as approved 2753  
for career-technical education expenses. Career-technical 2754  
~~educational~~ education expenses approved by the department shall 2755  
include only expenses connected to the delivery of 2756  
career-technical programming to career-technical students. The 2757  
department shall require the school to report data annually so 2758  
that the department may monitor the school's compliance with the 2759  
requirements regarding the manner in which funding received under 2760  
division (C)(1)(g) of this section may be spent. 2761

(5) All funds received under division (C)(1)(g) of this 2762  
section shall be spent in the following manner: 2763

(a) At least seventy-five per cent of the funds shall be 2764  
spent on curriculum development, purchase, and implementation; 2765  
instructional resources and supplies; industry-based program 2766  
certification; student assessment, credentialing, and placement; 2767  
curriculum specific equipment purchases and leases; 2768  
career-technical student organization fees and expenses; home and 2769  
agency linkages; work-based learning experiences; professional 2770  
development; and other costs directly associated with 2771  
career-technical education programs including development of new 2772

programs. 2773

(b) Not more than twenty-five per cent of the funds shall be 2774  
used for personnel expenditures. 2775

(6) A community school shall spend the funds it receives 2776  
under division (C)(1)(e) of this section in accordance with 2777  
section 3317.25 of the Revised Code. 2778

(7) If the sum of the payments computed under division (C)(1) 2779  
of this section for the students entitled to attend school in a 2780  
particular school district under sections 3313.64 and 3313.65 of 2781  
the Revised Code exceeds the sum of that district's state 2782  
education aid and its payment under sections 321.24 and 323.156 of 2783  
the Revised Code, the department shall calculate and apply a 2784  
proration factor to the payments to all community schools under 2785  
that division for the students entitled to attend school in that 2786  
district. 2787

(D) A board of education sponsoring a community school may 2788  
utilize local funds to make enhancement grants to the school or 2789  
may agree, either as part of the contract or separately, to 2790  
provide any specific services to the community school at no cost 2791  
to the school. 2792

(E) A community school may not levy taxes or issue bonds 2793  
secured by tax revenues. 2794

(F) No community school shall charge tuition for the 2795  
enrollment of any student who is a resident of this state. A 2796  
community school may charge tuition for the enrollment of any 2797  
student who is not a resident of this state. 2798

(G)(1)(a) A community school may borrow money to pay any 2799  
necessary and actual expenses of the school in anticipation of the 2800  
receipt of any portion of the payments to be received by the 2801  
school pursuant to division (C) of this section. The school may 2802  
issue notes to evidence such borrowing. The proceeds of the notes 2803

shall be used only for the purposes for which the anticipated 2804  
receipts may be lawfully expended by the school. 2805

(b) A school may also borrow money for a term not to exceed 2806  
fifteen years for the purpose of acquiring facilities. 2807

(2) Except for any amount guaranteed under section 3318.50 of 2808  
the Revised Code, the state is not liable for debt incurred by the 2809  
governing authority of a community school. 2810

(H) The department of education shall adjust the amounts 2811  
subtracted and paid under division (C) of this section to reflect 2812  
any enrollment of students in community schools for less than the 2813  
equivalent of a full school year. The state board of education 2814  
within ninety days after April 8, 2003, shall adopt in accordance 2815  
with Chapter 119. of the Revised Code rules governing the payments 2816  
to community schools under this section including initial payments 2817  
in a school year and adjustments and reductions made in subsequent 2818  
periodic payments to community schools and corresponding 2819  
deductions from school district accounts as provided under 2820  
division (C) of this section. For purposes of this section: 2821

(1) A student shall be considered enrolled in the community 2822  
school for any portion of the school year the student is 2823  
participating at a college under Chapter 3365. of the Revised 2824  
Code. 2825

(2) A student shall be considered to be enrolled in a 2826  
community school for the period of time beginning on the later of 2827  
the date on which the school both has received documentation of 2828  
the student's enrollment from a parent and the student has 2829  
commenced participation in learning opportunities as defined in 2830  
the contract with the sponsor, or thirty days prior to the date on 2831  
which the student is entered into the education management 2832  
information system established under section 3301.0714 of the 2833  
Revised Code. For purposes of applying this division and divisions 2834

(H)(3) and (4) of this section to a community school student, 2835  
"learning opportunities" shall be defined in the contract, which 2836  
shall describe both classroom-based and non-classroom-based 2837  
learning opportunities and shall be in compliance with criteria 2838  
and documentation requirements for student participation which 2839  
shall be established by the department. Any student's instruction 2840  
time in non-classroom-based learning opportunities shall be 2841  
certified by an employee of the community school. A student's 2842  
enrollment shall be considered to cease on the date on which any 2843  
of the following occur: 2844

(a) The community school receives documentation from a parent 2845  
terminating enrollment of the student. 2846

(b) The community school is provided documentation of a 2847  
student's enrollment in another public or private school. 2848

(c) The community school ceases to offer learning 2849  
opportunities to the student pursuant to the terms of the contract 2850  
with the sponsor or the operation of any provision of this 2851  
chapter. 2852

Except as otherwise specified in this paragraph, beginning in 2853  
the 2011-2012 school year, any student who completed the prior 2854  
school year in an internet- or computer-based community school 2855  
shall be considered to be enrolled in the same school in the 2856  
subsequent school year until the student's enrollment has ceased 2857  
as specified in division (H)(2) of this section. The department 2858  
shall continue subtracting and paying amounts for the student 2859  
under division (C) of this section without interruption at the 2860  
start of the subsequent school year. However, if the student 2861  
without a legitimate excuse fails to participate in the first one 2862  
hundred five consecutive hours of learning opportunities offered 2863  
to the student in that subsequent school year, the student shall 2864  
be considered not to have re-enrolled in the school for that 2865  
school year and the department shall recalculate the payments to 2866

the school for that school year to account for the fact that the student is not enrolled.

(3) The department shall determine each community school student's percentage of full-time equivalency based on the percentage of learning opportunities offered by the community school to that student, reported either as number of hours or number of days, is of the total learning opportunities offered by the community school to a student who attends for the school's entire school year. However, no internet- or computer-based community school shall be credited for any time a student spends participating in learning opportunities beyond ten hours within any period of twenty-four consecutive hours. Whether it reports hours or days of learning opportunities, each community school shall offer not less than nine hundred twenty hours of learning opportunities during the school year.

(4) With respect to the calculation of full-time equivalency under division (H)(3) of this section, the department shall waive the number of hours or days of learning opportunities not offered to a student because the community school was closed during the school year due to disease epidemic, hazardous weather conditions, law enforcement emergencies, inoperability of school buses or other equipment necessary to the school's operation, damage to a school building, or other temporary circumstances due to utility failure rendering the school building unfit for school use, so long as the school was actually open for instruction with students in attendance during that school year for not less than the minimum number of hours required by this chapter. The department shall treat the school as if it were open for instruction with students in attendance during the hours or days waived under this division.

(I) The department of education shall reduce the amounts paid under this section to reflect payments made to colleges under

~~division (B) of section 3365.07 of the Revised Code or through 2899  
alternative funding agreements entered into under rules adopted 2900  
under section 3365.12 of the Revised Code. 2901~~

(J)(1) No student shall be considered enrolled in any 2902  
internet- or computer-based community school or, if applicable to 2903  
the student, in any community school that is required to provide 2904  
the student with a computer pursuant to division (C) of section 2905  
3314.22 of the Revised Code, unless both of the following 2906  
conditions are satisfied: 2907

(a) The student possesses or has been provided with all 2908  
required hardware and software materials and all such materials 2909  
are operational so that the student is capable of fully 2910  
participating in the learning opportunities specified in the 2911  
contract between the school and the school's sponsor as required 2912  
by division (A)(23) of section 3314.03 of the Revised Code; 2913

(b) The school is in compliance with division (A) of section 2914  
3314.22 of the Revised Code, relative to such student. 2915

(2) In accordance with policies adopted jointly by the 2916  
superintendent of public instruction and the auditor of state, the 2917  
department shall reduce the amounts otherwise payable under 2918  
division (C) of this section to any community school that includes 2919  
in its program the provision of computer hardware and software 2920  
materials to any student, if such hardware and software materials 2921  
have not been delivered, installed, and activated for each such 2922  
student in a timely manner or other educational materials or 2923  
services have not been provided according to the contract between 2924  
the individual community school and its sponsor. 2925

The superintendent of public instruction and the auditor of 2926  
state shall jointly establish a method for auditing any community 2927  
school to which this division pertains to ensure compliance with 2928  
this section. 2929

The superintendent, auditor of state, and the governor shall 2930  
jointly make recommendations to the general assembly for 2931  
legislative changes that may be required to assure fiscal and 2932  
academic accountability for such schools. 2933

(K)(1) If the department determines that a review of a 2934  
community school's enrollment is necessary, such review shall be 2935  
completed and written notice of the findings shall be provided to 2936  
the governing authority of the community school and its sponsor 2937  
within ninety days of the end of the community school's fiscal 2938  
year, unless extended for a period not to exceed thirty additional 2939  
days for one of the following reasons: 2940

(a) The department and the community school mutually agree to 2941  
the extension. 2942

(b) Delays in data submission caused by either a community 2943  
school or its sponsor. 2944

(2) If the review results in a finding that additional 2945  
funding is owed to the school, such payment shall be made within 2946  
thirty days of the written notice. If the review results in a 2947  
finding that the community school owes moneys to the state, the 2948  
following procedure shall apply: 2949

(a) Within ten business days of the receipt of the notice of 2950  
findings, the community school may appeal the department's 2951  
determination to the state board of education or its designee. 2952

(b) The board or its designee shall conduct an informal 2953  
hearing on the matter within thirty days of receipt of such an 2954  
appeal and shall issue a decision within fifteen days of the 2955  
conclusion of the hearing. 2956

(c) If the board has enlisted a designee to conduct the 2957  
hearing, the designee shall certify its decision to the board. The 2958  
board may accept the decision of the designee or may reject the 2959  
decision of the designee and issue its own decision on the matter. 2960



(d) Any decision made by the board under this division is 2961  
final. 2962

(3) If it is decided that the community school owes moneys to 2963  
the state, the department shall deduct such amount from the 2964  
school's future payments in accordance with guidelines issued by 2965  
the superintendent of public instruction. 2966

(L) The department shall not subtract from a school 2967  
district's state aid account and shall not pay to a community 2968  
school under division (C) of this section any amount for any of 2969  
the following: 2970

(1) Any student who has graduated from the twelfth grade of a 2971  
public or nonpublic high school; 2972

(2) Any student who is not a resident of the state; 2973

(3) Any student who was enrolled in the community school 2974  
during the previous school year when assessments were administered 2975  
under section 3301.0711 of the Revised Code but did not take one 2976  
or more of the assessments required by that section and was not 2977  
excused pursuant to division (C)(1) or (3) of that section, unless 2978  
the superintendent of public instruction grants the student a 2979  
waiver from the requirement to take the assessment and a parent is 2980  
not paying tuition for the student pursuant to section 3314.26 of 2981  
the Revised Code. The superintendent may grant a waiver only for 2982  
good cause in accordance with rules adopted by the state board of 2983  
education. 2984

(4) Any student who has attained the age of twenty-two years, 2985  
except for veterans of the armed services whose attendance was 2986  
interrupted before completing the recognized twelve-year course of 2987  
the public schools by reason of induction or enlistment in the 2988  
armed forces and who apply for enrollment in a community school 2989  
not later than four years after termination of war or their 2990  
honorable discharge. If, however, any such veteran elects to 2991

enroll in special courses organized for veterans for whom tuition 2992  
is paid under federal law, or otherwise, the department shall not 2993  
subtract from a school district's state aid account and shall not 2994  
pay to a community school under division (C) of this section any 2995  
amount for that veteran. 2996

**Sec. 3317.03.** (A) The superintendent of each city, local, and 2997  
exempted village school district shall report to the state board 2998  
of education as of the last day of October, March, and June of 2999  
each year the enrollment of students receiving services from 3000  
schools under the superintendent's supervision, and the numbers of 3001  
other students entitled to attend school in the district under 3002  
section 3313.64 or 3313.65 of the Revised Code the superintendent 3003  
is required to report under this section, so that the department 3004  
of education can calculate the district's formula ADM, total ADM, 3005  
category one through five career-technical education ADM, category 3006  
one through three limited English proficient ADM, category one 3007  
through six special education ADM, preschool scholarship ADM, 3008  
transportation ADM, and, for purposes of provisions of law outside 3009  
of Chapter 3317. of the Revised Code, average daily membership. 3010

(1) The enrollment reported by the superintendent during the 3011  
reporting period shall consist of the number of students in grades 3012  
kindergarten through twelve receiving any educational services 3013  
from the district, except that the following categories of 3014  
students shall not be included in the determination: 3015

(a) Students enrolled in adult education classes; 3016

(b) Adjacent or other district students enrolled in the 3017  
district under an open enrollment policy pursuant to section 3018  
3313.98 of the Revised Code; 3019

(c) Students receiving services in the district pursuant to a 3020  
compact, cooperative education agreement, or a contract, but who 3021  
are entitled to attend school in another district pursuant to 3022

section 3313.64 or 3313.65 of the Revised Code; 3023

(d) Students for whom tuition is payable pursuant to sections 3024  
3317.081 and 3323.141 of the Revised Code; 3025

(e) Students receiving services in the district through a 3026  
scholarship awarded under either section 3310.41 or sections 3027  
3310.51 to 3310.64 of the Revised Code. 3028

When reporting students under division (A)(1) of this 3029  
section, the superintendent also shall report the district where 3030  
each student is entitled to attend school pursuant to sections 3031  
3313.64 and 3313.65 of the Revised Code. 3032

(2) The department of education shall compile a list of all 3033  
students reported to be enrolled in a district under division 3034  
(A)(1) of this section and of the students entitled to attend 3035  
school in the district pursuant to section 3313.64 or 3313.65 of 3036  
the Revised Code on an FTE basis but receiving educational 3037  
services in grades kindergarten through twelve from one or more of 3038  
the following entities: 3039

(a) A community school pursuant to Chapter 3314. of the 3040  
Revised Code, including any participation in a college pursuant to 3041  
Chapter 3365. of the Revised Code while enrolled in such community 3042  
school; 3043

(b) An alternative school pursuant to sections 3313.974 to 3044  
3313.979 of the Revised Code as described in division (I)(2)(a) or 3045  
(b) of this section; 3046

(c) A college pursuant to Chapter 3365. of the Revised Code, 3047  
except when the student is enrolled in the college while also 3048  
enrolled in a community school pursuant to Chapter 3314. ~~or~~ a 3049  
science, technology, engineering, and mathematics school 3050  
established under Chapter 3326., or a college-preparatory boarding 3051  
school established under Chapter 3328. of the Revised Code; 3052

(d) An adjacent or other school district under an open enrollment policy adopted pursuant to section 3313.98 of the Revised Code; 3053  
3054  
3055

(e) An educational service center or cooperative education district; 3056  
3057

(f) Another school district under a cooperative education agreement, compact, or contract; 3058  
3059

(g) A chartered nonpublic school with a scholarship paid under section 3310.08 of the Revised Code, if the students qualified for the scholarship under section 3310.03 of the Revised Code; 3060  
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3062  
3063

(h) An alternative public provider or a registered private provider with a scholarship awarded under either section 3310.41 or sections 3310.51 to 3310.64 of the Revised Code. 3064  
3065  
3066

As used in this section, "alternative public provider" and "registered private provider" have the same meanings as in section 3310.41 or 3310.51 of the Revised Code, as applicable. 3067  
3068  
3069

(i) A science, technology, engineering, and mathematics school established under Chapter 3326. of the Revised Code, including any participation in a college pursuant to Chapter 3365. of the Revised Code while enrolled in the school; 3070  
3071  
3072  
3073

(j) A college-preparatory boarding school established under Chapter 3328. of the Revised Code, including any participation in a college pursuant to Chapter 3365. of the Revised Code while enrolled in the school. 3074  
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3077

(3) The department also shall compile a list of the students entitled to attend school in the district under section 3313.64 or 3313.65 of the Revised Code who are enrolled in a joint vocational school district or under a career-technical education compact, excluding any students so entitled to attend school in the 3078  
3079  
3080  
3081  
3082

district who are enrolled in another school district through an 3083  
open enrollment policy as reported under division (A)(2)(d) of 3084  
this section and then enroll in a joint vocational school district 3085  
or under a career-technical education compact. 3086

The department shall provide each city, local, and exempted 3087  
village school district with an opportunity to review the list of 3088  
students compiled under divisions (A)(2) and (3) of this section 3089  
to ensure that the students reported accurately reflect the 3090  
enrollment of students in the district. 3091

(B) To enable the department of education to obtain the data 3092  
needed to complete the calculation of payments pursuant to this 3093  
chapter, each superintendent shall certify from the reports 3094  
provided by the department under division (A) of this section all 3095  
of the following: 3096

(1) The total student enrollment in regular learning day 3097  
classes included in the report under division (A)(1) or (2) of 3098  
this section for each of the individual grades kindergarten 3099  
through twelve in schools under the superintendent's supervision; 3100

