

**As Reported by the House Education Committee**

**130th General Assembly**

**Regular Session**

**2013-2014**

**Sub. H. B. No. 487**

**Representative Brenner**

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**A B I L L**

To amend sections 133.06, 921.06, 3301.0712, 1  
3301.0714, 3301.0715, 3302.03, 3302.10, 3310.03, 2  
3310.031, 3310.032, 3311.24, 3311.38, 3311.86, 3  
3313.372, 3313.537, 3313.603, 3313.6013, 4  
3313.6016, 3313.612, 3313.843, 3313.90, 3313.975, 5  
3314.015, 3314.016, 3314.02, 3314.03, 3314.08, 6  
3317.03, 3319.22, 3319.26, 3324.07, 3326.11, 7  
3326.36, 3328.24, 3331.04, 3333.041, 3333.35, 8  
3333.43, 3333.86, 3345.06, 3365.04, 3365.041, 9  
3365.05, 3365.06, 3365.08, 3365.11, 5747.08, and 10  
5747.98; to amend, for the purpose of adopting new 11  
section numbers as indicated in parentheses, 12  
sections 3365.04 (3365.06), 3365.041 (3365.032), 13  
3365.05 (3365.12), 3365.06 (3365.031), and 3365.11 14  
(3365.09); to enact new sections 3310.05, 3365.01, 15  
3365.02, 3365.03, 3365.04, 3365.05, 3365.07, 16  
3365.11, and 3365.15 and sections 3301.163, 17  
3311.241, 3313.6020, 3313.94, 3314.191, 3314.352, 18  
3324.09, 3324.11, 3365.033, 3365.071, 3365.13, and 19  
5747.64; and to repeal sections 3310.05, 3345.062, 20  
3365.01, 3365.02, 3365.021, 3365.022, 3365.03, 21  
3365.07, 3365.09, 3365.10, 3365.12, and 3365.15 of 22  
the Revised Code; and to amend the version of 23  
section 3314.016 of the Revised Code that is 24

scheduled to take effect on January 1, 2015, to 25  
continue the provisions of this act on and after 26  
that effective date with regard to education 27  
provisions for students in grades kindergarten 28  
through twelve. 29

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

**Section 1.** That sections 133.06, 921.06, 3301.0712, 30  
3301.0714, 3301.0715, 3302.03, 3302.10, 3310.03, 3310.031, 31  
3310.032, 3311.24, 3311.38, 3311.86, 3313.372, 3313.537, 3313.603, 32  
3313.6013, 3313.6016, 3313.612, 3313.843, 3313.90, 3313.975, 33  
3314.015, 3314.016, 3314.02, 3314.03, 3314.08, 3317.03, 3319.22, 34  
3319.26, 3324.07, 3326.11, 3326.36, 3328.24, 3331.04, 3333.041, 35  
3333.35, 3333.43, 3333.86, 3345.06, 3365.04, 3365.041, 3365.05, 36  
3365.06, 3365.08, 3365.11, 5747.08, and 5747.98 be amended; 37  
sections 3365.04 (3365.06), 3365.041 (3365.032), 3365.05 38  
(3365.12), 3365.06 (3365.031), and 3365.11 (3365.09) be amended 39  
for the purpose of adopting new section numbers as indicated in 40  
parentheses; and new sections 3310.05, 3365.01, 3365.02, 3365.03, 41  
3365.04, 3365.05, 3365.07, 3365.11, and 3365.15 and sections 42  
3301.163, 3311.241, 3313.6020, 3313.94, 3314.191, 3314.352, 43  
3324.09, 3324.11, 3365.033, 3365.071, 3365.13, and 5747.64 of the 44  
Revised Code be enacted to read as follows: 45

**Sec. 133.06.** (A) A school district shall not incur, without a 46  
vote of the electors, net indebtedness that exceeds an amount 47  
equal to one-tenth of one per cent of its tax valuation, except as 48  
provided in divisions (G) and (H) of this section and in division 49  
(C) of section 3313.372 of the Revised Code, or as prescribed in 50  
section 3318.052 or 3318.44 of the Revised Code, or as provided in 51  
division (J) of this section. 52

(B) Except as provided in divisions (E), (F), and (I) of this 53

section, a school district shall not incur net indebtedness that 54  
exceeds an amount equal to nine per cent of its tax valuation. 55

(C) A school district shall not submit to a vote of the 56  
electors the question of the issuance of securities in an amount 57  
that will make the district's net indebtedness after the issuance 58  
of the securities exceed an amount equal to four per cent of its 59  
tax valuation, unless the superintendent of public instruction, 60  
acting under policies adopted by the state board of education, and 61  
the tax commissioner, acting under written policies of the 62  
commissioner, consent to the submission. A request for the 63  
consents shall be made at least one hundred twenty days prior to 64  
the election at which the question is to be submitted. 65

The superintendent of public instruction shall certify to the 66  
district the superintendent's and the tax commissioner's decisions 67  
within thirty days after receipt of the request for consents. 68

If the electors do not approve the issuance of securities at 69  
the election for which the superintendent of public instruction 70  
and tax commissioner consented to the submission of the question, 71  
the school district may submit the same question to the electors 72  
on the date that the next special election may be held under 73  
section 3501.01 of the Revised Code without submitting a new 74  
request for consent. If the school district seeks to submit the 75  
same question at any other subsequent election, the district shall 76  
first submit a new request for consent in accordance with this 77  
division. 78

(D) In calculating the net indebtedness of a school district, 79  
none of the following shall be considered: 80

(1) Securities issued to acquire school buses and other 81  
equipment used in transporting pupils or issued pursuant to 82  
division (D) of section 133.10 of the Revised Code; 83

(2) Securities issued under division (F) of this section, 84

under section 133.301 of the Revised Code, and, to the extent in 85  
excess of the limitation stated in division (B) of this section, 86  
under division (E) of this section; 87

(3) Indebtedness resulting from the dissolution of a joint 88  
vocational school district under section 3311.217 of the Revised 89  
Code, evidenced by outstanding securities of that joint vocational 90  
school district; 91

(4) Loans, evidenced by any securities, received under 92  
sections 3313.483, 3317.0210, and 3317.0211 of the Revised Code; 93

(5) Debt incurred under section 3313.374 of the Revised Code; 94

(6) Debt incurred pursuant to division (B)(5) of section 95  
3313.37 of the Revised Code to acquire computers and related 96  
hardware; 97

(7) Debt incurred under section 3318.042 of the Revised Code. 98

(E) A school district may become a special needs district as 99  
to certain securities as provided in division (E) of this section. 100

(1) A board of education, by resolution, may declare its 101  
school district to be a special needs district by determining both 102  
of the following: 103

(a) The student population is not being adequately serviced 104  
by the existing permanent improvements of the district. 105

(b) The district cannot obtain sufficient funds by the 106  
issuance of securities within the limitation of division (B) of 107  
this section to provide additional or improved needed permanent 108  
improvements in time to meet the needs. 109

(2) The board of education shall certify a copy of that 110  
resolution to the superintendent of public instruction with a 111  
statistical report showing all of the following: 112

(a) The history of and a projection of the growth of the tax 113  
valuation; 114

(b) The projected needs;	115
(c) The estimated cost of permanent improvements proposed to meet such projected needs.	116 117
(3) The superintendent of public instruction shall certify the district as an approved special needs district if the superintendent finds both of the following:	118 119 120
(a) The district does not have available sufficient additional funds from state or federal sources to meet the projected needs.	121 122 123
(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.	124 125 126 127 128 129 130 131
(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:	132 133 134 135
(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;	136 137 138 139 140 141
(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	142 143 144 145

during the next ten years. 146

(F) A school district may issue securities for emergency 147  
purposes, in a principal amount that does not exceed an amount 148  
equal to three per cent of its tax valuation, as provided in this 149  
division. 150

(1) A board of education, by resolution, may declare an 151  
emergency if it determines both of the following: 152

(a) School buildings or other necessary school facilities in 153  
the district have been wholly or partially destroyed, or condemned 154  
by a constituted public authority, or that such buildings or 155  
facilities are partially constructed, or so constructed or planned 156  
as to require additions and improvements to them before the 157  
buildings or facilities are usable for their intended purpose, or 158  
that corrections to permanent improvements are necessary to remove 159  
or prevent health or safety hazards. 160

(b) Existing fiscal and net indebtedness limitations make 161  
adequate replacement, additions, or improvements impossible. 162

(2) Upon the declaration of an emergency, the board of 163  
education may, by resolution, submit to the electors of the 164  
district pursuant to section 133.18 of the Revised Code the 165  
question of issuing securities for the purpose of paying the cost, 166  
in excess of any insurance or condemnation proceeds received by 167  
the district, of permanent improvements to respond to the 168  
emergency need. 169

(3) The procedures for the election shall be as provided in 170  
section 133.18 of the Revised Code, except that: 171

(a) The form of the ballot shall describe the emergency 172  
existing, refer to this division as the authority under which the 173  
emergency is declared, and state that the amount of the proposed 174  
securities exceeds the limitations prescribed by division (B) of 175  
this section; 176

(b) The resolution required by division (B) of section 133.18 177  
of the Revised Code shall be certified to the county auditor and 178  
the board of elections at least one hundred days prior to the 179  
election; 180

(c) The county auditor shall advise and, not later than 181  
ninety-five days before the election, confirm that advice by 182  
certification to, the board of education of the information 183  
required by division (C) of section 133.18 of the Revised Code; 184

(d) The board of education shall then certify its resolution 185  
and the information required by division (D) of section 133.18 of 186  
the Revised Code to the board of elections not less than ninety 187  
days prior to the election. 188

(4) Notwithstanding division (B) of section 133.21 of the 189  
Revised Code, the first principal payment of securities issued 190  
under this division may be set at any date not later than sixty 191  
months after the earliest possible principal payment otherwise 192  
provided for in that division. 193

(G)(1) The board of education may contract with an architect, 194  
professional engineer, or other person experienced in the design 195  
and implementation of energy conservation measures for an analysis 196  
and recommendations pertaining to installations, modifications of 197  
installations, or remodeling that would significantly reduce 198  
energy consumption in buildings owned by the district. The report 199  
shall include estimates of all costs of such installations, 200  
modifications, or remodeling, including costs of design, 201  
engineering, installation, maintenance, repairs, measurement and 202  
verification of energy savings, and debt service, forgone residual 203  
value of materials or equipment replaced by the energy 204  
conservation measure, as defined by the Ohio school facilities 205  
commission, a baseline analysis of actual energy consumption data 206  
for the preceding three years with the utility baseline based on 207  
only the actual energy consumption data for the preceding twelve 208

months, and estimates of the amounts by which energy consumption 209  
and resultant operational and maintenance costs, as defined by the 210  
commission, would be reduced. 211

If the board finds after receiving the report that the amount 212  
of money the district would spend on such installations, 213  
modifications, or remodeling is not likely to exceed the amount of 214  
money it would save in energy and resultant operational and 215  
maintenance costs over the ensuing fifteen years, the board may 216  
submit to the commission a copy of its findings and a request for 217  
approval to incur indebtedness to finance the making or 218  
modification of installations or the remodeling of buildings for 219  
the purpose of significantly reducing energy consumption. 220

The school facilities commission, in consultation with the 221  
auditor of state, may deny a request under this division by the 222  
board of education any school district is in a state of fiscal 223  
watch pursuant to division (A) of section 3316.03 of the Revised 224  
Code, if it determines that the expenditure of funds is not in the 225  
best interest of the school district. 226

No district board of education of a school district that is 227  
in a state of fiscal emergency pursuant to division (B) of section 228  
3316.03 of the Revised Code shall submit a request without 229  
submitting evidence that the installations, modifications, or 230  
remodeling have been approved by the district's financial planning 231  
and supervision commission established under section 3316.05 of 232  
the Revised Code. 233

No board of education of a school district that, for three or 234  
more consecutive years, has been declared to be in a state of 235  
academic emergency under section 3302.03 of the Revised Code, as 236  
that section existed prior to March 22, 2013, and has failed to 237  
meet adequate yearly progress, or has met any condition set forth 238  
in division (A)(2), (3), ~~or (4)~~, or (5) of section 3302.10 of the 239  
Revised Code shall submit a request without first receiving 240

approval to incur indebtedness from the district's academic 241  
distress commission established under that section, for so long as 242  
such commission continues to be required for the district. 243

(2) The school facilities commission shall approve the 244  
board's request provided that the following conditions are 245  
satisfied: 246

(a) The commission determines that the board's findings are 247  
reasonable. 248

(b) The request for approval is complete. 249

(c) The installations, modifications, or remodeling are 250  
consistent with any project to construct or acquire classroom 251  
facilities, or to reconstruct or make additions to existing 252  
classroom facilities under sections 3318.01 to 3318.20 or sections 253  
3318.40 to 3318.45 of the Revised Code. 254

Upon receipt of the commission's approval, the district may 255  
issue securities without a vote of the electors in a principal 256  
amount not to exceed nine-tenths of one per cent of its tax 257  
valuation for the purpose of making such installations, 258  
modifications, or remodeling, but the total net indebtedness of 259  
the district without a vote of the electors incurred under this 260  
and all other sections of the Revised Code, except section 261  
3318.052 of the Revised Code, shall not exceed one per cent of the 262  
district's tax valuation. 263

(3) So long as any securities issued under this division 264  
remain outstanding, the board of education shall monitor the 265  
energy consumption and resultant operational and maintenance costs 266  
of buildings in which installations or modifications have been 267  
made or remodeling has been done pursuant to this division ~~and~~. 268  
Except as provided in division (G)(4) of this section, the board 269  
shall maintain and annually update a report in a form and manner 270  
prescribed by the school facilities commission documenting the 271

reductions in energy consumption and resultant operational and 272  
maintenance cost savings attributable to such installations, 273  
modifications, or remodeling. ~~The report shall be certified by an~~ 274  
~~architect or engineer independent of any person that provided~~ 275  
~~goods or services to the board in connection with the energy~~ 276  
~~conservation measures that are the subject of the report.~~ The 277  
resultant operational and maintenance cost savings shall be 278  
certified by the school district treasurer. The report shall be 279  
submitted annually to the commission. 280

(4) If the school facilities commission verifies that the 281  
certified annual reports submitted to the commission by a board of 282  
education under division (G)(3) of this section fulfill the 283  
guarantee required under division (B) of section 3313.372 of the 284  
Revised Code for three consecutive years, the board of education 285  
shall no longer be subject to the annual reporting requirements of 286  
division (G)(3) of this section. 287

(H) With the consent of the superintendent of public 288  
instruction, a school district may incur without a vote of the 289  
electors net indebtedness that exceeds the amounts stated in 290  
divisions (A) and (G) of this section for the purpose of paying 291  
costs of permanent improvements, if and to the extent that both of 292  
the following conditions are satisfied: 293

(1) The fiscal officer of the school district estimates that 294  
receipts of the school district from payments made under or 295  
pursuant to agreements entered into pursuant to section 725.02, 296  
1728.10, 3735.671, 5709.081, 5709.082, 5709.40, 5709.41, 5709.62, 297  
5709.63, 5709.632, 5709.73, 5709.78, or 5709.82 of the Revised 298  
Code, or distributions under division (C) of section 5709.43 of 299  
the Revised Code, or any combination thereof, are, after 300  
accounting for any appropriate coverage requirements, sufficient 301  
in time and amount, and are committed by the proceedings, to pay 302  
the debt charges on the securities issued to evidence that 303

indebtedness and payable from those receipts, and the taxing 304  
authority of the district confirms the fiscal officer's estimate, 305  
which confirmation is approved by the superintendent of public 306  
instruction; 307

(2) The fiscal officer of the school district certifies, and 308  
the taxing authority of the district confirms, that the district, 309  
at the time of the certification and confirmation, reasonably 310  
expects to have sufficient revenue available for the purpose of 311  
operating such permanent improvements for their intended purpose 312  
upon acquisition or completion thereof, and the superintendent of 313  
public instruction approves the taxing authority's confirmation. 314

The maximum maturity of securities issued under division (H) 315  
of this section shall be the lesser of twenty years or the maximum 316  
maturity calculated under section 133.20 of the Revised Code. 317

(I) A school district may incur net indebtedness by the 318  
issuance of securities in accordance with the provisions of this 319  
chapter in excess of the limit specified in division (B) or (C) of 320  
this section when necessary to raise the school district portion 321  
of the basic project cost and any additional funds necessary to 322  
participate in a project under Chapter 3318. of the Revised Code, 323  
including the cost of items designated by the ~~Ohio~~ school 324  
facilities commission as required locally funded initiatives, the 325  
cost of other locally funded initiatives in an amount that does 326  
not exceed fifty per cent of the district's portion of the basic 327  
project cost, and the cost for site acquisition. The ~~school~~ 328  
~~facilities~~ commission shall notify the superintendent of public 329  
instruction whenever a school district will exceed either limit 330  
pursuant to this division. 331

(J) A school district whose portion of the basic project cost 332  
of its classroom facilities project under sections 3318.01 to 333  
3318.20 of the Revised Code is greater than or equal to one 334  
hundred million dollars may incur without a vote of the electors 335

net indebtedness in an amount up to two per cent of its tax 336  
valuation through the issuance of general obligation securities in 337  
order to generate all or part of the amount of its portion of the 338  
basic project cost if the controlling board has approved the 339  
school facilities commission's conditional approval of the project 340  
under section 3318.04 of the Revised Code. The school district 341  
board and the Ohio school facilities commission shall include the 342  
dedication of the proceeds of such securities in the agreement 343  
entered into under section 3318.08 of the Revised Code. No state 344  
moneys shall be released for a project to which this section 345  
applies until the proceeds of any bonds issued under this section 346  
that are dedicated for the payment of the school district portion 347  
of the project are first deposited into the school district's 348  
project construction fund. 349

**Sec. 921.06.** (A)(1) No individual shall do any of the 350  
following without having a commercial applicator license issued by 351  
the director of agriculture: 352

(a) Apply pesticides for a pesticide business without direct 353  
supervision; 354

(b) Apply pesticides as part of the individual's duties while 355  
acting as an employee of the United States government, a state, 356  
county, township, or municipal corporation, or a park district, 357  
port authority, or sanitary district created under Chapter 1545., 358  
4582., or 6115. of the Revised Code, respectively; 359

(c) Apply restricted use pesticides. Division (A)(1)(c) of 360  
this section does not apply to a private applicator or an 361  
immediate family member or a subordinate employee of a private 362  
applicator who is acting under the direct supervision of that 363  
private applicator. 364

(d) If the individual is the owner of a business other than a 365  
pesticide business or an employee of such an owner, apply 366

pesticides at any of the following publicly accessible sites that	367
are located on the property:	368
(i) Food service operations that are licensed under Chapter	369
3717. of the Revised Code;	370
(ii) Retail food establishments that are licensed under	371
Chapter 3717. of the Revised Code;	372
(iii) Golf courses;	373
(iv) Rental properties of more than four apartment units at	374
one location;	375
(v) Hospitals or medical facilities as defined in section	376
3701.01 of the Revised Code;	377
(vi) Child day-care centers or school child day-care centers	378
as defined in section 5104.01 of the Revised Code;	379
(vii) Facilities owned or operated by a school district	380
established under Chapter 3311. of the Revised Code, including an	381
<del>education</del> <u>educational</u> service center, a community school	382
established under Chapter 3314. of the Revised Code, or a	383
chartered or nonchartered nonpublic school that meets minimum	384
standards established by the state board of education;	385
(viii) <del>Colleges as defined in section 3365.01</del> <u>State</u>	386
<u>institutions of higher education as defined in section 3345.011 of</u>	387
<u>the Revised Code, nonprofit institutions holding a certificate of</u>	388
<u>authorization pursuant to Chapter 1713. of the Revised Code,</u>	389
<u>institutions holding a certificate of registration from the state</u>	390
<u>board of career colleges and schools and program authorization for</u>	391
<u>an associate or bachelor's degree program issued under section</u>	392
<u>3332.05 of the Revised Code, and private institutions exempt from</u>	393
<u>regulation under Chapter 3332. of the Revised Code as prescribed</u>	394
<u>in section 3333.046 of the Revised Code;</u>	395
(ix) Food processing establishments as defined in section	396

3715.021 of the Revised Code;	397
(x) Any other site designated by rule.	398
(e) Conduct authorized diagnostic inspections.	399
(2) Divisions (A)(1)(a) to (d) of this section do not apply	400
to an individual who is acting as a trained serviceperson under	401
the direct supervision of a commercial applicator.	402
(3) Licenses shall be issued for a period of time established	403
by rule and shall be renewed in accordance with deadlines	404
established by rule. The fee for each such license shall be	405
established by rule. If a license is not issued or renewed, the	406
application fee shall be retained by the state as payment for the	407
reasonable expense of processing the application. The director	408
shall by rule classify by pesticide-use category licenses to be	409
issued under this section. A single license may include more than	410
one pesticide-use category. No individual shall be required to pay	411
an additional license fee if the individual is licensed for more	412
than one category.	413
The fee for each license or renewal does not apply to an	414
applicant who is an employee of the department of agriculture	415
whose job duties require licensure as a commercial applicator as a	416
condition of employment.	417
(B) Application for a commercial applicator license shall be	418
made on a form prescribed by the director. Each application for a	419
license shall state the pesticide-use category or categories of	420
license for which the applicant is applying and other information	421
that the director determines essential to the administration of	422
this chapter.	423
(C) If the director finds that the applicant is competent to	424
apply pesticides and conduct diagnostic inspections and that the	425
applicant has passed both the general examination and each	426
applicable pesticide-use category examination as required under	427

division (A) of section 921.12 of the Revised Code, the director 428  
shall issue a commercial applicator license limited to the 429  
pesticide-use category or categories for which the applicant is 430  
found to be competent. If the director rejects an application, the 431  
director may explain why the application was rejected, describe 432  
the additional requirements necessary for the applicant to obtain 433  
a license, and return the application. The applicant may resubmit 434  
the application without payment of any additional fee. 435

(D)(1) A person who is a commercial applicator shall be 436  
deemed to hold a private applicator's license for purposes of 437  
applying pesticides on agricultural commodities that are produced 438  
by the commercial applicator. 439

(2) A commercial applicator shall apply pesticides only in 440  
the pesticide-use category or categories in which the applicator 441  
is licensed under this chapter. 442

(E) All money collected under this section shall be credited 443  
to the pesticide, fertilizer, and lime program fund created in 444  
section 921.22 of the Revised Code. 445

**Sec. 3301.0712.** (A) The state board of education, the 446  
superintendent of public instruction, and the chancellor of the 447  
Ohio board of regents shall develop a system of college and work 448  
ready assessments as described in divisions (B)(1) and (2) of this 449  
section to assess whether each student upon graduating from high 450  
school is ready to enter college or the workforce. The system 451  
shall replace the Ohio graduation tests prescribed in division 452  
(B)(1) of section 3301.0710 of the Revised Code as a measure of 453  
student academic performance and a prerequisite for eligibility 454  
for a high school diploma in the manner prescribed by rule of the 455  
state board adopted under division (D) of this section. 456

(B) The college and work ready assessment system shall 457  
consist of the following: 458

(1) A nationally standardized assessment that measures 459  
college and career readiness selected jointly by the state 460  
superintendent and the chancellor. 461

(2) A series of end-of-course examinations in the areas of 462  
science, mathematics, English language arts, American history, and 463  
American government selected jointly by the state superintendent 464  
and the chancellor in consultation with faculty in the appropriate 465  
subject areas at institutions of higher education of the 466  
university system of Ohio. For each subject area, the state 467  
superintendent and chancellor shall select multiple assessments 468  
that school districts, public schools, and chartered nonpublic 469  
schools may use as end-of-course examinations. Subject to division 470  
(B)(3)(b) of this section, those assessments shall include 471  
nationally recognized subject area assessments, such as advanced 472  
placement examinations, SAT subject tests, international 473  
baccalaureate examinations, and other assessments of college and 474  
work readiness. 475

(3)(a) Not later than July 1, 2013, each school district 476  
board of education shall adopt interim end-of-course examinations 477  
that comply with the requirements of divisions (B)(3)(b)(i) and 478  
(ii) of this section to assess mastery of American history and 479  
American government standards adopted under division (A)(1)(b) of 480  
section 3301.079 of the Revised Code and the topics required under 481  
division (M) of section 3313.603 of the Revised Code. Each high 482  
school of the district shall use the interim examinations until 483  
the state superintendent and chancellor select end-of-course 484  
examinations in American history and American government under 485  
division (B)(2) of this section. 486