(2) The unduplicated count of the number of preschool 3101  
children with disabilities enrolled in the district for whom the 3102  
district is eligible to receive funding under section 3317.0213 of 3103  
the Revised Code adjusted for the portion of the year each child 3104  
is so enrolled, in accordance with the disability categories 3105  
prescribed in section 3317.013 of the Revised Code; 3106

(3) The number of children entitled to attend school in the 3107  
district pursuant to section 3313.64 or 3313.65 of the Revised 3108  
Code who are: 3109

(a) Participating in a pilot project scholarship program 3110  
established under sections 3313.974 to 3313.979 of the Revised 3111  
Code as described in division (I)(2)(a) or (b) of this section; 3112

(b) Enrolled in a college under Chapter 3365. of the Revised 3113

Code, except when the student is enrolled in the college while 3114  
also enrolled in a community school pursuant to Chapter 3314. of 3115  
the Revised Code ~~or~~, a science, technology, engineering, and 3116  
mathematics school established under Chapter 3326., or a 3117  
college-preparatory boarding school established under Chapter 3118  
3328. of the Revised Code; 3119

(c) Enrolled in an adjacent or other school district under 3120  
section 3313.98 of the Revised Code; 3121

(d) Enrolled in a community school established under Chapter 3122  
3314. of the Revised Code that is not an internet- or 3123  
computer-based community school as defined in section 3314.02 of 3124  
the Revised Code, including any participation in a college 3125  
pursuant to Chapter 3365. of the Revised Code while enrolled in 3126  
such community school; 3127

(e) Enrolled in an internet- or computer-based community 3128  
school, as defined in section 3314.02 of the Revised Code, 3129  
including any participation in a college pursuant to Chapter 3365. 3130  
of the Revised Code while enrolled in the school; 3131

(f) Enrolled in a chartered nonpublic school with a 3132  
scholarship paid under section 3310.08 of the Revised Code and who 3133  
qualified for the scholarship under section 3310.03 of the Revised 3134  
Code; 3135

(g) Enrolled in kindergarten through grade twelve in an 3136  
alternative public provider or a registered private provider with 3137  
a scholarship awarded under section 3310.41 of the Revised Code; 3138

(h) Enrolled as a preschool child with a disability in an 3139  
alternative public provider or a registered private provider with 3140  
a scholarship awarded under section 3310.41 of the Revised Code; 3141

(i) Participating in a program operated by a county DD board 3142  
or a state institution; 3143

(j) Enrolled in a science, technology, engineering, and mathematics school established under Chapter 3326. of the Revised Code, including any participation in a college pursuant to Chapter 3365. of the Revised Code while enrolled in the school;	3144 3145 3146 3147
(k) Enrolled in a college-preparatory boarding school established under Chapter 3328. of the Revised Code, <u>including any participation in a college pursuant to Chapter 3365. of the Revised Code while enrolled in the school;</u>	3148 3149 3150 3151
(l) Enrolled in an alternative public provider or a registered private provider with a scholarship awarded under sections 3310.51 to 3310.64 of the Revised Code.	3152 3153 3154
(4) The total enrollment of pupils in joint vocational schools;	3155 3156
(5) The combined enrollment of children with disabilities reported under division (A)(1) or (2) of this section receiving special education services for the category one disability described in division (A) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered private provider with a scholarship awarded under sections 3310.51 to 3310.64 of the Revised Code;	3157 3158 3159 3160 3161 3162 3163 3164
(6) The combined enrollment of children with disabilities reported under division (A)(1) or (2) of this section receiving special education services for category two disabilities described in division (B) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered private provider with a scholarship awarded under sections 3310.51 to 3310.64 of the Revised Code;	3165 3166 3167 3168 3169 3170 3171 3172
(7) The combined enrollment of children with disabilities reported under division (A)(1) or (2) of this section receiving	3173 3174

special education services for category three disabilities 3175  
described in division (C) of section 3317.013 of the Revised Code, 3176  
including children attending a special education program operated 3177  
by an alternative public provider or a registered private provider 3178  
with a scholarship awarded under sections 3310.51 to 3310.64 of 3179  
the Revised Code; 3180

(8) The combined enrollment of children with disabilities 3181  
reported under division (A)(1) or (2) of this section receiving 3182  
special education services for category four disabilities 3183  
described in division (D) of section 3317.013 of the Revised Code, 3184  
including children attending a special education program operated 3185  
by an alternative public provider or a registered private provider 3186  
with a scholarship awarded under sections 3310.51 to 3310.64 of 3187  
the Revised Code; 3188

(9) The combined enrollment of children with disabilities 3189  
reported under division (A)(1) or (2) of this section receiving 3190  
special education services for the category five disabilities 3191  
described in division (E) of section 3317.013 of the Revised Code, 3192  
including children attending a special education program operated 3193  
by an alternative public provider or a registered private provider 3194  
with a scholarship awarded under sections 3310.51 to 3310.64 of 3195  
the Revised Code; 3196

(10) The combined enrollment of children with disabilities 3197  
reported under division (A)(1) or (2) and under division (B)(3)(h) 3198  
of this section receiving special education services for category 3199  
six disabilities described in division (F) of section 3317.013 of 3200  
the Revised Code, including children attending a special education 3201  
program operated by an alternative public provider or a registered 3202  
private provider with a scholarship awarded under either section 3203  
3310.41 or sections 3310.51 to 3310.64 of the Revised Code; 3204

(11) The enrollment of pupils reported under division (A)(1) 3205  
or (2) of this section on a full-time equivalency basis in 3206



category one career-technical education programs or classes, 3207  
described in division (A) of section 3317.014 of the Revised Code, 3208  
operated by the school district or by another district that is a 3209  
member of the district's career-technical planning district, other 3210  
than a joint vocational school district, or by an educational 3211  
service center, notwithstanding division (H) of section 3317.02 of 3212  
the Revised Code and division (C)(3) of this section; 3213

(12) The enrollment of pupils reported under division (A)(1) 3214  
or (2) of this section on a full-time equivalency basis in 3215  
category two career-technical education programs or services, 3216  
described in division (B) of section 3317.014 of the Revised Code, 3217  
operated by the school district or another school district that is 3218  
a member of the district's career-technical planning district, 3219  
other than a joint vocational school district, or by an 3220  
educational service center, notwithstanding division (H) of 3221  
section 3317.02 of the Revised Code and division (C)(3) of this 3222  
section; 3223

(13) The enrollment of pupils reported under division (A)(1) 3224  
or (2) of this section on a full-time equivalency basis in 3225  
category three career-technical education programs or services, 3226  
described in division (C) of section 3317.014 of the Revised Code, 3227  
operated by the school district or another school district that is 3228  
a member of the district's career-technical planning district, 3229  
other than a joint vocational school district, or by an 3230  
educational service center, notwithstanding division (H) of 3231  
section 3317.02 of the Revised Code and division (C)(3) of this 3232  
section; 3233

(14) The enrollment of pupils reported under division (A)(1) 3234  
or (2) of this section on a full-time equivalency basis in 3235  
category four career-technical education programs or services, 3236  
described in division (D) of section 3317.014 of the Revised Code, 3237  
operated by the school district or another school district that is 3238

a member of the district's career-technical planning district, 3239  
other than a joint vocational school district, or by an 3240  
educational service center, notwithstanding division (H) of 3241  
section 3317.02 of the Revised Code and division (C)(3) of this 3242  
section; 3243

(15) The enrollment of pupils reported under division (A)(1) 3244  
or (2) of this section on a full-time equivalency basis in 3245  
category five career-technical education programs or services, 3246  
described in division (E) of section 3317.014 of the Revised Code, 3247  
operated by the school district or another school district that is 3248  
a member of the district's career-technical planning district, 3249  
other than a joint vocational school district, or by an 3250  
educational service center, notwithstanding division (H) of 3251  
section 3317.02 of the Revised Code and division (C)(3) of this 3252  
section; 3253

(16) The enrollment of pupils reported under division (A)(1) 3254  
or (2) of this section who are limited English proficient students 3255  
described in division (A) of section 3317.016 of the Revised Code, 3256  
excluding any student reported under division (B)(3)(e) of this 3257  
section as enrolled in an internet- or computer-based community 3258  
school; 3259

(17) The enrollment of pupils reported under division (A)(1) 3260  
or (2) of this section who are limited English proficient students 3261  
described in division (B) of section 3317.016 of the Revised Code, 3262  
excluding any student reported under division (B)(3)(e) of this 3263  
section as enrolled in an internet- or computer-based community 3264  
school; 3265

(18) The enrollment of pupils reported under division (A)(1) 3266  
or (2) of this section who are limited English proficient students 3267  
described in division (C) of section 3317.016 of the Revised Code, 3268  
excluding any student reported under division (B)(3)(e) of this 3269  
section as enrolled in an internet- or computer-based community 3270

school;	3271
(19) The average number of children transported during the reporting period by the school district on board-owned or contractor-owned and -operated buses, reported in accordance with rules adopted by the department of education;	3272 3273 3274 3275
(20)(a) The number of children, other than preschool children with disabilities, the district placed with a county DD board in fiscal year 1998. Division (B)(20)(a) of this section does not apply after fiscal year 2013.	3276 3277 3278 3279
(b) The number of children with disabilities, other than preschool children with disabilities, placed with a county DD board in the current fiscal year to receive special education services for the category one disability described in division (A) of section 3317.013 of the Revised Code;	3280 3281 3282 3283 3284
(c) The number of children with disabilities, other than preschool children with disabilities, placed with a county DD board in the current fiscal year to receive special education services for category two disabilities described in division (B) of section 3317.013 of the Revised Code;	3285 3286 3287 3288 3289
(d) The number of children with disabilities, other than preschool children with disabilities, placed with a county DD board in the current fiscal year to receive special education services for category three disabilities described in division (C) of section 3317.013 of the Revised Code;	3290 3291 3292 3293 3294
(e) The number of children with disabilities, other than preschool children with disabilities, placed with a county DD board in the current fiscal year to receive special education services for category four disabilities described in division (D) of section 3317.013 of the Revised Code;	3295 3296 3297 3298 3299
(f) The number of children with disabilities, other than preschool children with disabilities, placed with a county DD	3300 3301

board in the current fiscal year to receive special education 3302  
services for the category five disabilities described in division 3303  
(E) of section 3317.013 of the Revised Code; 3304

(g) The number of children with disabilities, other than 3305  
preschool children with disabilities, placed with a county DD 3306  
board in the current fiscal year to receive special education 3307  
services for category six disabilities described in division (F) 3308  
of section 3317.013 of the Revised Code. 3309

(21) The enrollment of students who are economically 3310  
disadvantaged, as defined by the department, excluding any student 3311  
reported under division (B)(3)(e) of this section as enrolled in 3312  
an internet- or computer-based community school. A student shall 3313  
not be categorically excluded from the number reported under 3314  
division (B)(21) of this section based on anything other than 3315  
family income. 3316

(C)(1) The state board of education shall adopt rules 3317  
necessary for implementing divisions (A), (B), and (D) of this 3318  
section. 3319

(2) A student enrolled in a community school established 3320  
under Chapter 3314., a science, technology, engineering, and 3321  
mathematics school established under Chapter 3326., or a 3322  
college-preparatory boarding school established under Chapter 3323  
3328. of the Revised Code shall be counted in the formula ADM and, 3324  
if applicable, the category one, two, three, four, five, or six 3325  
special education ADM of the school district in which the student 3326  
is entitled to attend school under section 3313.64 or 3313.65 of 3327  
the Revised Code for the same proportion of the school year that 3328  
the student is counted in the enrollment of the community school, 3329  
the science, technology, engineering, and mathematics school, or 3330  
the college-preparatory boarding school for purposes of section 3331  
3314.08, 3326.33, or 3328.24 of the Revised Code. Notwithstanding 3332  
the enrollment of students certified pursuant to division 3333

(B)(3)(d), (e), (j), or (k) of this section, the department may 3334  
adjust the formula ADM of a school district to account for 3335  
students entitled to attend school in the district under section 3336  
3313.64 or 3313.65 of the Revised Code who are enrolled in a 3337  
community school, a science, technology, engineering, and 3338  
mathematics school, or a college-preparatory boarding school for 3339  
only a portion of the school year. 3340

(3) No child shall be counted as more than a total of one 3341  
child in the sum of the enrollment of students of a school 3342  
district under division (A), divisions (B)(1) to (22), or division 3343  
(D) of this section, except as follows: 3344

(a) A child with a disability described in section 3317.013 3345  
of the Revised Code may be counted both in formula ADM and in 3346  
category one, two, three, four, five, or six special education ADM 3347  
and, if applicable, in category one, two, three, four, or five 3348  
career-technical education ADM. As provided in division (H) of 3349  
section 3317.02 of the Revised Code, such a child shall be counted 3350  
in category one, two, three, four, five, or six special education 3351  
ADM in the same proportion that the child is counted in formula 3352  
ADM. 3353

(b) A child enrolled in career-technical education programs 3354  
or classes described in section 3317.014 of the Revised Code may 3355  
be counted both in formula ADM and category one, two, three, four, 3356  
or five career-technical education ADM and, if applicable, in 3357  
category one, two, three, four, five, or six special education 3358  
ADM. Such a child shall be counted in category one, two, three, 3359  
four, or five career-technical education ADM in the same 3360  
proportion as the percentage of time that the child spends in the 3361  
career-technical education programs or classes. 3362

(4) Based on the information reported under this section, the 3363  
department of education shall determine the total student count, 3364  
as defined in section 3301.011 of the Revised Code, for each 3365

school district. 3366

(D)(1) The superintendent of each joint vocational school 3367  
district shall report and certify to the superintendent of public 3368  
instruction as of the last day of October, March, and June of each 3369  
year the enrollment of students receiving services from schools 3370  
under the superintendent's supervision so that the department can 3371  
calculate the district's formula ADM, total ADM, category one 3372  
through five career-technical education ADM, category one through 3373  
three limited English proficient ADM, category one through six 3374  
special education ADM, and for purposes of provisions of law 3375  
outside of Chapter 3317. of the Revised Code, average daily 3376  
membership. 3377

The enrollment reported and certified by the superintendent, 3378  
except as otherwise provided in this division, shall consist of 3379  
the the number of students in grades six through twelve receiving 3380  
any educational services from the district, except that the 3381  
following categories of students shall not be included in the 3382  
determination: 3383

(a) Students enrolled in adult education classes; 3384

(b) Adjacent or other district joint vocational students 3385  
enrolled in the district under an open enrollment policy pursuant 3386  
to section 3313.98 of the Revised Code; 3387

(c) Students receiving services in the district pursuant to a 3388  
compact, cooperative education agreement, or a contract, but who 3389  
are entitled to attend school in a city, local, or exempted 3390  
village school district whose territory is not part of the 3391  
territory of the joint vocational district; 3392

(d) Students for whom tuition is payable pursuant to sections 3393  
3317.081 and 3323.141 of the Revised Code. 3394

(2) To enable the department of education to obtain the data 3395  
needed to complete the calculation of payments pursuant to this 3396

chapter, each superintendent shall certify from the report	3397
provided under division (D)(1) of this section the enrollment for	3398
each of the following categories of students:	3399
(a) Students enrolled in each individual grade included in	3400
the joint vocational district schools;	3401
(b) Children with disabilities receiving special education	3402
services for the category one disability described in division (A)	3403
of section 3317.013 of the Revised Code;	3404
(c) Children with disabilities receiving special education	3405
services for the category two disabilities described in division	3406
(B) of section 3317.013 of the Revised Code;	3407
(d) Children with disabilities receiving special education	3408
services for category three disabilities described in division (C)	3409
of section 3317.013 of the Revised Code;	3410
(e) Children with disabilities receiving special education	3411
services for category four disabilities described in division (D)	3412
of section 3317.013 of the Revised Code;	3413
(f) Children with disabilities receiving special education	3414
services for the category five disabilities described in division	3415
(E) of section 3317.013 of the Revised Code;	3416
(g) Children with disabilities receiving special education	3417
services for category six disabilities described in division (F)	3418
of section 3317.013 of the Revised Code;	3419
(h) Students receiving category one career-technical	3420
education services, described in division (A) of section 3317.014	3421
of the Revised Code;	3422
(i) Students receiving category two career-technical	3423
education services, described in division (B) of section 3317.014	3424
of the Revised Code;	3425
(j) Students receiving category three career-technical	3426

education services, described in division (C) of section 3317.014 3427  
of the Revised Code; 3428

(k) Students receiving category four career-technical 3429  
education services, described in division (D) of section 3317.014 3430  
of the Revised Code; 3431

(l) Students receiving category five career-technical 3432  
education services, described in division (E) of section 3317.014 3433  
of the Revised Code; 3434

(m) Limited English proficient students described in division 3435  
(A) of section 3317.016 of the Revised Code; 3436

(n) Limited English proficient students described in division 3437  
(B) of section 3317.016 of the Revised Code; 3438

(o) Limited English proficient students described in division 3439  
(C) of section 3317.016 of the Revised Code; 3440

(p) Students who are economically disadvantaged, as defined 3441  
by the department. A student shall not be categorically excluded 3442  
from the number reported under division (D)(2)(p) of this section 3443  
based on anything other than family income. 3444