(b) Not later than July 1, 2014, the state superintendent and 487  
the chancellor shall select the end-of-course examinations in 488  
American history and American government. 489

(i) The end-of-course examinations in American history and 490

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

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

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

(D) Upon completion of the development of the assessment system, the state board shall adopt rules prescribing all of the following:

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

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

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

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

Code; 522

(5) The date after which a person who has fulfilled the 523  
curriculum requirement for a diploma but has not passed one or 524  
more of the required assessments at the time the person fulfilled 525  
the curriculum requirement shall meet the requirements of the 526  
entire assessment system as a prerequisite for a high school 527  
diploma under division (B) of section 3313.614 of the Revised 528  
Code; 529

(6) The extent to which the assessment system applies to 530  
students enrolled in a dropout recovery and prevention program for 531  
purposes of division (F) of section 3313.603 and section 3314.36 532  
of the Revised Code. 533

No rule adopted under this division shall be effective 534  
earlier than one year after the date the rule is filed in final 535  
form pursuant to Chapter 119. of the Revised Code. 536

(E) Not later than forty-five days prior to the state board's 537  
adoption of a resolution directing the department of education to 538  
file the rules prescribed by division (D) of this section in final 539  
form under section 119.04 of the Revised Code, the superintendent 540  
of public instruction shall present the assessment system 541  
developed under this section to the respective committees of the 542  
house of representatives and senate that consider education 543  
legislation. 544

(F)(1) Any person enrolled in a nonchartered nonpublic school 545  
or any person who has been excused from attendance at school for 546  
the purpose of home instruction under section 3321.04 of the 547  
Revised Code may choose to participate in the system of 548  
assessments administered under divisions (B)(1) and (2) of this 549  
section. However, no such person shall be required to participate 550  
in the system of assessments. 551

(2) The department shall adopt rules for the administration 552

and scoring of any assessments under division (F)(1) of this 553  
section. 554

**Sec. 3301.0714.** (A) The state board of education shall adopt 555  
rules for a statewide education management information system. The 556  
rules shall require the state board to establish guidelines for 557  
the establishment and maintenance of the system in accordance with 558  
this section and the rules adopted under this section. The 559  
guidelines shall include: 560

(1) Standards identifying and defining the types of data in 561  
the system in accordance with divisions (B) and (C) of this 562  
section; 563

(2) Procedures for annually collecting and reporting the data 564  
to the state board in accordance with division (D) of this 565  
section; 566

(3) Procedures for annually compiling the data in accordance 567  
with division (G) of this section; 568

(4) Procedures for annually reporting the data to the public 569  
in accordance with division (H) of this section. 570

(B) The guidelines adopted under this section shall require 571  
the data maintained in the education management information system 572  
to include at least the following: 573

(1) Student participation and performance data, for each 574  
grade in each school district as a whole and for each grade in 575  
each school building in each school district, that includes: 576

(a) The numbers of students receiving each category of 577  
instructional service offered by the school district, such as 578  
regular education instruction, vocational education instruction, 579  
specialized instruction programs or enrichment instruction that is 580  
part of the educational curriculum, instruction for gifted 581  
students, instruction for students with disabilities, and remedial 582

instruction. The guidelines shall require instructional services 583  
under this division to be divided into discrete categories if an 584  
instructional service is limited to a specific subject, a specific 585  
type of student, or both, such as regular instructional services 586  
in mathematics, remedial reading instructional services, 587  
instructional services specifically for students gifted in 588  
mathematics or some other subject area, or instructional services 589  
for students with a specific type of disability. The categories of 590  
instructional services required by the guidelines under this 591  
division shall be the same as the categories of instructional 592  
services used in determining cost units pursuant to division 593  
(C)(3) of this section. 594

(b) The numbers of students receiving support or 595  
extracurricular services for each of the support services or 596  
extracurricular programs offered by the school district, such as 597  
counseling services, health services, and extracurricular sports 598  
and fine arts programs. The categories of services required by the 599  
guidelines under this division shall be the same as the categories 600  
of services used in determining cost units pursuant to division 601  
(C)(4)(a) of this section. 602

(c) Average student grades in each subject in grades nine 603  
through twelve; 604

(d) Academic achievement levels as assessed under sections 605  
3301.0710, 3301.0711, and 3301.0712 of the Revised Code; 606

(e) The number of students designated as having a disabling 607  
condition pursuant to division (C)(1) of section 3301.0711 of the 608  
Revised Code; 609

(f) The numbers of students reported to the state board 610  
pursuant to division (C)(2) of section 3301.0711 of the Revised 611  
Code; 612

(g) Attendance rates and the average daily attendance for the 613

year. For purposes of this division, a student shall be counted as present for any field trip that is approved by the school administration.

(h) Expulsion rates;

(i) Suspension rates;

(j) Dropout rates;

(k) Rates of retention in grade;

(l) For pupils in grades nine through twelve, the average number of carnegie units, as calculated in accordance with state board of education rules;

(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;

(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, except for the language and reading assessment described in division (A)(2) of section 3301.0715 of the Revised Code, if the parent of that student requests the district not to report those results.

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

(a) The total numbers of licensed employees and nonlicensed employees and the numbers of full-time equivalent licensed employees and nonlicensed employees providing each category of instructional service, instructional support service, and

administrative support service used pursuant to division (C)(3) of 644  
this section. The guidelines adopted under this section shall 645  
require these categories of data to be maintained for the school 646  
district as a whole and, wherever applicable, for each grade in 647  
the school district as a whole, for each school building as a 648  
whole, and for each grade in each school building. 649

(b) The total number of employees and the number of full-time 650  
equivalent employees providing each category of service used 651  
pursuant to divisions (C)(4)(a) and (b) of this section, and the 652  
total numbers of licensed employees and nonlicensed employees and 653  
the numbers of full-time equivalent licensed employees and 654  
nonlicensed employees providing each category used pursuant to 655  
division (C)(4)(c) of this section. The guidelines adopted under 656  
this section shall require these categories of data to be 657  
maintained for the school district as a whole and, wherever 658  
applicable, for each grade in the school district as a whole, for 659  
each school building as a whole, and for each grade in each school 660  
building. 661

(c) The total number of regular classroom teachers teaching 662  
classes of regular education and the average number of pupils 663  
enrolled in each such class, in each of grades kindergarten 664  
through five in the district as a whole and in each school 665  
building in the school district. 666

(d) The number of lead teachers employed by each school 667  
district and each school building. 668

(3)(a) Student demographic data for each school district, 669  
including information regarding the gender ratio of the school 670  
district's pupils, the racial make-up of the school district's 671  
pupils, the number of limited English proficient students in the 672  
district, and an appropriate measure of the number of the school 673  
district's pupils who reside in economically disadvantaged 674  
households. The demographic data shall be collected in a manner to 675

allow correlation with data collected under division (B)(1) of 676  
this section. Categories for data collected pursuant to division 677  
(B)(3) of this section shall conform, where appropriate, to 678  
standard practices of agencies of the federal government. 679

(b) With respect to each student entering kindergarten, 680  
whether the student previously participated in a public preschool 681  
program, a private preschool program, or a head start program, and 682  
the number of years the student participated in each of these 683  
programs. 684

(4) Any data required to be collected pursuant to federal 685  
law. 686

(C) The education management information system shall include 687  
cost accounting data for each district as a whole and for each 688  
school building in each school district. The guidelines adopted 689  
under this section shall require the cost data for each school 690  
district to be maintained in a system of mutually exclusive cost 691  
units and shall require all of the costs of each school district 692  
to be divided among the cost units. The guidelines shall require 693  
the system of mutually exclusive cost units to include at least 694  
the following: 695

(1) Administrative costs for the school district as a whole. 696  
The guidelines shall require the cost units under this division 697  
(C)(1) to be designed so that each of them may be compiled and 698  
reported in terms of average expenditure per pupil in formula ADM 699  
in the school district, as determined pursuant to section 3317.03 700  
of the Revised Code. 701

(2) Administrative costs for each school building in the 702  
school district. The guidelines shall require the cost units under 703  
this division (C)(2) to be designed so that each of them may be 704  
compiled and reported in terms of average expenditure per 705  
full-time equivalent pupil receiving instructional or support 706

services in each building. 707

(3) Instructional services costs for each category of 708  
instructional service provided directly to students and required 709  
by guidelines adopted pursuant to division (B)(1)(a) of this 710  
section. The guidelines shall require the cost units under 711  
division (C)(3) of this section to be designed so that each of 712  
them may be compiled and reported in terms of average expenditure 713  
per pupil receiving the service in the school district as a whole 714  
and average expenditure per pupil receiving the service in each 715  
building in the school district and in terms of a total cost for 716  
each category of service and, as a breakdown of the total cost, a 717  
cost for each of the following components: 718

(a) The cost of each instructional services category required 719  
by guidelines adopted under division (B)(1)(a) of this section 720  
that is provided directly to students by a classroom teacher; 721

(b) The cost of the instructional support services, such as 722  
services provided by a speech-language pathologist, classroom 723  
aide, multimedia aide, or librarian, provided directly to students 724  
in conjunction with each instructional services category; 725

(c) The cost of the administrative support services related 726  
to each instructional services category, such as the cost of 727  
personnel that develop the curriculum for the instructional 728  
services category and the cost of personnel supervising or 729  
coordinating the delivery of the instructional services category. 730

(4) Support or extracurricular services costs for each 731  
category of service directly provided to students and required by 732  
guidelines adopted pursuant to division (B)(1)(b) of this section. 733  
The guidelines shall require the cost units under division (C)(4) 734  
of this section to be designed so that each of them may be 735  
compiled and reported in terms of average expenditure per pupil 736  
receiving the service in the school district as a whole and 737

average expenditure per pupil receiving the service in each 738  
building in the school district and in terms of a total cost for 739  
each category of service and, as a breakdown of the total cost, a 740  
cost for each of the following components: 741

(a) The cost of each support or extracurricular services 742  
category required by guidelines adopted under division (B)(1)(b) 743  
of this section that is provided directly to students by a 744  
licensed employee, such as services provided by a guidance 745  
counselor or any services provided by a licensed employee under a 746  
supplemental contract; 747

(b) The cost of each such services category provided directly 748  
to students by a nonlicensed employee, such as janitorial 749  
services, cafeteria services, or services of a sports trainer; 750

(c) The cost of the administrative services related to each 751  
services category in division (C)(4)(a) or (b) of this section, 752  
such as the cost of any licensed or nonlicensed employees that 753  
develop, supervise, coordinate, or otherwise are involved in 754  
administering or aiding the delivery of each services category. 755

(D)(1) The guidelines adopted under this section shall 756  
require school districts to collect information about individual 757  
students, staff members, or both in connection with any data 758  
required by division (B) or (C) of this section or other reporting 759  
requirements established in the Revised Code. The guidelines may 760  
also require school districts to report information about 761  
individual staff members in connection with any data required by 762  
division (B) or (C) of this section or other reporting 763  
requirements established in the Revised Code. The guidelines shall 764  
not authorize school districts to request social security numbers 765  
of individual students. The guidelines shall prohibit the 766  
reporting under this section of a student's name, address, and 767  
social security number to the state board of education or the 768  
department of education. The guidelines shall also prohibit the 769

reporting under this section of any personally identifiable 770  
information about any student, except for the purpose of assigning 771  
the data verification code required by division (D)(2) of this 772  
section, to any other person unless such person is employed by the 773  
school district or the information technology center operated 774  
under section 3301.075 of the Revised Code and is authorized by 775  
the district or technology center to have access to such 776  
information or is employed by an entity with which the department 777  
contracts for the scoring or the development of state assessments. 778  
The guidelines may require school districts to provide the social 779  
security numbers of individual staff members and the county of 780  
residence for a student. Nothing in this section prohibits the 781  
state board of education or department of education from providing 782  
a student's county of residence to the department of taxation to 783  
facilitate the distribution of tax revenue. 784

(2)(a) The guidelines shall provide for each school district 785  
or community school to assign a data verification code that is 786  
unique on a statewide basis over time to each student whose 787  
initial Ohio enrollment is in that district or school and to 788  
report all required individual student data for that student 789  
utilizing such code. The guidelines shall also provide for 790  
assigning data verification codes to all students enrolled in 791  
districts or community schools on the effective date of the 792  
guidelines established under this section. The assignment of data 793  
verification codes for other entities, as described in division 794  
(D)(2)(c) of this section, the use of those codes, and the 795  
reporting and use of associated individual student data shall be 796  
coordinated by the department in accordance with state and federal 797  
law. 798

School districts shall report individual student data to the 799  
department through the information technology centers utilizing 800  
the code. The entities described in division (D)(2)(c) of this 801

section shall report individual student data to the department in 802  
the manner prescribed by the department. 803

Except as provided in sections 3301.941, 3310.11, 3310.42, 804  
3310.63, 3313.978, and 3317.20 of the Revised Code, at no time 805  
shall the state board or the department have access to information 806  
that would enable any data verification code to be matched to 807  
personally identifiable student data. 808

(b) Each school district and community school shall ensure 809  
that the data verification code is included in the student's 810  
records reported to any subsequent school district, community 811  
school, or state institution of higher education, as defined in 812  
section 3345.011 of the Revised Code, in which the student 813  
enrolls. Any such subsequent district or school shall utilize the 814  
same identifier in its reporting of data under this section. 815

(c) The director of any state agency that administers a 816  
publicly funded program providing services to children who are 817  
younger than compulsory school age, as defined in section 3321.01 818  
of the Revised Code, including the directors of health, job and 819  
family services, mental health and addiction services, and 820  
developmental disabilities, shall request and receive, pursuant to 821  
sections 3301.0723 and 3701.62 of the Revised Code, a data 822  
verification code for a child who is receiving those services. 823

(E) The guidelines adopted under this section may require 824  
school districts to collect and report data, information, or 825  
reports other than that described in divisions (A), (B), and (C) 826  
of this section for the purpose of complying with other reporting 827  
requirements established in the Revised Code. The other data, 828  
information, or reports may be maintained in the education 829  
management information system but are not required to be compiled 830  
as part of the profile formats required under division (G) of this 831  
section or the annual statewide report required under division (H) 832  
of this section. 833

(F) Beginning with the school year that begins July 1, 1991, 834  
the board of education of each school district shall annually 835  
collect and report to the state board, in accordance with the 836  
guidelines established by the board, the data required pursuant to 837  
this section. A school district may collect and report these data 838  
notwithstanding section 2151.357 or 3319.321 of the Revised Code. 839

(G) The state board shall, in accordance with the procedures 840  
it adopts, annually compile the data reported by each school 841  
district pursuant to division (D) of this section. The state board 842  
shall design formats for profiling each school district as a whole 843  
and each school building within each district and shall compile 844  
the data in accordance with these formats. These profile formats 845  
shall: 846

(1) Include all of the data gathered under this section in a 847  
manner that facilitates comparison among school districts and 848  
among school buildings within each school district; 849

(2) Present the data on academic achievement levels as 850  
assessed by the testing of student achievement maintained pursuant 851  
to division (B)(1)(d) of this section. 852

(H)(1) The state board shall, in accordance with the 853  
procedures it adopts, annually prepare a statewide report for all 854  
school districts and the general public that includes the profile 855  
of each of the school districts developed pursuant to division (G) 856  
of this section. Copies of the report shall be sent to each school 857  
district. 858

(2) The state board shall, in accordance with the procedures 859  
it adopts, annually prepare an individual report for each school 860  
district and the general public that includes the profiles of each 861  
of the school buildings in that school district developed pursuant 862  
to division (G) of this section. Copies of the report shall be 863  
sent to the superintendent of the district and to each member of 864

the district board of education. 865

(3) Copies of the reports received from the state board under 866  
divisions (H)(1) and (2) of this section shall be made available 867  
to the general public at each school district's offices. Each 868  
district board of education shall make copies of each report 869  
available to any person upon request and payment of a reasonable 870  
fee for the cost of reproducing the report. The board shall 871  
annually publish in a newspaper of general circulation in the 872  
school district, at least twice during the two weeks prior to the 873  
week in which the reports will first be available, a notice 874  
containing the address where the reports are available and the 875  
date on which the reports will be available. 876

(I) Any data that is collected or maintained pursuant to this 877  
section and that identifies an individual pupil is not a public 878  
record for the purposes of section 149.43 of the Revised Code. 879

(J) As used in this section: 880

(1) "School district" means any city, local, exempted 881  
village, or joint vocational school district and, in accordance 882  
with section 3314.17 of the Revised Code, any community school. As 883  
used in division (L) of this section, "school district" also 884  
includes any educational service center or other educational 885  
entity required to submit data using the system established under 886  
this section. 887

(2) "Cost" means any expenditure for operating expenses made 888  
by a school district excluding any expenditures for debt 889  
retirement except for payments made to any commercial lending 890  
institution for any loan approved pursuant to section 3313.483 of 891  
the Revised Code. 892

(K) Any person who removes data from the information system 893  
established under this section for the purpose of releasing it to 894  
any person not entitled under law to have access to such 895

information is subject to section 2913.42 of the Revised Code 896  
prohibiting tampering with data. 897

(L)(1) In accordance with division (L)(2) of this section and 898  
the rules adopted under division (L)(10) of this section, the 899  
department of education may sanction any school district that 900  
reports incomplete or inaccurate data, reports data that does not 901  
conform to data requirements and descriptions published by the 902  
department, fails to report data in a timely manner, or otherwise 903  
does not make a good faith effort to report data as required by 904  
this section. 905

(2) If the department decides to sanction a school district 906  
under this division, the department shall take the following 907  
sequential actions: 908

(a) Notify the district in writing that the department has 909  
determined that data has not been reported as required under this 910  
section and require the district to review its data submission and 911  
submit corrected data by a deadline established by the department. 912  
The department also may require the district to develop a 913  
corrective action plan, which shall include provisions for the 914  
district to provide mandatory staff training on data reporting 915  
procedures. 916

(b) Withhold up to ten per cent of the total amount of state 917  
funds due to the district for the current fiscal year and, if not 918  
previously required under division (L)(2)(a) of this section, 919  
require the district to develop a corrective action plan in 920  
accordance with that division; 921

(c) Withhold an additional amount of up to twenty per cent of 922  
the total amount of state funds due to the district for the 923  
current fiscal year; 924

(d) Direct department staff or an outside entity to 925  
investigate the district's data reporting practices and make 926

recommendations for subsequent actions. The recommendations may	927
include one or more of the following actions:	928
(i) Arrange for an audit of the district's data reporting practices by department staff or an outside entity;	929 930
(ii) Conduct a site visit and evaluation of the district;	931
(iii) Withhold an additional amount of up to thirty per cent of the total amount of state funds due to the district for the current fiscal year;	932 933 934
(iv) Continue monitoring the district's data reporting;	935
(v) Assign department staff to supervise the district's data management system;	936 937
(vi) Conduct an investigation to determine whether to suspend or revoke the license of any district employee in accordance with division (N) of this section;	938 939 940
(vii) If the district is issued a report card under section 3302.03 of the Revised Code, indicate on the report card that the district has been sanctioned for failing to report data as required by this section;	941 942 943 944
(viii) If the district is issued a report card under section 3302.03 of the Revised Code and incomplete or inaccurate data submitted by the district likely caused the district to receive a higher performance rating than it deserved under that section, issue a revised report card for the district;	945 946 947 948 949
(ix) Any other action designed to correct the district's data reporting problems.	950 951
(3) Any time the department takes an action against a school district under division (L)(2) of this section, the department shall make a report of the circumstances that prompted the action. The department shall send a copy of the report to the district superintendent or chief administrator and maintain a copy of the	952 953 954 955 956

report in its files. 957

(4) If any action taken under division (L)(2) of this section 958  
resolves a school district's data reporting problems to the 959  
department's satisfaction, the department shall not take any 960  
further actions described by that division. If the department 961  
withheld funds from the district under that division, the 962  
department may release those funds to the district, except that if 963  
the department withheld funding under division (L)(2)(c) of this 964  
section, the department shall not release the funds withheld under 965  
division (L)(2)(b) of this section and, if the department withheld 966  
funding under division (L)(2)(d) of this section, the department 967  
shall not release the funds withheld under division (L)(2)(b) or 968  
(c) of this section. 969

(5) Notwithstanding anything in this section to the contrary, 970  
the department may use its own staff or an outside entity to 971  
conduct an audit of a school district's data reporting practices 972  
any time the department has reason to believe the district has not 973  
made a good faith effort to report data as required by this 974  
section. If any audit conducted by an outside entity under 975  
division (L)(2)(d)(i) or (5) of this section confirms that a 976  
district has not made a good faith effort to report data as 977  
required by this section, the district shall reimburse the 978  
department for the full cost of the audit. The department may 979  
withhold state funds due to the district for this purpose. 980

(6) Prior to issuing a revised report card for a school 981  
district under division (L)(2)(d)(viii) of this section, the 982  
department may hold a hearing to provide the district with an 983  
opportunity to demonstrate that it made a good faith effort to 984  
report data as required by this section. The hearing shall be 985  
conducted by a referee appointed by the department. Based on the 986  
information provided in the hearing, the referee shall recommend 987  
whether the department should issue a revised report card for the 988

district. If the referee affirms the department's contention that 989  
the district did not make a good faith effort to report data as 990  
required by this section, the district shall bear the full cost of 991  
conducting the hearing and of issuing any revised report card. 992

(7) If the department determines that any inaccurate data 993  
reported under this section caused a school district to receive 994  
excess state funds in any fiscal year, the district shall 995  
reimburse the department an amount equal to the excess funds, in 996  
accordance with a payment schedule determined by the department. 997  
The department may withhold state funds due to the district for 998  
this purpose. 999

(8) Any school district that has funds withheld under 1000  
division (L)(2) of this section may appeal the withholding in 1001  
accordance with Chapter 119. of the Revised Code. 1002

(9) In all cases of a disagreement between the department and 1003  
a school district regarding the appropriateness of an action taken 1004  
under division (L)(2) of this section, the burden of proof shall 1005  
be on the district to demonstrate that it made a good faith effort 1006  
to report data as required by this section. 1007

(10) The state board of education shall adopt rules under 1008  
Chapter 119. of the Revised Code to implement division (L) of this 1009  
section. 1010

(M) No information technology center or school district shall 1011  
acquire, change, or update its student administration software 1012  
package to manage and report data required to be reported to the 1013  
department unless it converts to a student software package that 1014  
is certified by the department. 1015

(N) The state board of education, in accordance with sections 1016  
3319.31 and 3319.311 of the Revised Code, may suspend or revoke a 1017  
license as defined under division (A) of section 3319.31 of the 1018  
Revised Code that has been issued to any school district employee 1019

found to have willfully reported erroneous, inaccurate, or 1020  
incomplete data to the education management information system. 1021

(O) No person shall release or maintain any information about 1022  
any student in violation of this section. Whoever violates this 1023  
division is guilty of a misdemeanor of the fourth degree. 1024

(P) The department shall disaggregate the data collected 1025  
under division (B)(1)(n) of this section according to the race and 1026  
socioeconomic status of the students assessed. ~~No data collected~~ 1027  
~~under that division shall be included on the report cards required~~ 1028  
~~by section 3302.03 of the Revised Code.~~ 1029

(Q) If the department cannot compile any of the information 1030  
required by division (H) of section 3302.03 of the Revised Code 1031  
based upon the data collected under this section, the department 1032  
shall develop a plan and a reasonable timeline for the collection 1033  
of any data necessary to comply with that division. 1034

**Sec. 3301.0715.** (A) Except as otherwise required under 1035  
division (B)(1) of section 3313.608 of the Revised Code, the board 1036  
of education of each city, local, and exempted village school 1037  
district shall administer each applicable diagnostic assessment 1038  
developed and provided to the district in accordance with section 1039  
3301.079 of the Revised Code to the following: 1040

(1) Any student who transfers into the district or to a 1041  
different school within the district if each applicable diagnostic 1042  
assessment was not administered by the district or school the 1043  
student previously attended in the current school year, within 1044  
thirty days after the date of transfer. If the district or school 1045  
into which the student transfers cannot determine whether the 1046  
student has taken any applicable diagnostic assessment in the 1047  
current school year, the district or school may administer the 1048  
diagnostic assessment to the student. However, if a student 1049  
transfers into the district prior to the administration of the 1050

diagnostic assessments to all students under division (B) of this 1051  
section, the district may administer the diagnostic assessments to 1052  
that student on the date or dates determined under that division. 1053

~~(2)(a) Prior to July 1, 2014, each kindergarten student, not~~ 1054  
~~earlier than four weeks prior to the first day of school and not~~ 1055  
~~later than the first day of October.~~ 1056