The superintendent of each joint vocational school district 3445  
shall also indicate the city, local, or exempted village school 3446  
district in which each joint vocational district pupil is entitled 3447  
to attend school pursuant to section 3313.64 or 3313.65 of the 3448  
Revised Code. 3449

(E) In each school of each city, local, exempted village, 3450  
joint vocational, and cooperative education school district there 3451  
shall be maintained a record of school enrollment, which record 3452  
shall accurately show, for each day the school is in session, the 3453  
actual enrollment in regular day classes. For the purpose of 3454  
determining the enrollment of students, the enrollment figure of 3455  
any school shall not include any pupils except those pupils 3456



described by division (A) of this section. The record of 3457  
enrollment for each school shall be maintained in such manner that 3458  
no pupil shall be counted as enrolled prior to the actual date of 3459  
entry in the school and also in such manner that where for any 3460  
cause a pupil permanently withdraws from the school that pupil 3461  
shall not be counted as enrolled from and after the date of such 3462  
withdrawal. There shall not be included in the enrollment of any 3463  
school any of the following: 3464

(1) Any pupil who has graduated from the twelfth grade of a 3465  
public or nonpublic high school; 3466

(2) Any pupil who is not a resident of the state; 3467

(3) Any pupil who was enrolled in the schools of the district 3468  
during the previous school year when assessments were administered 3469  
under section 3301.0711 of the Revised Code but did not take one 3470  
or more of the assessments required by that section and was not 3471  
excused pursuant to division (C)(1) or (3) of that section; 3472

(4) Any pupil who has attained the age of twenty-two years, 3473  
except for veterans of the armed services whose attendance was 3474  
interrupted before completing the recognized twelve-year course of 3475  
the public schools by reason of induction or enlistment in the 3476  
armed forces and who apply for reenrollment in the public school 3477  
system of their residence not later than four years after 3478  
termination of war or their honorable discharge; 3479

(5) Any pupil who has a high school equivalence diploma as 3480  
defined in section 5107.40 of the Revised Code. 3481

If, however, any veteran described by division (E)(4) of this 3482  
section elects to enroll in special courses organized for veterans 3483  
for whom tuition is paid under the provisions of federal laws, or 3484  
otherwise, that veteran shall not be included in the enrollment of 3485  
students determined under this section. 3486

Notwithstanding division (E)(3) of this section, the 3487

enrollment of any school may include a pupil who did not take an 3488  
assessment required by section 3301.0711 of the Revised Code if 3489  
the superintendent of public instruction grants a waiver from the 3490  
requirement to take the assessment to the specific pupil and a 3491  
parent is not paying tuition for the pupil pursuant to section 3492  
3313.6410 of the Revised Code. The superintendent may grant such a 3493  
waiver only for good cause in accordance with rules adopted by the 3494  
state board of education. 3495

The formula ADM, total ADM, category one through five 3496  
career-technical education ADM, category one through three limited 3497  
English proficient ADM, category one through six special education 3498  
ADM, preschool scholarship ADM, transportation ADM, and, for 3499  
purposes of provisions of law outside of Chapter 3317. of the 3500  
Revised Code, average daily membership of any school district 3501  
shall be determined in accordance with rules adopted by the state 3502  
board of education. 3503

(F)(1) If a student attending a community school under 3504  
Chapter 3314., a science, technology, engineering, and mathematics 3505  
school established under Chapter 3326., or a college-preparatory 3506  
boarding school established under Chapter 3328. of the Revised 3507  
Code is not included in the formula ADM calculated for the school 3508  
district in which the student is entitled to attend school under 3509  
section 3313.64 or 3313.65 of the Revised Code, the department of 3510  
education shall adjust the formula ADM of that school district to 3511  
include the student in accordance with division (C)(2) of this 3512  
section, and shall recalculate the school district's payments 3513  
under this chapter for the entire fiscal year on the basis of that 3514  
adjusted formula ADM. 3515

(2) If a student awarded an educational choice scholarship is 3516  
not included in the formula ADM of the school district from which 3517  
the department deducts funds for the scholarship under section 3518  
3310.08 of the Revised Code, the department shall adjust the 3519

formula ADM of that school district to include the student to the 3520  
extent necessary to account for the deduction, and shall 3521  
recalculate the school district's payments under this chapter for 3522  
the entire fiscal year on the basis of that adjusted formula ADM. 3523

(3) If a student awarded a scholarship under the Jon Peterson 3524  
special needs scholarship program is not included in the formula 3525  
ADM of the school district from which the department deducts funds 3526  
for the scholarship under section 3310.55 of the Revised Code, the 3527  
department shall adjust the formula ADM of that school district to 3528  
include the student to the extent necessary to account for the 3529  
deduction, and shall recalculate the school district's payments 3530  
under this chapter for the entire fiscal year on the basis of that 3531  
adjusted formula ADM. 3532

(G)(1)(a) The superintendent of an institution operating a 3533  
special education program pursuant to section 3323.091 of the 3534  
Revised Code shall, for the programs under such superintendent's 3535  
supervision, certify to the state board of education, in the 3536  
manner prescribed by the superintendent of public instruction, 3537  
both of the following: 3538

(i) The unduplicated count of the number of all children with 3539  
disabilities other than preschool children with disabilities 3540  
receiving services at the institution for each category of 3541  
disability described in divisions (A) to (F) of section 3317.013 3542  
of the Revised Code adjusted for the portion of the year each 3543  
child is so enrolled; 3544

(ii) The unduplicated count of the number of all preschool 3545  
children with disabilities in classes or programs for whom the 3546  
district is eligible to receive funding under section 3317.0213 of 3547  
the Revised Code adjusted for the portion of the year each child 3548  
is so enrolled, reported according to the categories prescribed in 3549  
section 3317.013 of the Revised Code. 3550

(b) The superintendent of an institution with 3551  
career-technical education units approved under section 3317.05 of 3552  
the Revised Code shall, for the units under the superintendent's 3553  
supervision, certify to the state board of education the 3554  
enrollment in those units, in the manner prescribed by the 3555  
superintendent of public instruction. 3556

(2) The superintendent of each county DD board that maintains 3557  
special education classes under section 3317.20 of the Revised 3558  
Code or provides services to preschool children with disabilities 3559  
pursuant to an agreement between the DD board and the appropriate 3560  
school district shall do both of the following: 3561

(a) Certify to the state board, in the manner prescribed by 3562  
the board, the enrollment in classes under section 3317.20 of the 3563  
Revised Code for each school district that has placed children in 3564  
the classes; 3565

(b) Certify to the state board, in the manner prescribed by 3566  
the board, the unduplicated count of the number of all preschool 3567  
children with disabilities enrolled in classes for which the DD 3568  
board is eligible to receive funding under section 3317.0213 of 3569  
the Revised Code adjusted for the portion of the year each child 3570  
is so enrolled, reported according to the categories prescribed in 3571  
section 3317.013 of the Revised Code, and the number of those 3572  
classes. 3573

(H) Except as provided in division (I) of this section, when 3574  
any city, local, or exempted village school district provides 3575  
instruction for a nonresident pupil whose attendance is 3576  
unauthorized attendance as defined in section 3327.06 of the 3577  
Revised Code, that pupil's enrollment shall not be included in 3578  
that district's enrollment figure used in calculating the 3579  
district's payments under this chapter. The reporting official 3580  
shall report separately the enrollment of all pupils whose 3581  
attendance in the district is unauthorized attendance, and the 3582

enrollment of each such pupil shall be credited to the school 3583  
district in which the pupil is entitled to attend school under 3584  
division (B) of section 3313.64 or section 3313.65 of the Revised 3585  
Code as determined by the department of education. 3586

(I)(1) A city, local, exempted village, or joint vocational 3587  
school district admitting a scholarship student of a pilot project 3588  
district pursuant to division (C) of section 3313.976 of the 3589  
Revised Code may count such student in its enrollment. 3590

(2) In any year for which funds are appropriated for pilot 3591  
project scholarship programs, a school district implementing a 3592  
state-sponsored pilot project scholarship program that year 3593  
pursuant to sections 3313.974 to 3313.979 of the Revised Code may 3594  
count in its enrollment: 3595

(a) All children residing in the district and utilizing a 3596  
scholarship to attend kindergarten in any alternative school, as 3597  
defined in section 3313.974 of the Revised Code; 3598

(b) All children who were enrolled in the district in the 3599  
preceding year who are utilizing a scholarship to attend an 3600  
alternative school. 3601

(J) The superintendent of each cooperative education school 3602  
district shall certify to the superintendent of public 3603  
instruction, in a manner prescribed by the state board of 3604  
education, the applicable enrollments for all students in the 3605  
cooperative education district, also indicating the city, local, 3606  
or exempted village district where each pupil is entitled to 3607  
attend school under section 3313.64 or 3313.65 of the Revised 3608  
Code. 3609

(K) If the superintendent of public instruction determines 3610  
that a component of the enrollment certified or reported by a 3611  
district superintendent, or other reporting entity, is not 3612  
correct, the superintendent of public instruction may order that 3613

the formula ADM used for the purposes of payments under any 3614  
section of Title XXXVIII of the Revised Code be adjusted in the 3615  
amount of the error. 3616

**Sec. 3319.22.** (A)(1) The state board of education shall issue 3617  
the following educator licenses: 3618

(a) A resident educator license, which shall be valid for 3619  
four years, ~~except that the~~ and shall be renewable for reasons 3620  
specified by rules adopted by the state board pursuant to division 3621  
(A)(3) of this section. The state board, on a case-by-case basis, 3622  
may extend the license's duration as necessary to enable the 3623  
license holder to complete the Ohio teacher residency program 3624  
established under section 3319.223 of the Revised Code; 3625

(b) A professional educator license, which shall be valid for 3626  
five years and shall be renewable; 3627

(c) A senior professional educator license, which shall be 3628  
valid for five years and shall be renewable; 3629

(d) A lead professional educator license, which shall be 3630  
valid for five years and shall be renewable. 3631

(2) The state board may issue any additional educator 3632  
licenses of categories, types, and levels the board elects to 3633  
provide. 3634

(3) The state board shall adopt rules establishing the 3635  
standards and requirements for obtaining each educator license 3636  
issued under this section. The rules shall also include the 3637  
reasons for which a resident educator license may be renewed under 3638  
division (A)(1)(a) of this section. 3639

(B) The rules adopted under this section shall require at 3640  
least the following standards and qualifications for the educator 3641  
licenses described in division (A)(1) of this section: 3642

(1) An applicant for a resident educator license shall hold 3643

at least a bachelor's degree from an accredited teacher 3644  
preparation program or be a participant in the teach for America 3645  
program and meet the qualifications required under section 3646  
3319.227 of the Revised Code. 3647

(2) An applicant for a professional educator license shall: 3648

(a) Hold at least a bachelor's degree from an institution of 3649  
higher education accredited by a regional accrediting 3650  
organization; 3651

(b) Have successfully completed the Ohio teacher residency 3652  
program established under section 3319.223 of the Revised Code, if 3653  
the applicant's current or most recently issued license is a 3654  
resident educator license issued under this section or an 3655  
alternative resident educator license issued under section 3319.26 3656  
of the Revised Code. 3657

(3) An applicant for a senior professional educator license 3658  
shall: 3659

(a) Hold at least a master's degree from an institution of 3660  
higher education accredited by a regional accrediting 3661  
organization; 3662

(b) Have previously held a professional educator license 3663  
issued under this section or section 3319.222 or under former 3664  
section 3319.22 of the Revised Code; 3665

(c) Meet the criteria for the accomplished or distinguished 3666  
level of performance, as described in the standards for teachers 3667  
adopted by the state board under section 3319.61 of the Revised 3668  
Code. 3669

(4) An applicant for a lead professional educator license 3670  
shall: 3671

(a) Hold at least a master's degree from an institution of 3672  
higher education accredited by a regional accrediting 3673

organization; 3674

(b) Have previously held a professional educator license or a 3675  
senior professional educator license issued under this section or 3676  
a professional educator license issued under section 3319.222 or 3677  
former section 3319.22 of the Revised Code; 3678

(c) Meet the criteria for the distinguished level of 3679  
performance, as described in the standards for teachers adopted by 3680  
the state board under section 3319.61 of the Revised Code; 3681

(d) Either hold a valid certificate issued by the national 3682  
board for professional teaching standards or meet the criteria for 3683  
a master teacher or other criteria for a lead teacher adopted by 3684  
the educator standards board under division (F)(4) or (5) of 3685  
section 3319.61 of the Revised Code. 3686

(C) The state board shall align the standards and 3687  
qualifications for obtaining a principal license with the 3688  
standards for principals adopted by the state board under section 3689  
3319.61 of the Revised Code. 3690

(D) If the state board requires any examinations for educator 3691  
licensure, the department of education shall provide the results 3692  
of such examinations received by the department to the chancellor 3693  
of the Ohio board of regents, in the manner and to the extent 3694  
permitted by state and federal law. 3695

(E) Any rules the state board of education adopts, amends, or 3696  
rescinds for educator licenses under this section, division (D) of 3697  
section 3301.07 of the Revised Code, or any other law shall be 3698  
adopted, amended, or rescinded under Chapter 119. of the Revised 3699  
Code except as follows: 3700

(1) Notwithstanding division (D) of section 119.03 and 3701  
division (A)(1) of section 119.04 of the Revised Code, in the case 3702  
of the adoption of any rule or the amendment or rescission of any 3703  
rule that necessitates institutions' offering preparation programs 3704



for educators and other school personnel that are approved by the 3705  
chancellor of the Ohio board of regents under section 3333.048 of 3706  
the Revised Code to revise the curriculum of those programs, the 3707  
effective date shall not be as prescribed in division (D) of 3708  
section 119.03 and division (A)(1) of section 119.04 of the 3709  
Revised Code. Instead, the effective date of such rules, or the 3710  
amendment or rescission of such rules, shall be the date 3711  
prescribed by section 3333.048 of the Revised Code. 3712

(2) Notwithstanding the authority to adopt, amend, or rescind 3713  
emergency rules in division (F) of section 119.03 of the Revised 3714  
Code, this authority shall not apply to the state board of 3715  
education with regard to rules for educator licenses. 3716

(F)(1) The rules adopted under this section establishing 3717  
standards requiring additional coursework for the renewal of any 3718  
educator license shall require a school district and a chartered 3719  
nonpublic school to establish local professional development 3720  
committees. In a nonpublic school, the chief administrative 3721  
officer shall establish the committees in any manner acceptable to 3722  
such officer. The committees established under this division shall 3723  
determine whether coursework that a district or chartered 3724  
nonpublic school teacher proposes to complete meets the 3725  
requirement of the rules. The department of education shall 3726  
provide technical assistance and support to committees as the 3727  
committees incorporate the professional development standards 3728  
adopted by the state board of education pursuant to section 3729  
3319.61 of the Revised Code into their review of coursework that 3730  
is appropriate for license renewal. The rules shall establish a 3731  
procedure by which a teacher may appeal the decision of a local 3732  
professional development committee. 3733

(2) In any school district in which there is no exclusive 3734  
representative established under Chapter 4117. of the Revised 3735  
Code, the professional development committees shall be established 3736

as described in division (F)(2) of this section. 3737

Not later than the effective date of the rules adopted under 3738  
this section, the board of education of each school district shall 3739  
establish the structure for one or more local professional 3740  
development committees to be operated by such school district. The 3741  
committee structure so established by a district board shall 3742  
remain in effect unless within thirty days prior to an anniversary 3743  
of the date upon which the current committee structure was 3744  
established, the board provides notice to all affected district 3745  
employees that the committee structure is to be modified. 3746  
Professional development committees may have a district-level or 3747  
building-level scope of operations, and may be established with 3748  
regard to particular grade or age levels for which an educator 3749  
license is designated. 3750

Each professional development committee shall consist of at 3751  
least three classroom teachers employed by the district, one 3752  
principal employed by the district, and one other employee of the 3753  
district appointed by the district superintendent. For committees 3754  
with a building-level scope, the teacher and principal members 3755  
shall be assigned to that building, and the teacher members shall 3756  
be elected by majority vote of the classroom teachers assigned to 3757  
that building. For committees with a district-level scope, the 3758  
teacher members shall be elected by majority vote of the classroom 3759  
teachers of the district, and the principal member shall be 3760  
elected by a majority vote of the principals of the district, 3761  
unless there are two or fewer principals employed by the district, 3762  
in which case the one or two principals employed shall serve on 3763  
the committee. If a committee has a particular grade or age level 3764  
scope, the teacher members shall be licensed to teach such grade 3765  
or age levels, and shall be elected by majority vote of the 3766  
classroom teachers holding such a license and the principal shall 3767  
be elected by all principals serving in buildings where any such 3768

teachers serve. The district superintendent shall appoint a 3769  
replacement to fill any vacancy that occurs on a professional 3770  
development committee, except in the case of vacancies among the 3771  
elected classroom teacher members, which shall be filled by vote 3772  
of the remaining members of the committee so selected. 3773

Terms of office on professional development committees shall 3774  
be prescribed by the district board establishing the committees. 3775  
The conduct of elections for members of professional development 3776  
committees shall be prescribed by the district board establishing 3777  
the committees. A professional development committee may include 3778  
additional members, except that the majority of members on each 3779  
such committee shall be classroom teachers employed by the 3780  
district. Any member appointed to fill a vacancy occurring prior 3781  
to the expiration date of the term for which a predecessor was 3782  
appointed shall hold office as a member for the remainder of that 3783  
term. 3784

The initial meeting of any professional development 3785  
committee, upon election and appointment of all committee members, 3786  
shall be called by a member designated by the district 3787  
superintendent. At this initial meeting, the committee shall 3788  
select a chairperson and such other officers the committee deems 3789  
necessary, and shall adopt rules for the conduct of its meetings. 3790  
Thereafter, the committee shall meet at the call of the 3791  
chairperson or upon the filing of a petition with the district 3792  
superintendent signed by a majority of the committee members 3793  
calling for the committee to meet. 3794

(3) In the case of a school district in which an exclusive 3795  
representative has been established pursuant to Chapter 4117. of 3796  
the Revised Code, professional development committees shall be 3797  
established in accordance with any collective bargaining agreement 3798  
in effect in the district that includes provisions for such 3799  
committees. 3800

If the collective bargaining agreement does not specify a  
different method for the selection of teacher members of the  
committees, the exclusive representative of the district's  
teachers shall select the teacher members.