~~(b) Beginning July 1, 2014, each~~ Each kindergarten student, 1057  
not earlier than the first day of the school year and not later 1058  
than the first day of November, except that the language and 1059  
reading skills portion of the assessment shall be administered by 1060  
the thirtieth day of September to fulfill the requirements of 1061  
division (B) of section 3313.608 of the Revised Code. 1062

For the purpose of division (A)(2) of this section, the 1063  
district shall administer the kindergarten readiness assessment 1064  
provided by the department of education. In no case shall the 1065  
results of the readiness assessment be used to prohibit a student 1066  
from enrolling in kindergarten. 1067

(3) Each student enrolled in first, second, or third grade. 1068

Division (A) of this section does not apply to students with 1069  
significant cognitive disabilities, as defined by the department 1070  
of education. 1071

(B) Each district board shall administer each diagnostic 1072  
assessment when the board deems appropriate, provided the 1073  
administration complies with section 3313.608 of the Revised Code. 1074  
However, the board shall administer any diagnostic assessment at 1075  
least once annually to all students in the appropriate grade 1076  
level. A district board may administer any diagnostic assessment 1077  
in the fall and spring of a school year to measure the amount of 1078  
academic growth attributable to the instruction received by 1079  
students during that school year. 1080

(C) Any district that received ~~an excellent or effective~~ 1081

~~rating a grade of "A" or "B" for the performance index score under~~ 1082  
~~division (A)(1)(b), (B)(1)(b), or (C)(1)(b) of section 3302.03 of~~ 1083  
~~the Revised Code or for the value-added progress dimension under~~ 1084  
~~division (A)(1)(e), (B)(1)(e), or (C)(1)(e) of section 3302.03 of~~ 1085  
~~the Revised Code for the immediately preceding school year,~~ 1086  
~~pursuant to section 3302.03 of the Revised Code as it existed~~ 1087  
~~prior to March 22, 2013, or the equivalent of such rating as~~ 1088  
~~determined by the department of education,~~ may use different 1089  
diagnostic assessments from those adopted under division (D) of 1090  
section 3301.079 of the Revised Code in order to satisfy the 1091  
requirements of division (A)~~(2)~~(3) of this section. 1092

(D) Each district board shall utilize and score any 1093  
diagnostic assessment administered under division (A) of this 1094  
section in accordance with rules established by the department. 1095  
After the administration of any diagnostic assessment, each 1096  
district shall provide a student's completed diagnostic 1097  
assessment, the results of such assessment, and any other 1098  
accompanying documents used during the administration of the 1099  
assessment to the parent of that student, and shall include all 1100  
such documents and information in any plan developed for the 1101  
student under division (C) of section 3313.608 of the Revised 1102  
Code. Each district shall submit to the department, in the manner 1103  
the department prescribes, the results of the diagnostic 1104  
assessments administered under this section, regardless of the 1105  
type of assessment used under section 3313.608 of the Revised 1106  
Code. The department may issue reports with respect to the data 1107  
collected. The department may report school and district level 1108  
kindergarten diagnostic assessment data and use diagnostic 1109  
assessment data to calculate the measure prescribed by divisions 1110  
(B)(1)(g) and (C)(1)(g) of section 3302.03 of the Revised Code. 1111

(E) Each district board shall provide intervention services 1112  
to students whose diagnostic assessments show that they are 1113

failing to make satisfactory progress toward attaining the 1114  
academic standards for their grade level. 1115

Sec. 3301.163. (A) Beginning July 1, 2015, any third-grade 1116  
student who attends a chartered nonpublic school with a 1117  
scholarship awarded under either the educational choice 1118  
scholarship pilot program, prescribed in sections 3310.01 to 1119  
3310.17, or the pilot project scholarship program prescribed in 1120  
sections 3313.974 to 3313.979 of the Revised Code, shall be 1121  
subject to the third-grade reading guarantee retention provisions 1122  
under division (A)(2) of section 3313.608 of the Revised Code. 1123

(B)(1) Each chartered nonpublic school that enrolls students 1124  
in any of grades kindergarten through three and that accepts 1125  
students under the educational choice scholarship pilot program or 1126  
the pilot project scholarship program shall adopt policies and 1127  
procedures for the annual assessment of the reading skills of 1128  
those students. Each school may use the diagnostic assessment to 1129  
measure reading ability for the appropriate grade level prescribed 1130  
in division (B) of section 3313.608 of the Revised Code. If the 1131  
school uses such assessments, the department of education shall 1132  
furnish them to the chartered nonpublic school. 1133

(2) For each student identified as having reading skills 1134  
below grade level, the school shall do both of the following: 1135

(a) Provide to the student's parent or guardian, in writing, 1136  
all of the following: 1137

(i) Notification that the student has been identified as 1138  
having a substantial deficiency in reading; 1139

(ii) Notification that if the student attains a score in the 1140  
range designated under division (A)(3) of section 3301.0710 of the 1141  
Revised Code on the assessment prescribed under that section to 1142  
measure skill in English language arts expected at the end of 1143

third grade, the student shall be retained unless the student is 1144  
exempt under division (A)(1) of section 3313.608 of the Revised 1145  
Code. 1146

(b) Provide intensive reading instruction services, as 1147  
determined appropriate by the school, to each student identified 1148  
under this section. 1149

(C) Each chartered nonpublic school subject to this section 1150  
annually shall report to the department the number of students 1151  
identified as reading at grade level and the number of students 1152  
identified as reading below grade level. 1153

**Sec. 3302.03.** Annually, not later than the fifteenth day of 1154  
September or the preceding Friday when that day falls on a 1155  
Saturday or Sunday, the department of education shall assign a 1156  
letter grade for overall academic performance and for each 1157  
separate performance measure for each school district, and each 1158  
school building in a district, in accordance with this section. 1159  
The state board shall adopt rules pursuant to Chapter 119. of the 1160  
Revised Code to establish performance criteria for each letter 1161  
grade and prescribe a method by which the department assigns each 1162  
letter grade. For a school building to which any of the 1163  
performance measures do not apply, due to grade levels served by 1164  
the building, the state board shall designate the performance 1165  
measures that are applicable to the building and that must be 1166  
calculated separately and used to calculate the building's overall 1167  
grade. The department shall issue annual report cards reflecting 1168  
the performance of each school district, each building within each 1169  
district, and for the state as a whole using the performance 1170  
measures and letter grade system described in this section. The 1171  
department shall include on the report card for each district and 1172  
each building within each district the most recent two-year trend 1173  
data in student achievement for each subject and each grade. 1174

(A)(1) For the 2012-2013 school year, the department shall 1175  
issue grades as described in division (E) of this section for each 1176  
of the following performance measures: 1177

(a) Annual measurable objectives; 1178

(b) Performance index score for a school district or 1179  
building. Grades shall be awarded as a percentage of the total 1180  
possible points on the performance index system as adopted by the 1181  
state board. In adopting benchmarks for assigning letter grades 1182  
under division (A)(1)(b) of this section, the state board of 1183  
education shall designate ninety per cent or higher for an "A," at 1184  
least seventy per cent but not more than eighty per cent for a 1185  
"C," and less than fifty per cent for an "F." 1186

(c) The extent to which the school district or building meets 1187  
each of the applicable performance indicators established by the 1188  
state board under section 3302.02 of the Revised Code and the 1189  
percentage of applicable performance indicators that have been 1190  
achieved. In adopting benchmarks for assigning letter grades under 1191  
division (A)(1)(c) of this section, the state board shall 1192  
designate ninety per cent or higher for an "A." 1193

(d) The four- and five-year adjusted cohort graduation rates. 1194

In adopting benchmarks for assigning letter grades under 1195  
division (A)(1)(d), (B)(1)(d), or (C)(1)(d) of this section, the 1196  
department shall designate a four-year adjusted cohort graduation 1197  
rate of ninety-three per cent or higher for an "A" and a five-year 1198  
cohort graduation rate of ninety-five per cent or higher for an 1199  
"A." 1200

(e) The overall score under the value-added progress 1201  
dimension of a school district or building, for which the 1202  
department shall use up to three years of value-added data as 1203  
available. The letter grade assigned for this growth measure shall 1204  
be as follows: 1205

(i) A score that is at least two standard errors of measure 1206  
above the mean score shall be designated as an "A." 1207

(ii) A score that is at least one standard error of measure 1208  
but less than two standard errors of measure above the mean score 1209  
shall be designated as a "B." 1210

(iii) A score that is less than one standard error of measure 1211  
above the mean score but greater than or equal to one standard 1212  
error of measure below the mean score shall be designated as a 1213  
"C." 1214

(iv) A score that is not greater than one standard error of 1215  
measure below the mean score but is greater than or equal to two 1216  
standard errors of measure below the mean score shall be 1217  
designated as a "D." 1218

(v) A score that is not greater than two standard errors of 1219  
measure below the mean score shall be designated as an "F." 1220

Whenever the value-added progress dimension is used as a 1221  
graded performance measure, whether as an overall measure or as a 1222  
measure of separate subgroups, the grades for the measure shall be 1223  
calculated in the same manner as prescribed in division (A)(1)(e) 1224  
of this section. 1225

(f) The value-added progress dimension score for a school 1226  
district or building disaggregated for each of the following 1227  
subgroups: students identified as gifted, students with 1228  
disabilities, and students whose performance places them in the 1229  
lowest quintile for achievement on a statewide basis. Each 1230  
subgroup shall be a separate graded measure. 1231

(2) Not later than April 30, 2013, the state board of 1232  
education shall adopt a resolution describing the performance 1233  
measures, benchmarks, and grading system for the 2012-2013 school 1234  
year and, not later than June 30, 2013, shall adopt rules in 1235  
accordance with Chapter 119. of the Revised Code that prescribe 1236

the methods by which the performance measures under division 1237  
(A)(1) of this section shall be assessed and assigned a letter 1238  
grade, including performance benchmarks for each letter grade. 1239

At least forty-five days prior to the state board's adoption 1240  
of rules to prescribe the methods by which the performance 1241  
measures under division (A)(1) of this section shall be assessed 1242  
and assigned a letter grade, the department shall conduct a public 1243  
presentation before the standing committees of the house of 1244  
representatives and the senate that consider education legislation 1245  
describing such methods, including performance benchmarks. 1246

(3) There shall not be an overall letter grade for a school 1247  
district or building for the 2012-2013 school year. 1248

(B)(1) For the 2013-2014 school year, the department shall 1249  
issue grades as described in division (E) of this section for each 1250  
of the following performance measures: 1251

(a) Annual measurable objectives; 1252

(b) Performance index score for a school district or 1253  
building. Grades shall be awarded as a percentage of the total 1254  
possible points on the performance index system as created by the 1255  
department. In adopting benchmarks for assigning letter grades 1256  
under division (B)(1)(b) of this section, the state board shall 1257  
designate ninety per cent or higher for an "A," at least seventy 1258  
per cent but not more than eighty per cent for a "C," and less 1259  
than fifty per cent for an "F." 1260

(c) The extent to which the school district or building meets 1261  
each of the applicable performance indicators established by the 1262  
state board under section 3302.03 of the Revised Code and the 1263  
percentage of applicable performance indicators that have been 1264  
achieved. In adopting benchmarks for assigning letter grades under 1265  
division (B)(1)(c) of this section, the state board shall 1266  
designate ninety per cent or higher for an "A." 1267

(d) The four- and five-year adjusted cohort graduation rates; 1268

(e) The overall score under the value-added progress 1269  
dimension of a school district or building, for which the 1270  
department shall use ~~up to three years of~~ value-added data as from 1271  
the most recent school year available. 1272

For calculating the metric prescribed by division (B)(1)(e) 1273  
of this section, the department shall use assessment scores for 1274  
only those students to whom the district or building has 1275  
administered the assessments prescribed by section 3301.0710 of 1276  
the Revised Code for each of the two most recent consecutive 1277  
school years. 1278

(f) The value-added progress dimension score for a school 1279  
district or building disaggregated for each of the following 1280  
subgroups: students identified as gifted in superior cognitive 1281  
ability and specific academic ability fields under Chapter 3324. 1282  
of the Revised Code, students with disabilities, and students 1283  
whose performance places them in the lowest quintile for 1284  
achievement on a statewide basis. Each subgroup shall be a 1285  
separate graded measure. 1286

(g) Whether a school district or building is making progress 1287  
in improving literacy in grades kindergarten through three, as 1288  
determined using a method prescribed by the state board. The state 1289  
board shall adopt rules to prescribe benchmarks and standards for 1290  
assigning grades to districts and buildings for purposes of 1291  
division (B)(1)(g) of this section. In adopting benchmarks for 1292  
assigning letter grades under divisions (B)(1)(g) and (C)(1)(g) of 1293  
this section, the state board shall determine progress made based 1294  
on the reduction in the total percentage of students scoring below 1295  
grade level, or below proficient, compared from year to year on 1296  
the reading and writing diagnostic assessments administered under 1297  
section 3301.0715 of the Revised Code and the third grade English 1298  
language arts assessment under section 3301.0710 of the Revised 1299

Code, as applicable. The state board shall designate for a "C" 1300  
grade a value that is not lower than the statewide average value 1301  
for this measure. No grade shall be issued under divisions 1302  
(B)(1)(g) and (C)(1)(g) of this section for a district or building 1303  
in which less than five per cent of students have scored below 1304  
grade level on the diagnostic assessment administered to students 1305  
in kindergarten under division (B)(1) of section 3313.608 of the 1306  
Revised Code. 1307

(2) In addition to the graded measures in division (B)(1) of 1308  
this section, the department shall include on a school district's 1309  
or building's report card all of the following without an assigned 1310  
letter grade: 1311

(a) The percentage of students enrolled in a district or 1312  
building participating in advanced placement classes and the 1313  
percentage of those students who received a score of three or 1314  
better on advanced placement examinations; 1315

(b) The number of a district's or building's students who 1316  
have earned at least three college credits through dual enrollment 1317  
or advanced standing programs, such as the post-secondary 1318  
enrollment options program under Chapter 3365. of the Revised Code 1319  
and state-approved career-technical courses offered through dual 1320  
enrollment or statewide articulation, that appear on a student's 1321  
transcript or other official document, either of which is issued 1322  
by the institution of higher education from which the student 1323  
earned the college credit. The credits earned that are reported 1324  
under divisions (B)(2)(b) and (C)(2)(c) of this section shall not 1325  
include any that are remedial or developmental and shall include 1326  
those that count toward the curriculum requirements established 1327  
for completion of a degree. 1328

(c) The percentage of students enrolled in a district or 1329  
building who have taken a national standardized test used for 1330  
college admission determinations and the percentage of those 1331

students who are determined to be remediation-free in accordance 1332  
with standards adopted under division (F) of section 3345.061 of 1333  
the Revised Code; 1334

(d) The percentage of the district's or the building's 1335  
students who receive industry credentials. The state board shall 1336  
adopt criteria for acceptable industry credentials. 1337

(e) The percentage of students enrolled in a district or 1338  
building who are participating in an international baccalaureate 1339  
program and the percentage of those students who receive a score 1340  
of four or better on the international baccalaureate examinations. 1341

(f) The percentage of the district's or building's students 1342  
who receive an honors diploma under division (B) of section 1343  
3313.61 of the Revised Code. 1344

(3) Not later than December 31, 2013, the state board shall 1345  
adopt rules in accordance with Chapter 119. of the Revised Code 1346  
that prescribe the methods by which the performance measures under 1347  
divisions (B)(1)(f) and (B)(1)(g) of this section will be assessed 1348  
and assigned a letter grade, including performance benchmarks for 1349  
each grade. 1350

At least forty-five days prior to the state board's adoption 1351  
of rules to prescribe the methods by which the performance 1352  
measures under division (B)(1) of this section shall be assessed 1353  
and assigned a letter grade, the department shall conduct a public 1354  
presentation before the standing committees of the house of 1355  
representatives and the senate that consider education legislation 1356  
describing such methods, including performance benchmarks. 1357

(4) There shall not be an overall letter grade for a school 1358  
district or building for the 2013-2014 school year. 1359

(C)(1) For the 2014-2015 school year and each school year 1360  
thereafter, the department shall issue grades as described in 1361  
division (E) of this section for each of the following performance 1362

measures and an overall letter grade based on an aggregate of 1363  
those measures: 1364

(a) Annual measurable objectives; 1365

(b) Performance index score for a school district or 1366  
building. Grades shall be awarded as a percentage of the total 1367  
possible points on the performance index system as created by the 1368  
department. In adopting benchmarks for assigning letter grades 1369  
under division (C)(1)(b) of this section, the state board shall 1370  
designate ninety per cent or higher for an "A," at least seventy 1371  
per cent but not more than eighty per cent for a "C," and less 1372  
than fifty per cent for an "F." 1373

(c) The extent to which the school district or building meets 1374  
each of the applicable performance indicators established by the 1375  
state board under section 3302.03 of the Revised Code and the 1376  
percentage of applicable performance indicators that have been 1377  
achieved. In adopting benchmarks for assigning letter grades under 1378  
division (C)(1)(c) of this section, the state board shall 1379  
designate ninety per cent or higher for an "A." 1380

(d) The four- and five-year adjusted cohort graduation rates; 1381

(e) The overall score under the value-added progress 1382  
dimension, or another measure of student academic progress if 1383  
adopted by the state board, of a school district or building, for 1384  
which the department shall use ~~up to three years of~~ value-added 1385  
data ~~as~~ from the most recent school year available. 1386

In adopting benchmarks for assigning letter grades for 1387  
overall score on value-added progress dimension under division 1388  
(C)(1)(e) of this section, the state board shall prohibit the 1389  
assigning of a grade of "A" for that measure unless the district's 1390  
or building's grade assigned for value-added progress dimension 1391  
for all subgroups under division (C)(1)(f) of this section is a 1392  
"B" or higher. 1393

For calculating the metric prescribed by division (C)(1)(e) of this section, the department shall use assessment scores for only those students to whom the district or building has administered the assessments prescribed by section 3301.0710 of the Revised Code for each of the two most recent consecutive school years.

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 a method for assigning letter grades for the new measure that is comparable to the method prescribed in division (A)(1)(e) of this section.

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

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

(g) Whether a school district or building is making progress in improving literacy in grades kindergarten through three, as determined using a method prescribed by the state board. The state board shall adopt rules to prescribe benchmarks and standards for

assigning grades to a district or building for purposes of 1426  
division (C)(1)(g) of this section. The state board shall 1427  
designate for a "C" grade a value that is not lower than the 1428  
statewide average value for this measure. No grade shall be issued 1429  
under division (C)(1)(g) of this section for a district or 1430  
building in which less than five per cent of students have scored 1431  
below grade level on the kindergarten diagnostic assessment under 1432  
division (B)(1) of section 3313.608 of the Revised Code. 1433

(2) In addition to the graded measures in division (C)(1) of 1434  
this section, the department shall include on a school district's 1435  
or building's report card all of the following without an assigned 1436  
letter grade: 1437

(a) The percentage of students enrolled in a district or 1438  
building who have taken a national standardized test used for 1439  
college admission determinations and the percentage of those 1440  
students who are determined to be remediation-free in accordance 1441  
with the standards adopted under division (F) of section 3345.061 1442  
of the Revised Code; 1443

(b) The percentage of students enrolled in a district or 1444  
building participating in advanced placement classes and the 1445  
percentage of those students who received a score of three or 1446  
better on advanced placement examinations; 1447

(c) The ~~number~~ percentage of a district's or building's 1448  
students who have earned at least three college credits through 1449  
~~dual enrollment~~ advanced standing programs, such as the 1450  
~~post-secondary enrollment options~~ college credit plus program 1451  
under Chapter 3365. of the Revised Code and state-approved 1452  
career-technical courses offered through dual enrollment or 1453  
statewide articulation, that appear on a student's college 1454  
transcript ~~or other official document, either of which is~~ issued 1455  
by the institution of higher education from which the student 1456  
earned the college credit. The credits earned that are reported 1457

under divisions (B)(2)(b) and (C)(2)(c) of this section shall not 1458  
include any that are remedial or developmental and shall include 1459  
those that count toward the curriculum requirements established 1460  
for completion of a degree. 1461

(d) The percentage of the district's or building's students 1462  
who receive an honor's diploma under division (B) of section 1463  
3313.61 of the Revised Code; 1464

(e) The percentage of the district's or building's students 1465  
who receive industry credentials; 1466

(f) The percentage of students enrolled in a district or 1467  
building who are participating in an international baccalaureate 1468  
program and the percentage of those students who receive a score 1469  
of four or better on the international baccalaureate examinations; 1470

(g) The results of the college and career-ready assessments 1471  
administered under division (B)(1) of section 3301.0712 of the 1472  
Revised Code. 1473

(3) The state board shall adopt rules pursuant to Chapter 1474  
119. of the Revised Code that establish a method to assign an 1475  
overall grade for a school district or school building for the 1476  
2014-2015 school year and each school year thereafter. The rules 1477  
shall group the performance measures in divisions (C)(1) and (2) 1478  
of this section into the following components: 1479

(a) Gap closing, which shall include the performance measure 1480  
in division (C)(1)(a) of this section; 1481

(b) Achievement, which shall include the performance measures 1482  
in divisions (C)(1)(b) and (c) of this section; 1483

(c) Progress, which shall include the performance measures in 1484  
divisions (C)(1)(e) and (f) of this section; 1485

(d) Graduation, which shall include the performance measure 1486  
in division (C)(1)(d) of this section; 1487

(e) Kindergarten through third-grade literacy, which shall 1488  
include the performance measure in division (C)(1)(g) of this 1489  
section; 1490

(f) Prepared for success, which shall include the performance 1491  
measures in divisions (C)(2)(a), (b), (c), (d), (e), and (f) of 1492  
this section. The state board shall develop a method to determine 1493  
a grade for the component in division (C)(3)(f) of this section 1494  
using the performance measures in divisions (C)(2)(a), (b), (c), 1495  
(d), (e), and (f) of this section. When available, the state board 1496  
may incorporate the performance measure under division (C)(2)(g) 1497  
of this section into the component under division (C)(3)(f) of 1498  
this section. When determining the overall grade for the prepared 1499  
for success component prescribed by division (C)(3)(f) of this 1500  
section, no individual student shall be counted in more than one 1501  
performance measure. However, if a student qualifies for more than 1502  
one performance measure in the component, the state board may, in 1503  
its method to determine a grade for the component, specify an 1504  
additional weight for such a student that is not greater than or 1505  
equal to 1.0. In determining the overall score under division 1506  
(C)(3)(f) of this section, the state board shall ensure that the 1507  
pool of students included in the performance measures aggregated 1508  
under that division are all of the students included in the four- 1509  
and five-year adjusted graduation cohort. 1510

In the rules adopted under division (C)(3) of this section, 1511  
the state board shall adopt a method for determining a grade for 1512  
each component in divisions (C)(3)(a) to (f) of this section. The 1513  
state board also shall establish a method to assign an overall 1514  
grade of "A," "B," "C," "D," or "F" using the grades assigned for 1515  
each component. The method the state board adopts for assigning an 1516  
overall grade shall give equal weight to the components in 1517  
divisions (C)(3)(b) and (c) of this section. 1518

At least forty-five days prior to the state board's adoption 1519

of rules to prescribe the methods for calculating the overall 1520  
grade for the report card, as required by this division, the 1521  
department shall conduct a public presentation before the standing 1522  
committees of the house of representatives and the senate that 1523  
consider education legislation describing the format for the 1524  
report card, weights that will be assigned to the components of 1525  
the overall grade, and the method for calculating the overall 1526  
grade. 1527

(D) Not later than July 1, 2015, the state board shall 1528  
develop a measure of student academic progress for high school 1529  
students. Beginning with the report card for the 2015-2016 school 1530  
year, each school district and applicable school building shall be 1531  
assigned a separate letter grade for this measure and the 1532  
district's or building's grade for that measure shall be included 1533  
in determining the district's or building's overall letter grade. 1534  
This measure shall be included within the measure prescribed in 1535  
division (C)(3)(c) of this section in the calculation for the 1536  
overall letter grade. 1537

(E) The letter grades assigned to a school district or 1538  
building under this section shall be as follows: 1539