If the collective bargaining agreement does not specify a  
different structure for the committees, the board of education of  
the school district shall establish the structure, including the  
number of committees and the number of teacher and administrative  
members on each committee; the specific administrative members to  
be part of each committee; whether the scope of the committees  
will be district levels, building levels, or by type of grade or  
age levels for which educator licenses are designated; the lengths  
of terms for members; the manner of filling vacancies on the  
committees; and the frequency and time and place of meetings.  
However, in all cases, except as provided in division (F)(4) of  
this section, there shall be a majority of teacher members of any  
professional development committee, there shall be at least five  
total members of any professional development committee, and the  
exclusive representative shall designate replacement members in  
the case of vacancies among teacher members, unless the collective  
bargaining agreement specifies a different method of selecting  
such replacements.

(4) Whenever an administrator's coursework plan is being  
discussed or voted upon, the local professional development  
committee shall, at the request of one of its administrative  
members, cause a majority of the committee to consist of  
administrative members by reducing the number of teacher members  
voting on the plan.

(G)(1) The department of education, educational service  
centers, county boards of developmental disabilities, regional  
professional development centers, special education regional  
resource centers, college and university departments of education,

head start programs, and the Ohio education computer network may 3833  
establish local professional development committees to determine 3834  
whether the coursework proposed by their employees who are 3835  
licensed or certificated under this section or section 3319.222 of 3836  
the Revised Code, or under the former version of either section as 3837  
it existed prior to October 16, 2009, meet the requirements of the 3838  
rules adopted under this section. They may establish local 3839  
professional development committees on their own or in 3840  
collaboration with a school district or other agency having 3841  
authority to establish them. 3842

Local professional development committees established by 3843  
county boards of developmental disabilities shall be structured in 3844  
a manner comparable to the structures prescribed for school 3845  
districts in divisions (F)(2) and (3) of this section, as shall 3846  
the committees established by any other entity specified in 3847  
division (G)(1) of this section that provides educational services 3848  
by employing or contracting for services of classroom teachers 3849  
licensed or certificated under this section or section 3319.222 of 3850  
the Revised Code, or under the former version of either section as 3851  
it existed prior to October 16, 2009. All other entities specified 3852  
in division (G)(1) of this section shall structure their 3853  
committees in accordance with guidelines which shall be issued by 3854  
the state board. 3855

(2) Any public agency that is not specified in division 3856  
(G)(1) of this section but provides educational services and 3857  
employs or contracts for services of classroom teachers licensed 3858  
or certificated under this section or section 3319.222 of the 3859  
Revised Code, or under the former version of either section as it 3860  
existed prior to October 16, 2009, may establish a local 3861  
professional development committee, subject to the approval of the 3862  
department of education. The committee shall be structured in 3863  
accordance with guidelines issued by the state board. 3864

Sec. 3319.26. (A) The state board of education shall adopt 3865  
rules establishing the standards and requirements for obtaining an 3866  
alternative resident educator license for teaching in grades 3867  
kindergarten to twelve, or the equivalent, in a designated subject 3868  
area or in the area of intervention specialist, as defined by rule 3869  
of the state board. The rules shall also include the reasons for 3870  
which an alternative resident educator license may be renewed 3871  
under division (D) of this section. 3872

(B) The superintendent of public instruction and the 3873  
chancellor of the Ohio board of regents jointly shall develop an 3874  
intensive pedagogical training institute to provide instruction in 3875  
the principles and practices of teaching for individuals seeking 3876  
an alternative resident educator license. The instruction shall 3877  
cover such topics as student development and learning, pupil 3878  
assessment procedures, curriculum development, classroom 3879  
management, and teaching methodology. 3880

(C) The rules adopted under this section shall require 3881  
applicants for the alternative resident educator license to 3882  
satisfy the following conditions prior to issuance of the license, 3883  
but they shall not require applicants to have completed a major in 3884  
the subject area for which application is being made: 3885

(1) Hold a minimum of a baccalaureate degree; 3886

(2) Successfully complete the pedagogical training institute 3887  
described in division (B) of this section or a summer training 3888  
institute provided to participants of a teacher preparation 3889  
program that is operated by a nonprofit organization and has been 3890  
approved by the chancellor. The chancellor shall approve any such 3891  
program that requires participants to hold a bachelor's degree; 3892  
have a cumulative undergraduate grade point average of at least 3893  
2.5 out of 4.0, or its equivalent; and successfully complete the 3894  
program's summer training institute. 3895

(3) Pass an examination in the subject area for which application is being made. 3896  
3897

(D) An alternative resident educator license shall be valid for four years, ~~except that the~~ and shall be renewable for reasons specified by rules adopted by the state board pursuant to division (A) of this section. The state board, on a case-by-case basis, may extend the license's duration as necessary to enable the license holder to complete the Ohio teacher residency program established under section 3319.223 of the Revised Code. 3898  
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(E) The rules shall require the holder of an alternative resident educator license, as a condition of continuing to hold the license, to do all of the following: 3905  
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(1) Participate in the Ohio teacher residency program; 3908

(2) Show satisfactory progress in taking and successfully completing one of the following: 3909  
3910

(a) At least twelve additional semester hours, or the equivalent, of college coursework in the principles and practices of teaching in such topics as student development and learning, pupil assessment procedures, curriculum development, classroom management, and teaching methodology; 3911  
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(b) Professional development provided by a teacher preparation program that has been approved by the chancellor under division (C)(2) of this section. 3916  
3917  
3918

(3) Take an assessment of professional knowledge in the second year of teaching under the license. 3919  
3920

(F) The rules shall provide for the granting of a professional educator license to a holder of an alternative resident educator license upon successfully completing all of the following: 3921  
3922  
3923  
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(1) Four years of teaching under the alternative license; 3925

(2) The additional college coursework or professional development described in division (E)(2) of this section;	3926 3927
(3) The assessment of professional knowledge described in division (E)(3) of this section. The standards for successfully completing this assessment and the manner of conducting the assessment shall be the same as for any other individual who is required to take the assessment pursuant to rules adopted by the state board under section 3319.22 of the Revised Code.	3928 3929 3930 3931 3932 3933
(4) The Ohio teacher residency program;	3934
(5) All other requirements for a professional educator license adopted by the state board under section 3319.22 of the Revised Code.	3935 3936 3937
(G) A person who is assigned to teach in this state as a participant in the teach for America program or who has completed two years of teaching in another state as a participant in that program shall be eligible for a license only under section 3319.227 of the Revised Code and shall not be eligible for a license under this section.	3938 3939 3940 3941 3942 3943
<b>Sec. 3321.03.</b> As used in this section and section 3321.04 of the Revised Code, "special education program" means a school or the educational agency that provides special education and related services to children with disabilities in accordance with Chapter 3323. of the Revised Code.	3944 3945 3946 3947 3948
Except as provided in this section, the parent of a child of compulsory school age shall cause such child to attend a school in the school district in which the child is entitled to attend school under division (B) or (F) of section 3313.64 or section 3313.65 of the Revised Code, to participate in a special education program under Chapter 3323. of the Revised Code, or to otherwise cause the child to be instructed in accordance with law. Every	3949 3950 3951 3952 3953 3954 3955



child of compulsory school age shall attend a school or 3956  
participate in a special education program that conforms to the 3957  
minimum standards prescribed by the state board of education until 3958  
the child: 3959

(A) Receives a diploma granted by the board of education or 3960  
other governing authority, successfully completes the curriculum 3961  
of any high school, or successfully completes the individualized 3962  
education program developed for the student by any high school 3963  
pursuant to Chapter 3323. of the Revised Code; 3964

(B) Receives an age and schooling certificate as provided in 3965  
section 3331.01 of the Revised Code; or 3966

(C) Is excused from school under standards adopted by the 3967  
state board of education pursuant to section 3321.04 of the 3968  
Revised Code, or if in need of special education, the child is 3969  
excused from such programs pursuant to section 3321.04 of the 3970  
Revised Code. 3971

For purposes of this section, a child who is attending an 3972  
alternative education program that is specified in the child's 3973  
student success plan developed under division (C)(1) of section 3974  
3313.6015 of the Revised Code shall be considered to be attending 3975  
school in compliance with this section. 3976

**Sec. 3321.04.** Notwithstanding division (D) of section 3311.19 3977  
and division (D) of section 3311.52 of the Revised Code, this 3978  
section does not apply to any joint vocational or cooperative 3979  
education school district or its superintendent. 3980

Every parent of any child of compulsory school age who is not 3981  
employed under an age and schooling certificate ~~must~~ shall send 3982  
~~such~~ the child to a school or a special education program that 3983  
conforms to the minimum standards prescribed by the state board of 3984  
education, for the full time the school or program attended is in 3985

~~session, which shall not be for less than thirty two weeks per~~ 3986  
~~school year.~~ Such attendance must begin within the first week of 3987  
the school term or program or within one week of the date on which 3988  
the child begins to reside in the district or within one week 3989  
after the child's withdrawal from employment. 3990

For the purpose of operating a school or program on a 3991  
trimester plan, "full time the school attended is in session," as 3992  
used in this section means the two trimesters to which the child 3993  
is assigned by the board of education. For the purpose of 3994  
operating a school or program on a quarterly plan, "full time the 3995  
school attended is in session," as used in this section, means the 3996  
three quarters to which the child is assigned by the board of 3997  
education. For the purpose of operating a school or program on a 3998  
pentamester plan, "full time the school is in session," as used in 3999  
this section, means the four pentamesters to which the child is 4000  
assigned by the board of education. 4001

Excuses from future attendance at or past absence from school 4002  
or a special education program may be granted for the causes, by 4003  
the authorities, and under the following conditions: 4004

(A) The superintendent of the school district in which the 4005  
child resides may excuse the child from attendance for any part of 4006  
the remainder of the current school year upon satisfactory showing 4007  
of either of the following facts: 4008

(1) That the child's bodily or mental condition does not 4009  
permit attendance at school or a special education program during 4010  
such period; this fact is certified in writing by a licensed 4011  
physician or, in the case of a mental condition, by a licensed 4012  
physician, a licensed psychologist, licensed school psychologist 4013  
or a certificated school psychologist; and provision is made for 4014  
appropriate instruction of the child, in accordance with Chapter 4015  
3323. of the Revised Code; 4016

(2) That the child is being instructed at home by a person 4017  
qualified to teach the branches in which instruction is required, 4018  
and such additional branches, as the advancement and needs of the 4019  
child may, in the opinion of such superintendent, require. In each 4020  
such case the issuing superintendent shall file in the 4021  
superintendent's office, with a copy of the excuse, papers showing 4022  
how the inability of the child to attend school or a special 4023  
education program or the qualifications of the person instructing 4024  
the child at home were determined. All such excuses shall become 4025  
void and subject to recall upon the removal of the disability of 4026  
the child or the cessation of proper home instruction; and 4027  
thereupon the child or the child's parents may be proceeded 4028  
against after due notice whether such excuse be recalled or not. 4029

(B) The state board of education may adopt rules authorizing 4030  
the superintendent of schools of the district in which the child 4031  
resides to excuse a child over fourteen years of age from 4032  
attendance for a future limited period of time for the purpose of 4033  
performing necessary work directly and exclusively for the child's 4034  
parents or legal guardians. 4035

All excuses provided for in divisions (A) and (B) of this 4036  
section shall be in writing and shall show the reason for excusing 4037  
the child. A copy thereof shall be sent to the person in charge of 4038  
the child. 4039

(C) The board of education of the school district or the 4040  
governing authorities of a private or parochial school may in the 4041  
rules governing the discipline in such schools, prescribe the 4042  
authority by which and the manner in which any child may be 4043  
excused for absence from such school for good and sufficient 4044  
reasons. 4045

The state board of education may by rule prescribe conditions 4046  
governing the issuance of excuses, which shall be binding upon the 4047  
authorities empowered to issue them. 4048

**Sec. 3321.07.** If any child ~~attends upon~~ receives instruction 4049  
elsewhere than in a public school such instruction shall be in a 4050  
school which conforms to the minimum standards prescribed by the 4051  
state board of education. The hours and term of attendance ~~exacted~~ 4052  
of that school shall be equivalent to the hours and term of 4053  
attendance required of children in the public schools of the 4054  
district. This section does not require a child to attend a high 4055  
school instead of a ~~vocational~~ career-technical, commercial, or 4056  
other special type of school, provided the successful completion 4057  
of instruction therein is for a term and for hours equivalent to 4058  
those of the high school, and provided his attendance at such 4059  
school will not interfere with a continuous program of education 4060  
for the child to the age of sixteen will result in the child 4061  
receiving a high school diploma, an industry-recognized 4062  
credential, or a journeyman certification as recognized by the 4063  
United States department of labor. 4064

**Sec. 3321.08.** Every child who has been granted an age and 4065  
schooling certificate shall, until the age at which such 4066  
certificate is no longer required, attend a part-time school or 4067  
class ~~for the number of hours not over eight per week that such~~ 4068  
~~school or class is in session,~~. Such an education program may be 4069  
provided by the board of education of the school district in which 4070  
the child resides or is employed ~~has made such school or class~~ 4071  
~~available.~~ Attendance shall be for the full term 4072  
such school or class is in session, and shall begin with the first 4073  
week of the school term or within one week after issuance of the 4074  
age and schooling certificate. ~~This section does not apply to~~ 4075  
~~children who are employed under vacation and part time~~ 4076  
~~certificates only.~~ The superintendent of schools may excuse a 4077  
child from such attendance for one of the reasons provided in 4078  
section 3321.10 of the Revised Code. A For purposes of this 4079

section, a part-time school or class is one which shall offer, to 4080  
those minors who have entered industry, instruction supplemental 4081  
to their daily occupations or which will increase their civic and 4082  
vocational competence or both ~~and which are taught between the~~ 4083  
~~hours of seven in the morning and six in the afternoon of any day~~ 4084  
~~except a legal holiday, Saturday, or Sunday, or between the hours~~ 4085  
~~of seven in the morning and twelve noon of Saturday~~ and which 4086  
grants a high school diploma to the child upon the child's 4087  
successful completion of a course of instruction. 4088

**Sec. 3321.09.** Attendance at a part-time school or class, as 4089  
defined in section 3321.08 of the Revised Code, provided by an 4090  
employer, by a partnership, corporation, or individual, by a 4091  
private or parochial school, by a college, or by a philanthropic 4092  
or similar agency shall serve in lieu of attendance at a part-time 4093  
school or class provided by a board of education ~~in case the given~~ 4094  
~~school or class is conducted for substantially a term and hours~~ 4095  
~~equivalent to those of the part-time schools or classes provided~~ 4096  
~~by the local board, and in case~~ if the school or class is approved 4097  
by the state board of education. When such school or class is 4098  
conducted within or in connection with the establishment in which 4099  
the child is working, the obligation of attendance at part-time 4100  
school or class indicated in section 3321.08 of the Revised Code, 4101  
shall apply to the children holding age and schooling certificates 4102  
who are employed in the given establishment regardless of the 4103  
accessibility of public part-time schools or classes. 4104

**Sec. 3324.07.** (A) The board of education of each school 4105  
district shall develop a plan for the service of gifted students 4106  
enrolled in the district that are identified under section 3324.03 4107  
of the Revised Code. Services specified in the plan developed by 4108  
each board may include such options as the following: 4109