(1) "A" for a district or school making excellent progress; 1540

(2) "B" for a district or school making above average 1541  
progress; 1542

(3) "C" for a district or school making average progress; 1543

(4) "D" for a district or school making below average 1544  
progress; 1545

(5) "F" for a district or school failing to meet minimum 1546  
progress. 1547

(F) When reporting data on student achievement and progress, 1548  
the department shall disaggregate that data according to the 1549

following categories:	1550
(1) Performance of students by grade-level;	1551
(2) Performance of students by race and ethnic group;	1552
(3) Performance of students by gender;	1553
(4) Performance of students grouped by those who have been enrolled in a district or school for three or more years;	1554 1555
(5) Performance of students grouped by those who have been enrolled in a district or school for more than one year and less than three years;	1556 1557 1558
(6) Performance of students grouped by those who have been enrolled in a district or school for one year or less;	1559 1560
(7) Performance of students grouped by those who are economically disadvantaged;	1561 1562
(8) Performance of students grouped by those who are enrolled in a conversion community school established under Chapter 3314. of the Revised Code;	1563 1564 1565
(9) Performance of students grouped by those who are classified as limited English proficient;	1566 1567
(10) Performance of students grouped by those who have disabilities;	1568 1569
(11) Performance of students grouped by those who are classified as migrants;	1570 1571
(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	1572 1573 1574 1575 1576 1577 1578

department shall also include data for students with specific 1579  
academic ability in that field as well. 1580

(13) Performance of students grouped by those who perform in 1581  
the lowest quintile for achievement on a statewide basis, as 1582  
determined by a method prescribed by the state board. 1583

The department may disaggregate data on student performance 1584  
according to other categories that the department determines are 1585  
appropriate. To the extent possible, the department shall 1586  
disaggregate data on student performance according to any 1587  
combinations of two or more of the categories listed in divisions 1588  
(F)(1) to (13) of this section that it deems relevant. 1589

In reporting data pursuant to division (F) of this section, 1590  
the department shall not include in the report cards any data 1591  
statistical in nature that is statistically unreliable or that 1592  
could result in the identification of individual students. For 1593  
this purpose, the department shall not report student performance 1594  
data for any group identified in division (F) of this section that 1595  
contains less than ten students. If the department does not report 1596  
student performance data for a group because it contains less than 1597  
ten students, the department shall indicate on the report card 1598  
that is why data was not reported. 1599

(G) The department may include with the report cards any 1600  
additional education and fiscal performance data it deems 1601  
valuable. 1602

(H) The department shall include on each report card a list 1603  
of additional information collected by the department that is 1604  
available regarding the district or building for which the report 1605  
card is issued. When available, such additional information shall 1606  
include student mobility data disaggregated by race and 1607  
socioeconomic status, college enrollment data, and the reports 1608  
prepared under section 3302.031 of the Revised Code. 1609

The department shall maintain a site on the world wide web. 1610  
The report card shall include the address of the site and shall 1611  
specify that such additional information is available to the 1612  
public at that site. The department shall also provide a copy of 1613  
each item on the list to the superintendent of each school 1614  
district. The district superintendent shall provide a copy of any 1615  
item on the list to anyone who requests it. 1616

(I) Division (I) of this section does not apply to conversion 1617  
community schools that primarily enroll students between sixteen 1618  
and twenty-two years of age who dropped out of high school or are 1619  
at risk of dropping out of high school due to poor attendance, 1620  
disciplinary problems, or suspensions. 1621

(1) For any district that sponsors a conversion community 1622  
school under Chapter 3314. of the Revised Code, the department 1623  
shall combine data regarding the academic performance of students 1624  
enrolled in the community school with comparable data from the 1625  
schools of the district for the purpose of determining the 1626  
performance of the district as a whole on the report card issued 1627  
for the district under this section or section 3302.033 of the 1628  
Revised Code. 1629

(2) Any district that leases a building to a community school 1630  
located in the district or that enters into an agreement with a 1631  
community school located in the district whereby the district and 1632  
the school endorse each other's programs may elect to have data 1633  
regarding the academic performance of students enrolled in the 1634  
community school combined with comparable data from the schools of 1635  
the district for the purpose of determining the performance of the 1636  
district as a whole on the district report card. Any district that 1637  
so elects shall annually file a copy of the lease or agreement 1638  
with the department. 1639

(3) Any municipal school district, as defined in section 1640  
3311.71 of the Revised Code, that sponsors a community school 1641

located within the district's territory, or that enters into an 1642  
agreement with a community school located within the district's 1643  
territory whereby the district and the community school endorse 1644  
each other's programs, may exercise either or both of the 1645  
following elections: 1646

(a) To have data regarding the academic performance of 1647  
students enrolled in that community school combined with 1648  
comparable data from the schools of the district for the purpose 1649  
of determining the performance of the district as a whole on the 1650  
district's report card; 1651

(b) To have the number of students attending that community 1652  
school noted separately on the district's report card. 1653

The election authorized under division (I)(3)(a) of this 1654  
section is subject to approval by the governing authority of the 1655  
community school. 1656

Any municipal school district that exercises an election to 1657  
combine or include data under division (I)(3) of this section, by 1658  
the first day of October of each year, shall file with the 1659  
department documentation indicating eligibility for that election, 1660  
as required by the department. 1661

(J) The department shall include on each report card the 1662  
percentage of teachers in the district or building who are highly 1663  
qualified, as defined by the "No Child Left Behind Act of 2001," 1664  
and a comparison of that percentage with the percentages of such 1665  
teachers in similar districts and buildings. 1666

(K)(1) In calculating English language arts, mathematics, 1667  
social studies, or science assessment passage rates used to 1668  
determine school district or building performance under this 1669  
section, the department shall include all students taking an 1670  
assessment with accommodation or to whom an alternate assessment 1671  
is administered pursuant to division (C)(1) or (3) of section 1672

3301.0711 of the Revised Code. 1673

(2) In calculating performance index scores, rates of 1674  
achievement on the performance indicators established by the state 1675  
board under section 3302.02 of the Revised Code, and annual 1676  
measurable objectives for determining adequate yearly progress for 1677  
school districts and buildings under this section, the department 1678  
shall do all of the following: 1679

(a) Include for each district or building only those students 1680  
who are included in the ADM certified for the first full school 1681  
week of October and are continuously enrolled in the district or 1682  
building through the time of the spring administration of any 1683  
assessment prescribed by division (A)(1) or (B)(1) of section 1684  
3301.0710 of the Revised Code that is administered to the 1685  
student's grade level; 1686

(b) Include cumulative totals from both the fall and spring 1687  
administrations of the third grade English language arts 1688  
achievement assessment; 1689

(c) Except as required by the "No Child Left Behind Act of 1690  
2001," exclude for each district or building any limited English 1691  
proficient student who has been enrolled in United States schools 1692  
for less than one full school year. 1693

(L) Beginning with the 2015-2016 school year and at least 1694  
once every three years thereafter, the state board of education 1695  
shall review and may adjust the benchmarks for assigning letter 1696  
grades to the performance measures and components prescribed under 1697  
divisions (C)(3) and (D) of this section. 1698

**Sec. 3302.10.** (A) ~~Beginning July 1, 2007, the~~ The 1699  
superintendent of public instruction shall establish an academic 1700  
distress commission for each school district that meets any one of 1701  
the following conditions ~~for three or more consecutive years:~~ 1702

(1) The district has been declared, for three or more consecutive years, 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) The district has received, for three or more consecutive years, 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;

(3) The district has received, for three or more consecutive years, an overall grade of "F" under division (C)(2) ~~or~~ of section 3302.03 of the Revised Code;

(4) The district has received, for three or more consecutive years, a grade of "F" for the value-added progress dimension under division (C)(1)(e) and has received, for the most recent year, a grade of "F" for the number of performance indicators met under division (C)(1)(c) of section 3302.03 of the Revised Code;

~~(4)~~(5) At least fifty per cent of the schools operated by the district have received, for three or more consecutive years, an overall grade of "D" or "F" under division (C)(3) of section 3302.03 of the Revised Code.

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) Each academic distress commission shall consist of five 1734  
voting members, three of whom shall be appointed by the 1735  
superintendent of public instruction and two of whom shall be 1736  
residents of the applicable school district appointed by the 1737  
president of the district board of education. When a school 1738  
district becomes subject to this section, the superintendent of 1739  
public instruction shall provide written notification of that fact 1740  
to the district board of education and shall request the president 1741  
of the district board to submit to the superintendent of public 1742  
instruction, in writing, the names of the president's appointees 1743  
to the commission. The superintendent of public instruction and 1744  
the president of the district board shall make appointments to the 1745  
commission within thirty days after the district is notified that 1746  
it is subject to this section. 1747

Members of the commission shall serve at the pleasure of 1748  
their appointing authority during the life of the commission. In 1749  
the event of the death, resignation, incapacity, removal, or 1750  
ineligibility to serve of a member, the appointing authority shall 1751  
appoint a successor within fifteen days after the vacancy occurs. 1752  
Members shall serve without compensation, but shall be paid by the 1753  
commission their necessary and actual expenses incurred while 1754  
engaged in the business of the commission. 1755

(C) Immediately after appointment of the initial members of 1756  
an academic distress commission, the superintendent of public 1757  
instruction shall call the first meeting of the commission and 1758  
shall cause written notice of the time, date, and place of that 1759  
meeting to be given to each member of the commission at least 1760  
forty-eight hours in advance of the meeting. The first meeting 1761  
shall include an overview of the commission's roles and 1762  
responsibilities, the requirements of section 2921.42 and Chapter 1763  
102. of the Revised Code as they pertain to commission members, 1764  
the requirements of section 121.22 of the Revised Code, and the 1765

provisions of division (F) of this section. At its first meeting, 1766  
the commission shall adopt temporary bylaws in accordance with 1767  
division (D) of this section to govern its operations until the 1768  
adoption of permanent bylaws. 1769

The superintendent of public instruction shall designate a 1770  
chairperson for the commission from among the members appointed by 1771  
the superintendent. The chairperson shall call and conduct 1772  
meetings, set meeting agendas, and serve as a liaison between the 1773  
commission and the district board of education. The chairperson 1774  
also shall appoint a secretary, who shall not be a member of the 1775  
commission. 1776

The department of education shall provide administrative 1777  
support for the commission, provide data requested by the 1778  
commission, and inform the commission of available state resources 1779  
that could assist the commission in its work. 1780

(D) Each academic distress commission may adopt and alter 1781  
bylaws and rules, which shall not be subject to section 111.15 or 1782  
Chapter 119. of the Revised Code, for the conduct of its affairs 1783  
and for the manner, subject to this section, in which its powers 1784  
and functions shall be exercised and embodied. 1785

(E) Three members of an academic distress commission 1786  
constitute a quorum of the commission. The affirmative vote of 1787  
three members of the commission is necessary for any action taken 1788  
by vote of the commission. No vacancy in the membership of the 1789  
commission shall impair the rights of a quorum by such vote to 1790  
exercise all the rights and perform all the duties of the 1791  
commission. Members of the commission are not disqualified from 1792  
voting by reason of the functions of any other office they hold 1793  
and are not disqualified from exercising the functions of the 1794  
other office with respect to the school district, its officers, or 1795  
the commission. 1796

(F) The members of an academic distress commission, the superintendent of public instruction, and any person authorized to act on behalf of or assist them shall not be personally liable or subject to any suit, judgment, or claim for damages resulting from the exercise of or failure to exercise the powers, duties, and functions granted to them in regard to their functioning under this section, but the commission, superintendent of public instruction, and such other persons shall be subject to mandamus proceedings to compel performance of their duties under this section.