(1) A differentiated curriculum; 4110

(2) Cluster grouping;	4111
(3) Mentorships;	4112
(4) Accelerated course work;	4113
(5) The <del>post secondary enrollment option</del> <u>college credit plus</u> program under Chapter 3365. of the Revised Code;	4114 4115
(6) Advanced placement;	4116
(7) Honors classes;	4117
(8) Magnet schools;	4118
(9) Self-contained classrooms;	4119
(10) Independent study;	4120
(11) Other options identified in rules adopted by the department of education.	4121 4122
(B) Each board shall file the plan developed under division (A) of this section with the department of education by December 15, 2000. The department shall review and analyze each plan to determine if it is adequate and to make funding estimates.	4123 4124 4125 4126
(C) Unless otherwise required by law, rule, or as a condition for receipt of funds, school boards may implement the plans developed under division (A) of this section, but shall not be required to do so until further action by the general assembly or the state superintendent of public instruction.	4127 4128 4129 4130 4131
<b>Sec. 3326.36.</b> The department of education shall reduce the amounts paid to a science, technology, engineering, and mathematics school under section 3326.33 of the Revised Code to reflect payments made to colleges under <del>division (B) of</del> section 3365.07 of the Revised Code <del>or through alternative funding</del> <del>agreements entered into under rules adopted under section 3365.12</del> <del>of the Revised Code.</del> A student shall be considered enrolled in the school for any portion of the school year the student is attending	4132 4133 4134 4135 4136 4137 4138 4139

a college under Chapter 3365. of the Revised Code. 4140

**Sec. 3328.24.** A college-preparatory boarding school 4141  
established under this chapter and its board of trustees shall 4142  
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 4143  
3301.0714, 3313.6013, 3313.6411, 3319.39, and 3319.391 and Chapter 4144  
3365. of the Revised Code as if the school were a school district 4145  
and the school's board of trustees were a district board of 4146  
education. 4147

**Sec. 3331.04.** Whenever an age and schooling certificate is 4148  
applied for by a child over sixteen years of age who is ~~unable to~~ 4149  
~~pass a test for the completion of the work of the seventh grade~~ 4150  
~~and who is not so below the normal in mental development that the~~ 4151  
~~child cannot profit from further schooling~~ participating in a 4152  
program that, upon successful completion of instruction, will 4153  
result in the child receiving an industry-recognized credential, a 4154  
journeyman certification as recognized by the United States 4155  
department of labor, or full-time employment, an age and schooling 4156  
certificate may be issued by the superintendent of schools to such 4157  
child upon proof acceptable to such superintendent of the 4158  
following facts and upon agreement to the respective conditions 4159  
made in writing by the child and by the parents, guardian, or 4160  
custodian in charge of such child: 4161

(A) That the child is addicted to no habit which is likely to 4162  
detract from the child's reliability or effectiveness as a worker, 4163  
or proper use of the child's earnings or leisure, or the 4164  
probability of the child's faithfully carrying out the conditions 4165  
to which the child agrees as specified in division (B) of this 4166  
section, and in addition any one of the following groups of facts: 4167

(1) That the child has been a resident of the school district 4168  
for the last two years, has diligently attended upon instruction 4169

at school for the last two years, and is able to read, write, and 4170  
perform the fundamental operations of arithmetic. These abilities 4171  
shall be judged by the superintendent. 4172

(2) That the child having been a resident of the school 4173  
district less than two years, ~~diligently attended upon instruction~~ 4174  
~~in~~ school in the district in which the child was a resident ~~next~~ 4175  
~~preceding the child's residence in the present district~~ for the 4176  
last school year preceding the child's ~~removal to~~ residence in the 4177  
present district, and has diligently attended ~~upon instruction in~~ 4178  
the schools of the present district for the period that the child 4179  
has been a resident thereof; 4180

(3) That the child has ~~removed to~~ resided in the present 4181  
school district since the beginning of the last annual school 4182  
session, and that instruction adapted to the child's needs is not 4183  
provided in the regular day schools in the district; 4184

(4) ~~That the child is not sufficiently familiar with the~~ 4185  
~~English language to be properly instructed in the full-time day~~ 4186  
~~schools of the district;~~ 4187

~~(5)~~ That conditions are such that the child must provide for 4188  
the child's own support or the support of the child's own child or 4189  
that the child is needed for the support or care of parents or for 4190  
the support or care of brothers or sisters for whom the parents 4191  
are unable to provide and that the child is desirous of working 4192  
for the support or care of self or of the child's own child or of 4193  
such parents or siblings and that such child cannot render such 4194  
needed support or care by a reasonable effort outside of school 4195  
hours; but no age and schooling certificate shall be granted to a 4196  
child of this group upon proof of such facts without written 4197  
consent given to the superintendent by the juvenile judge and by 4198  
the department of job and family services. 4199

(B)~~(1)~~ In case the certificate is granted under division 4200



(A)(1), (2), (3), or (5) of this section, that until reaching the 4201  
age of eighteen years the child will diligently attend in addition 4202  
to part-time classes, such evening classes as will add to the 4203  
child's education for literacy, citizenship, or vocational 4204  
preparation which may be made available to the child in the school 4205  
district and which the child may be directed to attend by the 4206  
superintendent, or in case no such classes are available, that the 4207  
child will pursue such reading and study and report monthly 4208  
thereon as may be directed by the superintendent. 4209

~~(2) In case the certificate is granted under division (A)(4) 4210  
of this section, that until the age of eighteen years the child 4211  
will attend in addition to part-time classes, such evening classes 4212  
as will assist the child to learn the English language or advance 4213  
in Americanization which may be made available to the child in the 4214  
school district and which the child may be directed to attend by 4215  
the superintendent. 4216~~

**Sec. 3333.041.** (A) On or before the last day of December of 4217  
each year, the chancellor of the Ohio board of regents shall 4218  
submit to the governor and, in accordance with section 101.68 of 4219  
the Revised Code, the general assembly a report or reports 4220  
concerning all of the following: 4221

(1) The status of graduates of Ohio school districts at state 4222  
institutions of higher education during the twelve-month period 4223  
ending on the thirtieth day of September of the current calendar 4224  
year. The report shall list, by school district, the number of 4225  
graduates of each school district who attended a state institution 4226  
of higher education and the percentage of each district's 4227  
graduates enrolled in a state institution of higher education 4228  
during the reporting period who were required during such period 4229  
by the college or university, as a prerequisite to enrolling in 4230  
those courses generally required for first-year students, to 4231

enroll in a remedial course in English, including composition or 4232  
reading, mathematics, and any other area designated by the 4233  
chancellor. The chancellor also shall make the information 4234  
described in division (A)(1) of this section available to the 4235  
board of education of each city, exempted village, and local 4236  
school district. 4237

Each state institution of higher education shall, by the 4238  
first day of November of each year, submit to the chancellor in 4239  
the form specified by the chancellor the information the 4240  
chancellor requires to compile the report. 4241

(2) Aggregate academic growth data for students assigned to 4242  
graduates of teacher preparation programs approved under section 4243  
3333.048 of the Revised Code who teach English language arts or 4244  
mathematics in any of grades four to eight in a public school in 4245  
Ohio. For this purpose, the chancellor shall use the value-added 4246  
progress dimension prescribed by section 3302.021 of the Revised 4247  
Code or the alternative student academic progress measure if 4248  
adopted under division (C)(1)(e) of section 3302.03 of the Revised 4249  
Code. The chancellor shall aggregate the data by graduating class 4250  
for each approved teacher preparation program, except that if a 4251  
particular class has ten or fewer graduates to which this section 4252  
applies, the chancellor shall report the data for a group of 4253  
classes over a three-year period. In no case shall the report 4254  
identify any individual graduate. The department of education 4255  
shall share any data necessary for the report with the chancellor. 4256

(3) The following information with respect to the Ohio 4257  
tuition trust authority: 4258

(a) The name of each investment manager that is a minority 4259  
business enterprise or a women's business enterprise with which 4260  
the chancellor contracts; 4261

(b) The amount of assets managed by investment managers that 4262

are minority business enterprises or women's business enterprises, 4263  
expressed as a percentage of assets managed by investment managers 4264  
with which the chancellor has contracted; 4265

(c) Efforts by the chancellor to increase utilization of 4266  
investment managers that are minority business enterprises or 4267  
women's business enterprises. 4268

(4) A description of ~~dual-enrollment~~ advanced standing 4269  
programs, as defined in section 3313.6013 of the Revised Code, 4270  
that are offered by school districts, community schools 4271  
established under Chapter 3314. of the Revised Code, STEM schools 4272  
established under Chapter 3326. of the Revised Code, 4273  
college-preparatory boarding schools established under Chapter 4274  
3328. of the Revised Code, and chartered nonpublic high schools. 4275  
The chancellor also shall post the information on the chancellor's 4276  
web site. 4277

(5) The chancellor's strategy in assigning choose Ohio first 4278  
scholarships, as established under section 3333.61 of the Revised 4279  
Code, among state universities and colleges and how the actual 4280  
awards fit that strategy. 4281

(6) The academic and economic impact of the Ohio 4282  
co-op/internship program established under section 3333.72 of the 4283  
Revised Code. At a minimum, the report shall include the 4284  
following: 4285

(a) Progress and performance metrics for each initiative that 4286  
received an award in the previous fiscal year; 4287

(b) Economic indicators of the impact of each initiative, and 4288  
all initiatives as a whole, on the regional economies and the 4289  
statewide economy; 4290

(c) The chancellor's strategy in allocating awards among 4291  
state institutions of higher education and how the actual awards 4292  
fit that strategy. 4293

(B) As used in this section:	4294
(1) "Minority business enterprise" has the same meaning as in section 122.71 of the Revised Code.	4295 4296
(2) "State institution of higher education" and "state university" have the same meanings as in section 3345.011 of the Revised Code.	4297 4298 4299
(3) "State university or college" has the same meaning as in section 3345.12 of the Revised Code.	4300 4301
(4) "Women's business enterprise" means a business, or a partnership, corporation, limited liability company, or joint venture of any kind, that is owned and controlled by women who are United States citizens and residents of this state.	4302 4303 4304 4305
<b>Sec. 3333.35.</b> The state board of education and the chancellor of the Ohio board of regents shall strive to reduce unnecessary student remediation costs incurred by colleges and universities in this state, increase overall access for students to higher education, enhance the <del>post-secondary enrollment options</del> <u>college credit plus</u> program in accordance with Chapter 3365. of the Revised Code, and enhance the alternative resident educator licensure program in accordance with section 3319.26 of the Revised Code.	4306 4307 4308 4309 4310 4311 4312 4313 4314
<b>Sec. 3333.43.</b> This section does not apply to any baccalaureate degree program that is a cooperative education program, as defined in section 3333.71 of the Revised Code.	4315 4316 4317
(A) The chancellor of the Ohio board of regents shall require all state institutions of higher education that offer baccalaureate degrees, as a condition of reauthorization for certification of each baccalaureate program offered by the institution, to submit a statement describing how each major for which the school offers a baccalaureate degree may be completed	4318 4319 4320 4321 4322 4323

within three academic years. The chronology of the statement shall 4324  
begin with the fall semester of a student's first year of the 4325  
baccalaureate program. 4326

(B) The statement required under this section may include, 4327  
but not be limited to, any of the following methods to contribute 4328  
to earning a baccalaureate degree in three years: 4329

(1) Advanced placement credit; 4330

(2) International baccalaureate program credit; 4331

(3) A waiver of degree and credit-hour requirements by 4332  
completion of courses that are widely available at community 4333  
colleges in the state or through online programs offered by state 4334  
institutions of higher education or private nonprofit institutions 4335  
of higher education holding certificates of authorization under 4336  
Chapter 1713. of the Revised Code, and through courses taken by 4337  
the student through the ~~post secondary enrollment options~~ college 4338  
credit plus program under Chapter 3365. of the Revised Code; 4339

(4) Completion of coursework during summer sessions; 4340

(5) A waiver of foreign-language degree requirements based on 4341  
a proficiency examination specified by the institution. 4342

(C)(1) Not later than October 15, 2012, each state 4343  
institution of higher education shall provide statements required 4344  
under this section for ten per cent of all baccalaureate degree 4345  
programs offered by the institution. 4346

(2) Not later than June 30, 2014, each state institution of 4347  
higher education shall provide statements required under this 4348  
section for sixty per cent of all baccalaureate degree programs 4349  
offered by the institution. 4350

(D) Each state institution of higher education required to 4351  
submit statements under this section shall post its three-year 4352  
option on its web site and also provide that information to the 4353

department of education. The department shall distribute that 4354  
information to the superintendent, high school principal, and 4355  
guidance counselor, or equivalents, of each school district, 4356  
community school established under Chapter 3314. of the Revised 4357  
Code, and STEM school established under Chapter 3326. of the 4358  
Revised Code. 4359

(E) Nothing in this section requires an institution to take 4360  
any action that would violate the requirements of any independent 4361  
association accrediting baccalaureate degree programs. 4362

**Sec. 3333.86.** The chancellor of the Ohio board of regents may 4363  
determine the manner in which a course included in the 4364  
clearinghouse may be offered as ~~a dual enrollment~~ an advanced 4365  
standing program as defined in section 3313.6013 of the Revised 4366  
Code, may be offered to students who are enrolled in nonpublic 4367  
schools or are instructed at home pursuant to section 3321.04 of 4368  
the Revised Code, or may be offered at times outside the normal 4369  
school day or school week, including any necessary additional fees 4370  
and methods of payment for a course so offered. 4371

**Sec. 3345.06.** (A) Subject to divisions (B) and (C) of this 4372  
section, a graduate of the twelfth grade shall be entitled to 4373  
admission without examination to any college or university which 4374  
is supported wholly or in part by the state, but for unconditional 4375  
admission may be required to complete such units not included in 4376  
the graduate's high school course as may be prescribed, not less 4377  
than two years prior to the graduate's entrance, by the faculty of 4378  
the institution. 4379

(B) Beginning with the 2014-2015 academic year, each state 4380  
university listed in section 3345.011 of the Revised Code, except 4381  
for Central state university, Shawnee state university, and 4382  
Youngstown state university, shall permit a resident of this state 4383

who entered ninth grade for the first time on or after July 1, 4384  
2010, to begin undergraduate coursework at the university only if 4385  
the person has successfully completed the Ohio core curriculum for 4386  
high school graduation prescribed in division (C) of section 4387  
3313.603 of the Revised Code, unless one of the following applies: 4388

(1) The person has earned at least ten semester hours, or the 4389  
equivalent, at a community college, state community college, 4390  
university branch, technical college, or another post-secondary 4391  
institution except a state university to which division (B) of 4392  
this section applies, in courses that are college-credit-bearing 4393  
and may be applied toward the requirements for a degree. The 4394  
university shall grant credit for successful completion of those 4395  
courses pursuant to any applicable articulation and transfer 4396  
policy of the Ohio board of regents or any agreements the 4397  
university has entered into in accordance with policies and 4398  
procedures adopted under section 3333.16, ~~3313.161~~ 3333.161, or 4399  
3333.162 of the Revised Code. The university may count college 4400  
credit that the student earned while in high school through the 4401  
~~post-secondary enrollment options~~ college credit plus program 4402  
under Chapter 3365. of the Revised Code, or through other ~~dual~~ 4403  
~~enrollment~~ advanced standing programs, toward the requirements of 4404  
division (B)(1) of this section if the credit may be applied 4405  
toward a degree. 4406

(2) The person qualified to graduate from high school under 4407  
division (D) or (F) of section 3313.603 of the Revised Code and 4408  
has successfully completed the topics or courses that the person 4409  
lacked to graduate under division (C) of that section at any 4410  
post-secondary institution or at a summer program at the state 4411  
university. A state university may admit a person for enrollment 4412  
contingent upon completion of such topics or courses or summer 4413  
program. 4414

(3) The person met the high school graduation requirements by 4415

successfully completing the person's individualized education 4416  
program developed under section 3323.08 of the Revised Code. 4417

(4) The person is receiving or has completed the final year 4418  
of instruction at home as authorized under section 3321.04 of the 4419  
Revised Code, or has graduated from a nonchartered, nonpublic 4420  
school in Ohio, and demonstrates mastery of the academic content 4421  
and skills in reading, writing, and mathematics needed to 4422  
successfully complete introductory level coursework at an 4423  
institution of higher education and to avoid remedial coursework. 4424

(5) The person is a high school student participating in the 4425  
~~post-secondary enrollment options~~ college credit plus program 4426  
under Chapter 3365. of the Revised Code or another ~~dual enrollment~~ 4427  
advanced standing program. 4428

(C) A state university subject to division (B) of this 4429  
section may delay admission for or admit conditionally an 4430  
undergraduate student who has successfully completed the Ohio core 4431  
curriculum if the university determines the student requires 4432  
academic remedial or developmental coursework. The university may 4433  
delay admission pending, or make admission conditional upon, the 4434  
student's successful completion of the academic remedial or 4435  
developmental coursework at a university branch, community 4436  
college, state community college, or technical college. 4437

(D) This section does not deny the right of a college of law, 4438  
medicine, or other specialized education to require college 4439  
training for admission, or the right of a department of music or 4440  
other art to require particular preliminary training or talent. 4441

**Sec. 3365.01. As used in this chapter:** 4442

(A) "Articulated credit" means post-secondary credit that is 4443  
reflected on the official record of a student at an institution of 4444  
higher education only upon enrollment at that institution after 4445



graduation from a secondary school. 4446

(B) "Default ceiling amount" means one of the following amounts, whichever is applicable: 4447

(1) For a participant enrolled in a college operating on a semester schedule, the amount calculated according to the following formula: 4449

$$\frac{((0.83 \times \text{formula amount}) / 30)}{\text{X number of enrolled credit hours}}$$
 4452 4453 4454

(2) For a participant enrolled in a college operating on a quarter schedule, the amount calculated according to the following formula: 4455

$$\frac{((0.83 \times \text{formula amount}) / 45)}{\text{X number of enrolled credit hours}}$$
 4456 4457 4458 4459 4460

(C) "Default floor amount" means twenty-five per cent of the default ceiling amount. 4461 4462

(D) "Fee" means any course-related fee and any other fee imposed by the college, but not included in tuition, for participation in the program established by this chapter. 4463 4464 4465

(E) "Formula amount" has the same meaning as in section 3317.02 of the Revised Code. 4466 4467

(F) "Governing entity" means a board of education of a school district, a governing authority of a community school established under Chapter 3314., a governing body of a STEM school established under Chapter 3326., or a board of trustees of a college-preparatory boarding school established under Chapter 3328. of the Revised Code. 4468 4469 4470 4471 4472 4473

(G) "Home-instructed participant" means a student who has been excused from the compulsory attendance law for the purpose of 4474 4475

home instruction under section 3321.04 of the Revised Code, and is 4476  
participating in the program established by this chapter. 4477

(H) "Maximum per participant charge amount" means one of the 4478  
following amounts, whichever is applicable: 4479

(1) For a participant enrolled in a college operating on a 4480  
semester schedule, the amount calculated according to the 4481  
following formula: 4482

((formula amount / 30) 4483  
X number of enrolled credit hours) 4484  
- default ceiling amount 4485

(2) For a participant enrolled in a college operating on a 4486  
quarter schedule, the amount calculated according to the following 4487  
formula: 4488

((formula amount / 45) 4489  
X number of enrolled credit hours) 4490  
- default ceiling amount 4491

(I) "Nonpublic secondary school" means a chartered or 4492  
nonchartered school for which minimum standards are prescribed by 4493  
the state board of education pursuant to division (D) of section 4494  
3301.07 of the Revised Code. 4495

(J) "Number of enrolled credit hours" means the number of 4496  
credit hours for a course in which a participant is enrolled 4497  
during the previous term after the date on which a withdrawal from 4498  
a course would have negatively affected the participant's 4499  
transcripted grade, as prescribed by the college's established 4500  
withdrawal policy. 4501

(K) "Parent" has the same meaning as in section 3313.64 of 4502  
the Revised Code. 4503

(L) "Participant" means any student enrolled in a college 4504  
under the program established by this chapter. 4505

(M) "Partnering college" means a college with which a public or nonpublic secondary school has entered into an agreement in order to offer the program established by this chapter. 4506  
4507  
4508

(N) "Partnering secondary school" means a public or nonpublic secondary school with which a college has entered into an agreement in order to offer the program established by this chapter. 4509  
4510  
4511  
4512

(O) "Private college" means any of the following: 4513

(1) A nonprofit institution holding a certificate of authorization pursuant to Chapter 1713. of the Revised Code; 4514  
4515

(2) An institution holding a certificate of registration from the state board of career colleges and schools and program authorization for an associate or bachelor's degree program issued under section 3332.05 of the Revised Code; 4516  
4517  
4518  
4519

(3) A private institution exempt from regulation under Chapter 3332. of the Revised Code as prescribed in section 3333.046 of the Revised Code. 4520  
4521  
4522

(P) "Public college" means a "state institution of higher education" in section 3345.011 of the Revised Code, excluding the northeast Ohio medical university. 4523  
4524  
4525

(Q) "Public secondary school" means a school serving grades nine through twelve in a city, local, or exempted village school district, a joint vocational school district, a community school established under Chapter 3314., a STEM school established under Chapter 3326., or a college-preparatory boarding school established under Chapter 3328. of the Revised Code. 4526  
4527  
4528  
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(R) "School year" has the same meaning as in section 3313.62 of the Revised Code. 4532  
4533

(S) "Secondary grade" means any of grades nine through twelve. 4534  
4535

(T) "Transcribed credit" means post-secondary credit that is 4536  
conferred by an institution of higher education and is reflected 4537  
on a student's official record at that institution upon completion 4538  
of a course. 4539

**Sec. 3365.02.** (A) There is hereby established the college 4540  
credit plus program under which, beginning with the 2015-2016 4541  
school year, a secondary grade student who is a resident of this 4542  
state may enroll at a college, on a full- or part-time basis, and 4543  
complete nonsectarian, nonremedial courses for high school and 4544  
college credit. The program shall govern arrangements in which a 4545  
secondary grade student enrolls in a college and, upon successful 4546  
completion of coursework taken under the program, receives 4547  
transcribed credit from the college, except for any of the 4548  
following: 4549

(1) An agreement governing an early college high school 4550  
program that meets any of the exemption criteria under division 4551  
(E) of section 3313.6013 of the Revised Code; 4552

(2) An advanced placement course or international 4553  
baccalaureate diploma course, as described in divisions (A)(2) and 4554  
(3) of section 3313.6013 of the Revised Code; 4555

(3) A career-technical education program that is approved by 4556  
the department of education under section 3317.161 of the Revised 4557  
Code and grants articulated credit to students participating in 4558  
that program. 4559

(B) Any student enrolled in a public or nonpublic secondary 4560  
school in the student's ninth, tenth, eleventh, or twelfth grade 4561  
and any student who has been excused from the compulsory 4562  
attendance law for the purpose of home instruction under section 4563  
3321.04 of the Revised Code and is the equivalent of a ninth, 4564  
tenth, eleventh, or twelfth grade student, may participate in the 4565  
program, if the student meets the applicable eligibility criteria 4566

in section 3365.03 of the Revised Code. 4567

(C) All public secondary schools and all public colleges 4568  
shall participate in the program and are subject to the 4569  
requirements of this chapter. Any nonpublic secondary school or 4570  
private college that chooses to participate in the program shall 4571  
also be subject to the requirements of this chapter. 4572

(D) The state board of education, in accordance with Chapter 4573  
119. of the Revised Code and in consultation with the chancellor 4574  
of the Ohio board of regents, shall adopt rules governing the 4575  
program. 4576

Sec. 3365.03. (A) A student enrolled in a public or nonpublic 4577  
secondary school during the student's ninth, tenth, eleventh, or 4578  
twelfth grade school year or a student who has been excused from 4579  
the compulsory attendance law for the purpose of home instruction 4580  
under section 3321.04 of the Revised Code and is the equivalent of 4581  
a ninth, tenth, eleventh, or twelfth grade student, may apply to 4582  
and enroll in a college under the college credit plus program. 4583

(1) In order for a public secondary school student to 4584  
participate in the program, all of the following criteria shall be 4585  
met: 4586

(a) The student or the student's parent shall inform the 4587  
principal, or equivalent, of the student's school by the first day 4588  
of April of the student's intent to participate in the program 4589  
during the following school year. Any student who fails to provide 4590  
the notification by the required date may not participate in the 4591  
program during the following school year without the written 4592  
consent of the principal, or equivalent. 4593

(b) The student shall both: 4594

(i) Apply to a public or a participating private college in 4595  
accordance with the college's established procedures for 4596

admission, pursuant to section 3365.05 of the Revised Code; 4597

(ii) Meet the college's established standards for admission 4598  
and for course placement, including course-specific capacity 4599  
limitations, pursuant to section 3365.05 of the Revised Code. 4600

(c) The student shall elect at the time of enrollment to 4601  
participate under either division (A) or (B) of section 3365.06 of 4602  
the Revised Code for each course under the program. 4603

(d) The student and the student's parent shall sign a form, 4604  
provided by the school, stating that they have received the 4605  
counseling required under division (B) of section 3365.04 of the 4606  
Revised Code and that they understand the responsibilities they 4607  
must assume in the program. 4608

(2) In order for a nonpublic secondary school or 4609  
home-instructed student to participate in the program, both of the 4610  
following criteria shall be met: 4611

(a) The student shall meet the criteria in divisions 4612  
(A)(1)(b) and (c) of this section. 4613

(b) The student shall satisfy all application procedures and 4614  
standards established in rules adopted by the state board of 4615  
education, in consultation with the chancellor of the Ohio board 4616  
of regents, pursuant to section 3365.071 of the Revised Code. 4617

(B) Except as provided for in division (C) of this section 4618  
and in sections 3365.031 and 3365.032 of the Revised Code: 4619

(1) No public secondary school shall prohibit a student 4620  
enrolled in that school from participating in the program if that 4621  
student meets all of the criteria in division (A)(1) of this 4622  
section. 4623

(2) No participating nonpublic secondary school shall 4624  
prohibit a student enrolled in that school from participating in 4625  
the program if the student meets all of the criteria in division 4626

(A)(2) of this section and, if the student is enrolled under 4627  
division (B) of section 3365.06 of the Revised Code, the student 4628  
is awarded funding from the department in accordance with rules 4629  
adopted by the state board, in consultation with the chancellor, 4630  
pursuant to section 3365.071 of the Revised Code. 4631

(C) For purposes of this section, during the period of an 4632  
expulsion imposed by a public secondary school, a student is 4633  
ineligible to apply to enroll in a college under this section, 4634  
unless the student is admitted to another public secondary or 4635  
participating nonpublic secondary school. If a student is enrolled 4636  
in a college under this section at the time the student is 4637  
expelled, the student's status for the remainder of the college 4638  
term in which the expulsion is imposed shall be determined under 4639  
section 3365.032 of the Revised Code. 4640

(D) Upon a student's graduation from high school, 4641  
participation in the college credit plus program shall not affect 4642  
the student's eligibility at any public college for scholarships 4643  
or for other benefits or opportunities that are available to 4644  
first-time college students and are awarded by that college, 4645  
regardless of the number of credit hours that the student 4646  
completed under the program. 4647

**Sec. ~~3365.06~~ 3365.031.** (A) A student in grade nine may not 4648  
enroll in courses under this chapter for which the student elects 4649  
under division (B) of section ~~3365.04~~ 3365.06 of the Revised Code 4650  
to receive credit toward high school graduation for more than the 4651  
equivalent of four academic school years. A student enrolling in 4652  
courses under this chapter may not enroll in courses in which the 4653  
student elects to receive credit toward high school graduation for 4654  
more than the equivalent of: 4655

(1) Three academic school years, if the student so enrolls 4656  
for the first time in grade ten; 4657

(2) Two academic school years, if the student so enrolls for 4658  
the first time in grade eleven; 4659

(3) One academic school year, if the student so enrolls for 4660  
the first time in grade twelve. 4661

~~These~~ (B) The restrictions prescribed in division (A) of this 4662  
section shall be reduced proportionately for any such student who 4663  
enrolls in the program during the course of a school year in 4664  
accordance with rules adopted under section 3365.02 of the Revised 4665  
Code. 4666

~~(B) In considering the admission of any secondary student, a~~ 4667  
~~college shall give priority to its other students regarding~~ 4668  
~~enrollment in courses. However, once a student has been accepted~~ 4669  
~~in a course as a participant, the institution shall not displace~~ 4670  
~~the participant for another student.~~ 4671

**Sec. ~~3365.041~~ 3365.032.** (A) When a ~~school district~~ 4672  
~~superintendent, the governing authority of a community school, or~~ 4673  
~~the chief administrative officer of a STEM~~ public secondary school 4674  
expels a student under division (B) of section 3313.66 of the 4675  
Revised Code or, for a college-preparatory boarding school 4676  
established under Chapter 3328. of the Revised Code, in accordance 4677  
with the school's bylaws adopted pursuant to section 3328.13 of 4678  
the Revised Code, the ~~district~~ superintendent, ~~governing~~ 4679  
~~authority, or chief administrative officer~~ or equivalent, shall 4680  
send a written notice of the expulsion to any college in which the 4681  
expelled student is enrolled under section 3365.03 of the Revised 4682  
Code at the time the expulsion is imposed. The notice shall 4683  
indicate the date the expulsion is scheduled to expire. The notice 4684  
also shall indicate whether the ~~district board of education,~~ 4685  
~~community school governing authority, or the STEM~~ school has 4686  
adopted a policy under section 3313.613 of the Revised Code or, 4687  
for a college-preparatory boarding school, in accordance with the 4688



school's bylaws adopted pursuant to section 3328.13 of the Revised Code to deny high school credit for ~~post-secondary~~ courses taken under the college credit plus program during an expulsion. If the expulsion is extended under division (F) of section 3313.66 of the Revised Code or, for a college-preparatory boarding school, in accordance with the school's bylaws adopted pursuant to section 3328.13 of the Revised Code, the ~~district~~ superintendent, ~~community school governing authority, or STEM school chief administrative officer~~ or equivalent, shall notify the college of the extension.

(B) A college may withdraw its acceptance under section 3365.03 of the Revised Code of a student who is expelled from school under division (B) of section 3313.66 of the Revised Code or, for a college-preparatory boarding school, in accordance with the school's bylaws adopted pursuant to section 3328.13 of the Revised Code. As provided in section 3365.03 of the Revised Code, regardless of whether the college withdraws its acceptance of the student for the college term in which the student is expelled, the student is ineligible to enroll in a college under that section for subsequent college terms during the period of the expulsion, unless the student enrolls in another public school ~~district or community school~~, or a participating nonpublic school during that period.

If a college withdraws its acceptance of an expelled student who elected either option of division (A)(1) or (2) of section ~~3365.04~~ 3365.06 of the Revised Code, the college shall refund tuition and fees paid by the student in the same proportion that it refunds tuition and fees to students who voluntarily withdraw from the college at the same time in the term.

If a college withdraws its acceptance of an expelled student who elected the option of division (B) of section ~~3365.04~~ 3365.06 of the Revised Code, the public school ~~district, community school,~~

~~er STEM school~~ shall not award high school credit for the college 4721  
courses in which the student was enrolled at the time the college 4722  
withdrew its acceptance, and any reimbursement under section 4723  
3365.07 of the Revised Code ~~or through alternative funding~~ 4724  
~~agreements entered into under rules adopted under section 3365.12~~ 4725  
~~of the Revised Code~~ for the student's attendance prior to the 4726  
withdrawal shall be the same as would be paid for a student who 4727  
voluntarily withdrew from the college at the same time in the 4728  
term. If the withdrawal results in the college's receiving no 4729  
reimbursement, the college or secondary school may require the 4730  
student to return or pay for ~~the~~ any textbooks and materials it 4731  
provided the student free of charge ~~under section 3365.08 of the~~ 4732  
~~Revised Code.~~ 4733

(C) When a student who elected the option of division (B) of 4734  
section ~~3365.04~~ 3365.06 of the Revised Code is expelled under 4735  
division (B) of section 3313.66 of the Revised Code or, for a 4736  
college-preparatory boarding school, in accordance with the 4737  
school's bylaws adopted pursuant to section 3328.13 of the Revised 4738  
Code from a public school district, community school, or STEM 4739  
~~school~~ that has adopted a policy under section 3313.613 of the 4740  
Revised Code or, for a college-preparatory boarding school, in 4741  
accordance with the school's bylaws adopted pursuant to section 4742  
3328.13 of the Revised Code to deny high school credit for courses 4743  
taken under the college credit plus program during an expulsion, 4744  
that election is automatically revoked for all college courses in 4745  
which the student is enrolled during the college term in which the 4746  
expulsion is imposed. Any reimbursement under section 3365.07 of 4747  
the Revised Code ~~or through alternative funding agreements entered~~ 4748  
~~into under rules adopted under section 3365.12 of the Revised Code~~ 4749  
for the student's attendance prior to the expulsion shall be the 4750  
same as would be paid for a student who voluntarily withdrew from 4751  
the college at the same time in the term. If the revocation 4752  
results in the college's receiving no reimbursement, the college 4753

or secondary school may require the student to return or pay for 4754  
the any textbooks and materials it provided the student free of 4755  
charge ~~under section 3365.08 of the Revised Code.~~ 4756

~~No~~ Not later than five days after receiving an expulsion 4757  
notice from the superintendent ~~of a district, the governing~~ 4758  
~~authority of a community school, or the chief administrative~~ 4759  
~~officer of a STEM, or equivalent, of a public~~ school that has 4760  
adopted a policy under section 3313.613 of the Revised Code or, 4761  
for a college-preparatory boarding school, in accordance with the 4762  
school's bylaws adopted pursuant to section 3328.13 of the Revised 4763  
Code, the college shall send a written notice to the expelled 4764  
student that the student's election of division (B) of section 4765  
~~3365.04~~ 3365.06 of the Revised Code is revoked. If the college 4766  
elects not to withdraw its acceptance of the student, the student 4767  
shall pay all applicable tuition and fees for the college courses 4768  
and shall pay for the any textbooks and materials that the college 4769  
or secondary school provided ~~under section 3365.08 of the Revised~~ 4770  
~~Code~~ to the student. 4771

**Sec. 3365.04.** Each public and participating nonpublic 4772  
secondary school shall do all of the following with respect to the 4773  
college credit plus program: 4774

(A) Provide information about the program prior to the first 4775  
day of March of each year to all students enrolled in grades eight 4776  
through eleven; 4777

(B) Provide counseling services to students in grades eight 4778  
through eleven and to their parents before the students 4779  
participate in the program under this chapter to ensure that 4780  
students and parents are fully aware of the possible consequences 4781  
and benefits of participation. Counseling information shall 4782  
include: 4783

(1) Program eligibility; 4784

<u>(2) The process for granting academic credits;</u>	4785
<u>(3) Any necessary financial arrangements for tuition, textbooks, and fees;</u>	4786 4787
<u>(4) Criteria for any transportation aid;</u>	4788
<u>(5) Available support services;</u>	4789
<u>(6) Scheduling;</u>	4790
<u>(7) Communicating the possible consequences and benefits of participation, including all of the following:</u>	4791 4792
<u>(a) The consequences of failing or not completing a course under the program, including the effect on the student's ability to complete the secondary school's graduation requirements;</u>	4793 4794 4795
<u>(b) The effect of the grade attained in a course under the program being included in the student's grade point average, as applicable;</u>	4796 4797 4798
<u>(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.</u>	4799 4800 4801 4802
<u>(8) The academic and social responsibilities of students and parents under the program;</u>	4803 4804
<u>(9) Information about and encouragement to use the counseling services of the college in which the student intends to enroll;</u>	4805 4806
<u>(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;</u>	4807 4808 4809
<u>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.</u>	4810 4811 4812 4813

(C) Promote the program on the school's web site, including the details of the school's current agreements with partnering colleges; 4814  
4815  
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(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. 4817  
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(E) Implement a policy for the awarding of grades and the calculation of class standing for courses taken under division (A)(2) or (B) of section 3365.06 of the Revised Code. The policy adopted under this division shall be equivalent to the school's current policy for courses taken under the advanced standing programs described in divisions (A)(2) and (3) of section 3313.6013 of the Revised Code. If the current policy includes awarding a weighted grade or enhancing a student's class standing for courses taken under these programs, the policy adopted under this section shall also provide for these procedures to be applied to courses taken under the college credit plus program. 4826  
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(F) Develop model course pathways, pursuant to section 3365.13 of the Revised Code, and publish the course pathways among the school's official list of course offerings for the program. 4837  
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(G) Annually collect, report, and track specified data related to the program according to data reporting guidelines adopted by the chancellor and the superintendent of public instruction pursuant to section 3365.15 of the Revised Code. 4840  
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**Sec. 3365.05.** Each public and participating private college 4844

shall do all of the following with respect to the college credit plus program: 4845  
4846

(A) Apply established standards and procedures for admission to the college and for course placement for participants. When determining admission and course placement, the college shall do all of the following: 4847  
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(1) Consider all available student data that may be an indicator of college readiness, including grade point average and end-of-course examination scores, if applicable; 4851  
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4853

(2) Give priority to its current students regarding enrollment in courses. However, once a participant has been accepted into a course, the college shall not displace the participant for another student. 4854  
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(3) Adhere to any capacity limitations that the college has established for specified courses. 4858  
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(B) Send written notice to a participant, the participant's parent, the participant's secondary school, and the superintendent of public instruction, not later than fourteen calendar days prior to the first day of classes for that term, of the participant's admission to the college and to specified courses under the program. 4860  
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(C) Provide both of the following, not later than twenty-one calendar days after the first day of classes for that term, to each participant, participant's secondary school, and the superintendent of public instruction: 4866  
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4868  
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(1) The courses and hours of enrollment of the participant; 4870

(2) The option elected by the participant under division (A) or (B) of section 3365.06 of the Revised Code for each course. 4871  
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The college shall also provide to each partnering school a roster of participants from that school that are enrolled in the 4873  
4874

college and a list of course assignments for each participant. 4875

(D) Promote the program on the college's web site, including 4876  
the details of the college's current agreements with partnering 4877  
secondary schools. 4878

(E) Coordinate with each partnering secondary school that is 4879  
located within thirty miles of the college to present at least one 4880  
informational session per school year for interested students and 4881  
parents. The session shall include the benefits and consequences 4882  
of participation and shall outline any changes or additions to the 4883  
requirements of the program. If there are no partnering schools 4884  
located within thirty miles of the college, the college shall 4885  
coordinate with the closest partnering school to offer an 4886  
informational session. 4887

(F) Assign an academic advisor that is employed by the 4888  
college to each participant enrolled in that college. Prior to the 4889  
date on which a withdrawal from a course would negatively affect a 4890  
participant's transcribed grade, as prescribed by the college's 4891  
established withdrawal policy, the college shall ensure that the 4892  
academic advisor and the participant meet at least once to discuss 4893  
the program and the courses in which the participant is enrolled. 4894

(G) Do both of the following with regard to high school 4895  
teachers that are teaching courses for the college at a secondary 4896  
school under the program: 4897

(1) Provide at least one professional development session per 4898  
school year; 4899

(2) Conduct at least one classroom observation per school 4900  
year for each course that is authorized by the college and taught 4901  
by a high school teacher to ensure that the course meets the 4902  
quality of a college-level course. 4903

(H) Annually collect, report, and track specified data 4904  
related to the program according to data reporting guidelines 4905

adopted by the chancellor and the superintendent of public 4906  
instruction pursuant to section 3365.15 of the Revised Code. 4907

**Sec. ~~3365.04~~ 3365.06.** The rules adopted under section 3365.02 4908  
of the Revised Code shall provide for ~~students~~ participants to 4909  
enroll in courses under either of the following options: 4910

(A) The ~~student~~ participant may elect at the time of 4911  
enrollment to be responsible for payment of all tuition and the 4912  
cost of all textbooks, materials, and fees associated with the 4913  
course. The college shall notify the ~~student~~ participant about 4914  
payment of tuition and fees in the customary manner followed by 4915  
the college. A ~~student~~ participant electing this option also shall 4916  
elect, at the time of enrollment, whether to receive only college 4917  
credit or high school credit and college credit for the course. 4918  
4919

(1) The ~~student~~ participant may elect to receive only college 4920  
credit for the course. Except as provided in section ~~3365.041~~ 4921  
3365.032 of the Revised Code, if the ~~student~~ participant 4922  
successfully completes the course, the college shall award the 4923  
~~student~~ participant full credit for the course, but the ~~board of~~ 4924  
~~education, community school governing authority, STEM governing~~ 4925  
~~entity of a public secondary school, or nonpublic the governing~~ 4926  
body of a participating nonpublic secondary school shall not award 4927  
the high school credit. 4928

(2) The ~~student~~ participant may elect to receive both high 4929  
school credit and college credit for the course. Except as 4930  
provided in section ~~3365.041~~ 3365.032 of the Revised Code, if the 4931  
~~student~~ participant successfully completes the course, the college 4932  
shall award the ~~student~~ participant full credit for the course and 4933  
the ~~board of education, community school governing authority, STEM~~ 4934  
governing entity of a public school, or the governing body of a 4935  
participating nonpublic school shall award the ~~student~~ participant 4936



high school credit. 4937

(B) The ~~student~~ participant may elect at the time of 4938  
enrollment for each course to have the college reimbursed under 4939  
section 3365.07 of the Revised Code ~~or as provided in alternative~~ 4940  
~~funding agreements entered into under rules adopted under section~~ 4941  
~~3365.12 of the Revised Code~~. Except as provided in section 4942  
~~3365.041~~ 3365.032 of the Revised Code, if the ~~student~~ participant 4943  
successfully completes the course, the college shall award the 4944  
~~student participant~~ full credit for the course, and the board of 4945  
~~education, community school governing authority, STEM governing~~ 4946  
~~entity of a public school,~~ or the governing body of a 4947  
participating nonpublic school shall award the ~~student participant~~ 4948  
high school credit, ~~and the college shall be reimbursed in~~ 4949  
~~accordance with section 3365.07 of the Revised Code or alternative~~ 4950  
~~funding agreements entered into under rules adopted under section~~ 4951  
~~3365.12 of the Revised Code~~. If the participant elects to have the 4952  
college reimbursed under this division, the department shall 4953  
reimburse the college for the number of enrolled credit hours in 4954  
accordance with section 3365.07 of the Revised Code. 4955

When determining a school district's ~~formula~~ ADM enrollment 4956  
under section 3317.03 of the Revised Code, the time a participant 4957  
is attending courses under division (A) of this section shall be 4958  
considered as time the participant is not attending or enrolled in 4959  
school anywhere, and the time a participant is attending courses 4960  
under division (B) of this section shall be considered as time the 4961  
participant is attending or enrolled in the district's schools. 4962

**Sec. 3365.07.** The department of education shall calculate and 4963  
pay state funds to colleges for participants in the college credit 4964  
plus program under division (B) of section 3365.06 of the Revised 4965  
Code pursuant to this section. For a nonpublic secondary school or 4966  
home-instructed participant, the department shall pay state funds 4967

pursuant to this section only if that participant is awarded 4968  
funding according to rules adopted by the state board of 4969  
education, in consultation with the chancellor of the Ohio board 4970  
of regents, pursuant to section 3365.071 of the Revised Code. The 4971  
program shall be the sole mechanism by which state funds are paid 4972  
to colleges for students to earn college-level credit while 4973  
enrolled in a secondary school, with the exception of the programs 4974  
listed in division (A) of section 3365.02 of the Revised Code. 4975

(A) For each public or nonpublic secondary school participant 4976  
enrolled in a public college: 4977

(1) If no agreement has been entered into under division 4978  
(A)(2) of this section, both of the following shall apply: 4979

(a) The department shall pay to the college the applicable 4980  
amount as follows: 4981

(i) For a participant enrolled in a college course delivered 4982  
on the college campus, at another location operated by the 4983  
college, or online, the default ceiling amount; 4984

(ii) For a participant enrolled in a college course delivered 4985  
at the participant's secondary school but taught by college 4986  
faculty, fifty per cent of the default ceiling amount; 4987

(iii) For a participant enrolled in a college course 4988  
delivered at the participant's secondary school and taught by a 4989  
high school teacher who has met the credential requirements 4990  
established for purposes of the program in rules adopted by the 4991  
chancellor of the Ohio board of regents, the default floor amount. 4992

(b) The participant's secondary school shall pay for 4993  
textbooks, and the college shall waive payment of all other fees 4994  
related to participation in the program. 4995

(2) The governing entity of a participant's secondary school 4996  
and the college may enter into an agreement to establish an 4997

alternative payment structure for tuition, textbooks, and fees. 4998  
Under such an agreement, payments for each participant made by the 4999  
department shall be not less than the default floor amount and not 5000  
more than the default ceiling amount. 5001

(3) No participant that is enrolled in a public college shall 5002  
be charged for any tuition, textbooks, or other fees related to 5003  
participation in the program. 5004

(B) For each public secondary school participant enrolled in 5005  
a private college: 5006

(1) If no agreement has been entered into under division 5007  
(B)(2) of this section, the department shall pay to the college 5008  
the applicable amount calculated in the same manner as in division 5009  
(A)(1)(a) of this section. 5010

(2) The governing entity of a participant's secondary school 5011  
and the college may enter into an agreement to establish an 5012  
alternative payment structure for tuition, textbooks, and fees. 5013  
Under such an agreement, payments shall be not less than the 5014  
default floor amount and not more than the default ceiling amount. 5015  
The agreement may include a stipulation permitting the charging of 5016  
a participant. A participant may be charged an amount not to 5017  
exceed the maximum per participant charge amount. A participant 5018  
may be charged only if all of the following conditions are met: 5019

(a) Payments for the participant made by the department to 5020  
the college are not less than the default ceiling amount. 5021

(b) The school provides information to the participant on the 5022  
no-cost options available under this chapter. 5023

(c) The participant is not identified as economically 5024  
disadvantaged according to rules adopted by the department. 5025

(C) For each nonpublic secondary school participant enrolled 5026  
in a private college, the department shall pay to the college the 5027

applicable amount calculated in the same manner as in division 5028  
(A)(1)(a) of this section. Payment for costs for the participant 5029  
that exceed the amount paid by the department shall be negotiated 5030  
by the governing body of the nonpublic secondary school and the 5031  
college. 5032

However, under no circumstances shall: 5033

(1) The payments for a participant made by the department 5034  
under this division exceed the default ceiling amount. 5035

(2) Any nonpublic secondary school participant, who is 5036  
enrolled in that secondary school with a scholarship awarded under 5037  
either the educational choice scholarship pilot program, as 5038  
prescribed by sections 3310.01 to 3310.17, or the pilot project 5039  
scholarship program, as prescribed by sections 3313.974 to 5040  
3313.979 of the Revised Code, and who qualifies as a low-income 5041  
student under either of those programs, be charged for any 5042  
tuition, textbooks, or other fees related to participation in the 5043  
college credit plus program. 5044

(D) For each home-instructed participant enrolled in a public 5045  
or private college, the department shall pay to the college the 5046  
default ceiling amount, if that participant is enrolled in a 5047  
college course delivered on the college campus, at another 5048  
location operated by the college, or online. 5049

(E) Not later than thirty days after the end of each term, 5050  
each college expecting to receive payment for the costs of a 5051  
participant under this section shall notify the department of the 5052  
number of enrolled credit hours for each participant. 5053

(F) Each January and July, or as soon as possible thereafter, 5054  
the department shall make the applicable payments under this 5055  
section to each college, which provided proper notification to the 5056  
department under division (E) of this section, for the number of 5057  
enrolled credit hours for participants enrolled in the college 5058

under division (B) of section 3365.06 of the Revised Code. The 5059  
department shall not make any payments to a college under this 5060  
section if a participant withdrew from a course prior to the date 5061  
on which a withdrawal from the course would have negatively 5062  
affected the participant's transcribed grade, as prescribed by 5063  
the college's established withdrawal policy. 5064

(1) Payments made for public secondary school participants 5065  
under this section shall be deducted from the school foundation 5066  
payments made to the participant's school district or, if the 5067  
participant is enrolled in a community school, a STEM school, or a 5068  
college-preparatory boarding school, from the payments made to 5069  
that school under section 3314.08, 3326.33, or 3328.34 of the 5070  
Revised Code. If the participant is enrolled in a joint vocational 5071  
school district, a portion of the amount shall be deducted from 5072  
the payments to the joint vocational school district and a portion 5073  
shall be deducted from the payments to the participant's city, 5074  
local, or exempted village school district in accordance with the 5075  
full-time equivalency of the student's enrollment in each 5076  
district. Amounts deducted under division (F)(1) of this section 5077  
shall be calculated in accordance with rules adopted by the state 5078  
board of education, pursuant to division (B) of section 3365.071 5079  
of the Revised Code. 5080

(2) Payments made for nonpublic secondary school and 5081  
home-instructed participants under this section shall be deducted 5082  
from moneys appropriated by the general assembly for such purpose. 5083  
Payments shall be allocated and distributed in accordance with 5084  
rules adopted by the state board, in consultation with the 5085  
chancellor of the Ohio board of regents, pursuant to division (A) 5086  
of section 3365.071 of the Revised Code. 5087

(G) Any public college that enrolls a student under division 5088  
(B) of section 3365.06 of the Revised Code may include that 5089  
student in the calculation used to determine its state share of 5090

instruction funds appropriated to the Ohio board of regents by the 5091  
general assembly. 5092

Sec. 3365.071. (A) The state board of education, in 5093  
accordance with Chapter 119. of the Revised Code and in 5094  
consultation with the chancellor of the Ohio board of regents, 5095  
shall adopt rules prescribing both of the following: 5096

(1) Application procedures and standards for nonpublic 5097  
secondary school and home-instructed students who wish to 5098  
participate in the college credit plus program. 5099

(2) A method to allocate and distribute payments under 5100  
section 3365.07 of the Revised Code for nonpublic secondary school 5101  
and home-instructed participants. 5102

(B) The state board shall also adopt rules establishing a 5103  
method to calculate the amounts deducted from a joint vocational 5104  
school district and from a participant's city, local, or exempted 5105  
village school district for payments under section 3365.07 of the 5106  
Revised Code. 5107

~~Sec. 3365.08. (A) A college that expects to receive or~~ 5108  
~~receives reimbursement under section 3365.07 of the Revised Code~~ 5109  
~~or through alternative funding agreements entered into under rules~~ 5110  
~~adopted under section 3365.12 of the Revised Code shall furnish to~~ 5111  
~~a participant all textbooks and materials directly related to a~~ 5112  
~~course taken by the participant under division (B) of section~~ 5113  
~~3365.04 of the Revised Code. No college shall charge such~~ 5114  
~~participant for tuition, textbooks, materials, or other fees~~ 5115  
~~directly related to any such course.~~ 5116

~~(B) No student participant enrolled under this chapter in a~~ 5117  
~~course for which credit toward high school graduation is awarded~~ 5118  
~~shall receive direct financial aid through any state or federal~~ 5119  
~~program.~~ 5120

~~(C)~~(B) If a school district provides transportation for 5121  
resident school students in grades eleven and twelve under section 5122  
3327.01 of the Revised Code, a parent of a ~~pupil~~ participant 5123  
enrolled in a course under division (A)(2) or (B) of section 5124  
~~3365.04~~ 3365.06 of the Revised Code may apply to the board of 5125  
education for full or partial reimbursement for the necessary 5126  
costs of transporting the ~~student~~ participant between the 5127  
secondary school the ~~student~~ participant attends and the college 5128  
in which the ~~student~~ participant is enrolled. Reimbursement may be 5129  
paid solely from funds received by the district for ~~pupil~~ student 5130  
transportation under section 3317.0212 of the Revised Code or 5131  
other provisions of law. The state board of education shall 5132  
establish guidelines, based on financial need, under which a 5133  
district may provide such reimbursement. 5134

~~(D)~~(C) If a community school provides or arranges 5135  
transportation for its ~~pupils~~ students in grades nine through 5136  
twelve under section 3314.091 of the Revised Code, a parent of a 5137  
~~pupil~~ participant of the community school who is enrolled in a 5138  
course under division (A)(2) or (B) of section ~~3365.04~~ 3365.06 of 5139  
the Revised Code may apply to the governing authority of the 5140  
community school for full or partial reimbursement of the 5141  
necessary costs of transporting the ~~student~~ participant between 5142  
the community school and the college. The governing authority may 5143  
pay the reimbursement in accordance with the state board's rules 5144  
adopted under division ~~(C)~~(B) of this section solely from funds 5145  
paid to it under section 3314.091 of the Revised Code. 5146

**Sec. ~~3365.11~~ 3365.09.** (A) ~~If~~ Except as provided for in 5147  
division (C) of this section, if the superintendent ~~of the school~~ 5148  
~~district or the chief administrator of the community school or~~ 5149  
STEM, or equivalent, of a public secondary school in which a 5150  
participant is enrolled determines that the participant has not 5151  
attained a passing final grade in a college course in which the 5152

participant enrolled under this chapter, the superintendent, or 5153  
~~chief administrator shall~~ equivalent, may seek reimbursement from 5154  
the participant or the participant's parent for the amount of 5155  
state funds paid to the college on behalf of the participant for 5156  
that college course. The ~~board of education of the school~~ 5157  
~~district, the governing authority of the community school, or the~~ 5158  
STEM governing entity of a public school, in accordance with 5159  
division (C) of section 3313.642 of the Revised Code, may withhold 5160  
grades and credits received by the participant for ~~district or~~ 5161  
~~community~~ high school courses taken by the participant until the 5162  
participant or the participant's parent provides reimbursement. 5163

(B) ~~If~~ Except as provided for in division (C) of this 5164  
section, if the chief administrator of ~~the~~ a participating 5165  
nonpublic school in which a participant is enrolled determines 5166  
that the participant has not attained a passing final grade in a 5167  
college course in which the participant enrolled under this 5168  
chapter, the chief administrator ~~shall~~ may seek reimbursement from 5169  
the participant or the participant's parent for the amount of 5170  
state funds paid to the college on behalf of the participant for 5171  
enrollment in that college course. Upon the collection of any 5172  
funds from a participant or participant's parent under this 5173  
division, the chief administrator of a nonpublic school shall send 5174  
an amount equal to the funds collected to the superintendent of 5175  
public instruction. The superintendent of public instruction shall 5176  
credit that amount to the general revenue fund. 5177

(C) Unless the participant was expelled by the school, the 5178  
superintendent, or equivalent, or chief administrator shall not 5179  
seek reimbursement from a participant or a participant's parent 5180  
under division (A) or (B) of this section, if the participant is 5181  
identified as economically disadvantaged according to rules 5182  
adopted by the department of education. 5183



Sec. 3365.10. (A) Any public or participating nonpublic secondary school or any public or participating private college, including a secondary school and an associated college operating an early college high school program, may apply to the chancellor of the Ohio board of regents and the superintendent of public instruction for a waiver from the requirements of the college credit plus program. The chancellor and the superintendent may grant a waiver if the school or college meets all criteria set forth in rules adopted by the chancellor and the superintendent pursuant to division (C) of this section.

(B)(1) Except as provided for in division (E) of section 3313.6013 of the Revised Code, any agreement between a public secondary school and an associated college governing the operation of an early college high school program shall be subject to the requirements of the college credit plus program. The chancellor and the superintendent may grant a waiver under division (A) of this section for such an agreement only if the agreement does both of the following:

(a) Includes innovative programming proposed to exclusively address the needs of underrepresented student subgroups.

(b) Meets all criteria set forth in rules adopted by the chancellor and the superintendent pursuant to division (C) of this section.

(2) Any waiver granted under this section for an agreement governing an early college high school program shall apply only to that agreement and shall not apply to any other agreement that the school or college enters into under this chapter.

(C) The chancellor and the superintendent of public instruction shall jointly adopt rules, in accordance with Chapter 119. of the Revised Code, regarding the granting of waivers under this section.

(D) As used in this section: 5215

(1) "Associated college" means a public or private college 5216  
which has entered into an agreement with a public secondary school 5217  
to establish an early college high school program, as described in 5218  
section 3313.6013 of the Revised Code, and awards transcribed 5219  
credit to students through that program. 5220

(2) "Early college high school program" has the same meaning 5221  
as in section 3313.6013 of the Revised Code. 5222

**Sec. 3365.11.** Each instructor teaching a course under the 5223  
college credit plus program shall meet the credential requirements 5224  
set forth in guidelines and procedures established by the 5225  
chancellor of the Ohio board of regents. If the guidelines require 5226  
high school teachers to take any additional graduate-level 5227  
coursework in order to meet the credential requirements, that 5228  
coursework shall be applicable to continuing education and 5229  
professional development requirements for the renewal of the 5230  
teacher's educator license. 5231

**Sec. ~~3365.05~~ 3365.12.** (A) All courses offered under the 5232  
college credit plus program shall be the same courses that are 5233  
included in the partnering college's course catalogue for 5234  
college-level, nonremedial courses and shall apply to at least one 5235  
degree or professional certification at the partnering college. 5236

(B)(1) High school credit awarded for courses successfully 5237  
completed under this chapter shall count toward the graduation 5238  
requirements and subject area requirements of the ~~school district,~~ 5239  
~~community school,~~ STEM public secondary school, or participating 5240  
nonpublic secondary school. If a course comparable to one a 5241  
~~student~~ participant completed at a college is offered by the 5242  
~~district or school,~~ the board or school governing entity or 5243  
governing body shall award comparable credit for the course 5244

completed at the college. If no comparable course is offered by 5245  
the ~~district or school~~, the ~~board or school~~ governing entity or 5246  
governing body shall grant an appropriate number of elective 5247  
credits ~~in a similar subject area~~ to the ~~student~~ participant. 5248

(2) If there is a dispute between a ~~school district board, a~~ 5249  
~~community school governing authority, or a STEM~~ participant's 5250  
school and a ~~student~~ participant regarding high school credits 5251  
granted for a course, the ~~student~~ participant may appeal the 5252  
decision to the state board of education. The state board's 5253  
decision regarding any high school credits granted under this 5254  
section is final. 5255

(C) Evidence of successful completion of each course and the 5256  
high school credits awarded by the ~~district or school~~ shall be 5257  
included in the student's record. The record shall indicate that 5258  
the credits were earned as a participant under this chapter and 5259  
shall include the name of the college at which the credits were 5260  
earned. ~~The district or school shall determine whether and the~~ 5261  
~~manner in which the grade achieved in a course completed at a~~ 5262  
~~college under division (A)(2) or (B) of section 3365.04 of the~~ 5263  
~~Revised Code will be counted in any cumulative grade point average~~ 5264  
~~maintained for the student.~~ 5265

**Sec. 3365.13.** (A) Each public secondary school shall develop, 5266  
in consultation with at least one public partnering college, two 5267  
model pathways for courses offered under the college credit plus 5268  
program. One of the model pathways shall be a fifteen-credit hour 5269  
pathway and one shall be a thirty-credit hour pathway. Each 5270  
pathway shall include courses which, once completed, all apply to 5271  
at least one degree or professional certification offered at the 5272  
college. The pathways may be organized by desired major or career 5273  
path or may include various core courses required for a degree or 5274  
professional certification by the college. The school shall 5275

publish the pathways among the school's official list of course offerings from which a participant may select. 5276  
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(B) No participant shall be required to enroll only in the courses included in a model pathway developed under division (A) of this section. Instead, the pathways shall serve as samples of the courses that a participant may take, if desired, to earn multiple credits toward a specified degree or certification. 5278  
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Sec. 3365.15. The chancellor of the Ohio board of regents and the superintendent of public instruction jointly shall do all of the following: 5283  
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(A) Adopt data reporting guidelines specifying the types of data that public and participating nonpublic secondary schools and public and participating private colleges must collect, report, and track under division (G) of section 3365.04 and division (H) of section 3365.05 of the Revised Code. The guidelines shall also include policies and procedures for the collection, reporting, and tracking of such data. 5286  
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(B) Submit a biennial report detailing the status of the college credit plus program to the governor, the president of the senate, the speaker of the house of representatives, and the chairpersons of the education committees of the senate and house of representatives. The first report shall be submitted not later than December 31, 2017, and each subsequent report shall be submitted not later than the thirty-first day of December every two years thereafter. 5293  
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(C) Establish a college credit plus advisory committee to assist in the development of performance metrics and the monitoring of the program's progress. 5301  
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The chancellor shall also, in consultation with the superintendent, create a standard packet of information for the 5304  
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college credit plus program directed toward students and parents 5306  
that are interested in the program. 5307

**Section 2.** That existing sections 133.06, 921.06, 3301.0714, 5308  
3301.0715, 3302.03, 3302.10, 3313.372, 3313.603, 3313.6013, 5309  
3313.6016, 3313.90, 3314.08, 3317.03, 3319.22, 3319.26, 3321.03, 5310  
3321.04, 3321.07, 3321.08, 3321.09, 3324.07, 3326.36, 3328.24, 5311  
3331.04, 3333.041, 3333.35, 3333.43, 3333.86, 3345.06, 3365.04, 5312  
3365.041, 3365.05, 3365.06, 3365.08, and 3365.11 and sections 5313  
3313.6015, 3345.062, 3365.01, 3365.02, 3365.021, 3365.022, 5314  
3365.03, 3365.07, 3365.09, 3365.10, 3365.12, and 3365.15 of the 5315  
Revised Code are hereby repealed. 5316

**Section 3.** (A) There is hereby created the School Based 5317  
Health Care Advisory Workgroup. The Workgroup shall consist of the 5318  
following members: 5319

(1) The Superintendent of Public Instruction or the 5320  
Superintendent's designee; 5321

(2) The Director of Developmental Disabilities or the 5322  
Director's designee; 5323

(3) The Director of Health or the Director's designee; 5324

(4) The Director of Job and Family Services or the Director's 5325  
designee; 5326

(5) The Director of Medicaid or the Director's designee; 5327

(6) The Director of Mental Health and Addiction Services or 5328  
the Director's designee; 5329

(7) The Director of the Office of Health Transformation or 5330  
the Director's designee, who shall serve as chairperson; 5331

(8) One representative from each of the following 5332  
organizations, appointed by the organization's chief executive 5333  
officer or the individual serving in an equivalent capacity for 5334

the organization:	5335
(a) The Association of Ohio Health Commissioners;	5336
(b) The Buckeye Association of School Administrators;	5337
(c) The County Commissioners Association of Ohio;	5338
(d) The Greater Cincinnati Community Learning Institute;	5339
(e) The Ohio Association of Community Health Centers;	5340
(f) The Ohio Association of Health Plans;	5341
(g) The Ohio Association of School Nurses;	5342
(h) The Ohio Business Roundtable;	5343
(i) The Ohio Chamber of Commerce;	5344
(j) The Ohio Chapter of the American Academy of Pediatrics;	5345
(k) The Ohio Children's Hospital Association;	5346
(l) The Ohio Commission on Minority Health;	5347
(m) The Ohio Council of Behavioral Health and Family Services	5348
Providers;	5349
(n) The Ohio Dental Association;	5350
(o) The Ohio Optometric Association;	5351
(p) The Ohio Parent Teacher Association;	5352
(q) The Ohio State Medical Association;	5353
(r) The Public Children Services Association of Ohio;	5354
(s) Voices for Ohio's Children;	5355
(t) The Ohio Federation of Teachers.	5356
(9) Two members of the House of Representatives, one from the	5357
majority party and the other from the minority party, appointed by	5358
the Speaker of the House of Representatives;	5359
(10) Two members of the Senate, one from the majority party	5360

and the other from the minority party, appointed by the President 5361  
of the Senate. 5362

(B) The Workgroup shall do all of the following: 5363

(1) Review evidence of the correlation between student health 5364  
and academic achievement; 5365

(2) Identify existing best practices to improve academic 5366  
achievement through better student health; 5367

(3) Based on existing best practices, recommend one or more 5368  
models for communities that want to improve academic achievement 5369  
through better student health; 5370

(4) Recommend financial strategies to sustain the models over 5371  
time, with an emphasis on health coverage through commercial 5372  
insurance and Medicaid, not other governmental subsidies; 5373

(5) Recommend health care service delivery strategies that 5374  
are known to improve health outcomes, such as patient-centered 5375  
medical homes; 5376

(6) Ensure that all recommendations adhere to state and 5377  
federal law. 5378

(C)(1) Appointments to the Workgroup shall be made not later 5379  
than fifteen days after the effective date of this section. 5380  
Vacancies shall be filled in the same manner as the original 5381  
appointments. 5382

(2) Members of the Workgroup shall serve without compensation 5383  
or reimbursement for expenses incurred while serving on the 5384  
Workgroup, except to the extent that serving on the Workgroup is 5385  
considered to be among the member's employment duties. 5386

(D) The Workgroup shall prepare a report of its findings and 5387  
recommendations and, not later than December 31, 2014, submit the 5388  
report to the General Assembly. Upon submission of the report, the 5389  
Workgroup shall cease to exist. 5390

**Section 4.** (A) Notwithstanding anything to the contrary in 5391  
Chapter 3365. of the Revised Code, for the 2014-2015 school year, 5392  
the program established under that chapter shall continue to 5393  
operate as the Post-Secondary Enrollment Options Program, as it 5394  
existed under that chapter prior to the effective date of this 5395  
section. All rules for the Post-Secondary Enrollment Options 5396  
Program in effect on the effective date of this section shall 5397  
continue to govern that program for the 2014-2015 school year. The 5398  
College Credit Plus Program, as codified in Chapter 3365. of the 5399  
Revised Code, as it is revised by this act, shall begin operation 5400  
for the 2015-2016 school year. Beginning on the effective date of 5401  
this section, the Department of Education, State Board of 5402  
Education, and Chancellor of the Ohio Board of Regents shall take 5403  
the necessary steps to adopt rules, guidelines, and procedures and 5404  
to create any necessary forms and documents so that the College 5405  
Credit Plus Program is fully operational for the 2015-2016 school 5406  
year in accordance with Chapter 3365. of the Revised Code, as it 5407  
is revised by this act. 5408

(B) In accordance with division (A) of this section, all 5409  
participants who enroll, or who have taken preliminary action to 5410  
enroll, in an institution of higher education for the 2014-2015 5411  
school year pursuant to Chapter 3365. of the Revised Code, as it 5412  
existed prior to the effective date of this section, or rules 5413  
adopted under that version of that chapter, shall participate in 5414  
the Post-Secondary Enrollment Options Program, as it existed prior 5415  
to the effective date of this section. Participants enrolled in an 5416  
institution of higher education under the Post-Secondary 5417  
Enrollment Options Program during the 2014-2015 school year shall 5418  
continue to be subject to the provisions of Chapter 3365. of the 5419  
Revised Code, as it existed prior to the effective date of this 5420  
section. 5421

(C) For the 2014-2015 school year, all participants who 5422



enroll, or who have taken preliminary action to enroll, in a dual 5423  
enrollment program as defined in section 3313.6013 of the Revised 5424  
Code, as it existed prior to the effective date of this section, 5425  
to participate during that school year in the dual enrollment 5426  
program shall participate under the specified dual enrollment 5427  
program in which the student enrolled and shall continue to be 5428  
subject to the provisions of section 3313.6013 of the Revised 5429  
Code, as it existed prior to the effective date of this section. 5430

(D) Any agreement entered into for the 2014-2015 school year 5431  
regarding either the Post-Secondary Enrollment Options Program 5432  
under Chapter 3365. of the Revised Code, as it existed prior to 5433  
the effective date of this section, or any dual enrollment 5434  
program, as defined in section 3313.6013 of the Revised Code as it 5435  
existed prior to the effective date of this section, shall 5436  
continue in force, pursuant to the terms of that agreement, for 5437  
the 2014-2015 school year. 5438

(E) For the 2013-2014 and 2014-2015 school years, the 5439  
Department of Education shall make all payments that the 5440  
Department is obligated to pay pursuant to section 3365.07 of the 5441  
Revised Code, as it existed prior to the effective date of this 5442  
section, for participants who enroll in an institution of higher 5443  
education under Chapter 3365. of the Revised Code, as it existed 5444  
prior to the effective date of this section. 5445

(F) For the 2014-2015 school year only, whenever the term 5446  
"College Credit Plus Program" is used, referred to, or designated 5447  
in any provision of the Revised Code outside of Chapter 3365. of 5448  
the Revised Code, the use, reference, or designation shall be 5449  
construed to mean the "Post-Secondary Enrollment Options Program." 5450