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

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

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

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

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

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

(d) Procedures for monitoring and evaluating improvement

efforts; 1828

(e) Requirements for reporting to the commission and the 1829  
district board of education on the status of improvement efforts. 1830

(2) The commission may amend the academic recovery plan 1831  
subsequent to adoption. The commission shall update the plan at 1832  
least annually. 1833

(3) The commission shall submit the academic recovery plan it 1834  
adopts or updates to the superintendent of public instruction for 1835  
approval immediately following its adoption or updating. The 1836  
superintendent shall evaluate the plan and either approve or 1837  
disapprove it within thirty days after its submission. If the plan 1838  
is disapproved, the superintendent shall recommend modifications 1839  
that will render it acceptable. No academic distress commission 1840  
shall implement an academic recovery plan unless the 1841  
superintendent has approved it. 1842

(4) County, state, and school district officers and employees 1843  
shall assist the commission diligently and promptly in the 1844  
implementation of the academic recovery plan. 1845

(J) Each academic distress commission shall seek input from 1846  
the district board of education regarding ways to improve the 1847  
district's academic performance, but any decision of the 1848  
commission related to any authority granted to the commission 1849  
under this section shall be final. 1850

The commission may do any of the following: 1851

(1) Appoint school building administrators and reassign 1852  
administrative personnel; 1853

(2) Terminate the contracts of administrators or 1854  
administrative personnel. The commission shall not be required to 1855  
comply with section 3319.16 of the Revised Code with respect to 1856  
any contract terminated under this division. 1857

(3) Contract with a private entity to perform school or district management functions; 1858  
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(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. 1860  
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(K) 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. 1864  
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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. 1871  
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(L) An academic distress commission shall cease to exist when the district for which it was established receives a performance 1888  
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rating of in need of continuous improvement or better, under 1890  
section 3302.03 of the Revised Code as that section existed prior 1891  
to ~~the effective date of this amendment~~ March 22, 2013, or a grade 1892  
of "C" or better for both the performance index score under 1893  
division (A)(1)(b), (B)(1)(b), or (C)(1)(b) and the value-added 1894  
progress dimension under division (A)(1)(e), (B)(1)(e), or 1895  
(C)(1)(e) of section 3302.03 of the Revised Code for two of the 1896  
three prior school years; however, the superintendent of public 1897  
instruction may dissolve the commission earlier if the 1898  
superintendent determines that the district can perform adequately 1899  
without the supervision of the commission. Upon termination of the 1900  
commission, the department of education shall compile a final 1901  
report of the commission's activities to assist other academic 1902  
distress commissions in the conduct of their functions. 1903

**Sec. 3310.03. A** Subject to section 3310.05 of the Revised 1904  
Code, a student is an "eligible student" for purposes of the 1905  
educational choice scholarship pilot program if the ~~student's~~ 1906  
~~resident district is not a school district in which the pilot~~ 1907  
~~project scholarship program is operating under sections 3313.974~~ 1908  
~~to 3313.979 of the Revised Code and the student satisfies one of~~ 1909  
the conditions in division (A), (B), (C), or (D) of this section: 1910

(A)(1) The student is enrolled in a school building operated 1911  
by the student's resident district that, on the report card issued 1912  
under section 3302.03 of the Revised Code published prior to the 1913  
first day of July of the school year for which a scholarship is 1914  
sought, did not receive a rating as described in division (H) of 1915  
this section, and to which any or a combination of any of the 1916  
following apply for two of the three most recent report cards 1917  
published prior to the first day of July of the school year for 1918  
which a scholarship is sought: 1919

(a) The building was declared to be in a state of academic 1920

emergency or academic watch under section 3302.03 of the Revised Code as that section existed prior to March 22, 2013.

(b) The building received a grade of "D" or "F" for the performance index score under division (A)(1)(b) or (B)(1)(b) of section 3302.03 of the Revised Code and for the value-added progress dimension under division (A)(1)(e) or (B)(1)(e) of section 3302.03 of the Revised Code for the 2012-2013 or 2013-2014 school year, or both; or if the building serves only grades ten through twelve, the building received a grade of "D" or "F" for the performance index score under division (A)(1)(b) or (B)(1)(b) of section 3302.03 of the Revised Code and had a four-year adjusted cohort graduation rate of less than seventy-five per cent.

(c) The building received an overall grade of "D" or "F" under division (C)(3) of section 3302.03 of the Revised Code or a grade of "F" for the value-added progress dimension under division (C)(1)(e) of section 3302.03 of the Revised Code for the 2014-2015 school year or any school year thereafter.

(2) The student will be enrolling in any of grades kindergarten through twelve in this state for the first time in the school year for which a scholarship is sought, will be at least five years of age by the first day of January of the school year for which a scholarship is sought, and otherwise would be assigned under section 3319.01 of the Revised Code in the school year for which a scholarship is sought, to a school building described in division (A)(1) of this section.

(3) The student is enrolled in a community school established under Chapter 3314. of the Revised Code but otherwise would be assigned under section 3319.01 of the Revised Code to a building described in division (A)(1) of this section.

(4) The student is enrolled in a school building operated by

the student's resident district or in a community school 1952  
established under Chapter 3314. of the Revised Code and otherwise 1953  
would be assigned under section 3319.01 of the Revised Code to a 1954  
school building described in division (A)(1) of this section in 1955  
the school year for which the scholarship is sought. 1956

(5) The student will be both enrolling in any of grades 1957  
kindergarten through twelve in this state for the first time and 1958  
at least five years of age by the first day of January of the 1959  
school year for which a scholarship is sought, or is enrolled in a 1960  
community school established under Chapter 3314. of the Revised 1961  
Code, and all of the following apply to the student's resident 1962  
district: 1963

(a) The district has in force an intradistrict open 1964  
enrollment policy under which no student in the student's grade 1965  
level is automatically assigned to a particular school building; 1966

(b) In the most recent rating published prior to the first 1967  
day of July of the school year for which scholarship is sought, 1968  
the district did not receive a rating described in division (H) of 1969  
this section, and in at least two of the three most recent report 1970  
cards published prior to the first day of July of that school 1971  
year, any or a combination of the following apply to the district: 1972

(i) The district was declared to be in a state of academic 1973  
emergency under section 3302.03 of the Revised Code as it existed 1974  
prior to March 22, 2013. 1975

(ii) The district received a grade of "D" or "F" for the 1976  
performance index score under division (A)(1)(b) or (B)(1)(b) of 1977  
section 3302.03 of the Revised Code and for the value-added 1978  
progress dimension under division (A)(1)(e) or (B)(1)(e) of 1979  
section 3302.03 of the Revised Code for the 2012-2013 or 2013-2014 1980  
school year, or both. 1981

(c) The district received an overall grade of "D" or "F" 1982

under division (C)(3) of section 3302.03 of the Revised Code or a 1983  
grade of "F" for the value-added progress dimension under division 1984  
(C)(1)(e) of section 3302.03 of the Revised Code for the 2014-2015 1985  
school year or any school year thereafter. 1986

(6) Beginning in the 2016-2017 school year, the student is 1987  
enrolled in or will be enrolling in a building in the school year 1988  
for which the scholarship is sought that serves any of grades nine 1989  
through twelve and that received a grade of "D" or "F" for the 1990  
four-year adjusted cohort graduation rate under division 1991  
(A)(1)(d), (B)(1)(d), or (C)(1)(d) of section 3302.03 of the 1992  
Revised Code in two of the three most recent report cards 1993  
published prior to the first day of July of the school year for 1994  
which a scholarship is sought. 1995

(B)(1) The student is enrolled in a school building operated 1996  
by the student's resident district and to which both of the 1997  
following apply: 1998

(a) The building was ranked, for at least two of the three 1999  
most recent rankings published under section 3302.21 of the 2000  
Revised Code prior to the first day of July of the school year for 2001  
which a scholarship is sought, in the lowest ten per cent of all 2002  
public school buildings according to performance index score under 2003  
section 3302.21 of the Revised Code. 2004

(b) The building was not declared to be excellent or 2005  
effective, or the equivalent of such ratings as determined by the 2006  
department of education, under section 3302.03 of the Revised Code 2007  
in the most recent rating published prior to the first day of July 2008  
of the school year for which a scholarship is sought. 2009

(2) The student will be enrolling in any of grades 2010  
kindergarten through twelve in this state for the first time in 2011  
the school year for which a scholarship is sought, will be at 2012  
least five years of age, as defined in section 3321.01 of the 2013

Revised Code, by the first day of January of the school year for which a scholarship is sought, and otherwise would be assigned under section 3319.01 of the Revised Code in the school year for which a scholarship is sought, to a school building described in division (B)(1) of this section.

(3) The student is enrolled in a community school established under Chapter 3314. of the Revised Code but otherwise would be assigned under section 3319.01 of the Revised Code to a building described in division (B)(1) of this section.

(4) The student is enrolled in a school building operated by the student's resident district or in a community school established under Chapter 3314. of the Revised Code and otherwise would be assigned under section 3319.01 of the Revised Code to a school building described in division (B)(1) of this section in the school year for which the scholarship is sought.

(C) The student is enrolled in a nonpublic school at the time the school is granted a charter by the state board of education under section 3301.16 of the Revised Code and the student meets the standards of division (B) of section 3310.031 of the Revised Code.

(D) For the 2016-2017 school year and each school year thereafter, the student is in any of grades kindergarten through three, is enrolled in a school building that is operated by the student's resident district or will be enrolling in any of grades kindergarten through twelve in this state for the first time in the school year for which a scholarship is sought, and to which both of the following apply:

(1) The building, in at least two of the three most recent ratings of school buildings published prior to the first day of July of the school year for which a scholarship is sought, received a grade of "D" or "F" for making progress in improving

literacy in grades kindergarten through three under division 2045  
(B)(1)(g) or (C)(1)(g) of section 3302.03 of the Revised Code; 2046

(2) The building did not receive a grade of "A" for making 2047  
progress in improving literacy in grades kindergarten through 2048  
three under division (B)(1)(g) or (C)(1)(g) of section 3302.03 of 2049  
the Revised Code in the most recent rating published prior to the 2050  
first day of July of the school year for which a scholarship is 2051  
sought. 2052

(E) A student who receives a scholarship under the 2053  
educational choice scholarship pilot program remains an eligible 2054  
student and may continue to receive scholarships in subsequent 2055  
school years until the student completes grade twelve, so long as 2056  
all of the following apply: 2057

(1) The student's resident district remains the same, or the 2058  
student transfers to a new resident district and otherwise would 2059  
be assigned in the new resident district to a school building 2060  
described in division (A)(1), (B)(1), or (D) of this section; 2061

(2) The student takes each assessment prescribed for the 2062  
student's grade level under section 3301.0710 or 3301.0712 of the 2063  
Revised Code while enrolled in a chartered nonpublic school; 2064

(3) In each school year that the student is enrolled in a 2065  
chartered nonpublic school, the student is absent from school for 2066  
not more than twenty days that the school is open for instruction, 2067  
not including excused absences. 2068

(F)(1) The department shall cease awarding first-time 2069  
scholarships pursuant to divisions (A)(1) to (4) of this section 2070  
with respect to a school building that, in the most recent ratings 2071  
of school buildings published under section 3302.03 of the Revised 2072  
Code prior to the first day of July of the school year, ceases to 2073  
meet the criteria in division (A)(1) of this section. The 2074  
department shall cease awarding first-time scholarships pursuant 2075

to division (A)(5) of this section with respect to a school 2076  
district that, in the most recent ratings of school districts 2077  
published under section 3302.03 of the Revised Code prior to the 2078  
first day of July of the school year, ceases to meet the criteria 2079  
in division (A)(5) of this section. 2080

(2) The department shall cease awarding first-time 2081  
scholarships pursuant to divisions (B)(1) to (4) of this section 2082  
with respect to a school building that, in the most recent ratings 2083  
of school buildings under section 3302.03 of the Revised Code 2084  
prior to the first day of July of the school year, ceases to meet 2085  
the criteria in division (B)(1) of this section. 2086

(3) The department shall cease awarding first-time 2087  
scholarships pursuant to division (D) of this section with respect 2088  
to a school building that, in the most recent ratings of school 2089  
buildings under section 3302.03 of the Revised Code prior to the 2090  
first day of July of the school year, ceases to meet the criteria 2091  
in division (D) of this section. 2092

(4) However, students who have received scholarships in the 2093  
prior school year remain eligible students pursuant to division 2094  
(E) of this section. 2095

(G) The state board of education shall adopt rules defining 2096  
excused absences for purposes of division (E)(3) of this section. 2097

(H)(1) A student who satisfies only the conditions prescribed 2098  
in divisions (A)(1) to (4) of this section shall not be eligible 2099  
for a scholarship if the student's resident building meets any of 2100  
the following in the most recent rating under section 3302.03 of 2101  
the Revised Code published prior to the first day of July of the 2102  
school year for which a scholarship is sought: 2103

(a) The building has an overall designation of excellent or 2104  
effective under section 3302.03 of the Revised Code as it existed 2105  
prior to March 22, 2013. 2106

(b) For the 2012-2013 or 2013-2014 school year or both, the building has a grade of "A" or "B" for the performance index score under division (A)(1)(b) or (B)(1)(b) of section 3302.03 of the Revised Code and for the value-added progress dimension under division (A)(1)(e) or (B)(1)(e) of section 3302.03 of the Revised Code; or if the building serves only grades ten through twelve, the building received a grade of "A" or "B" for the performance index score under division (A)(1)(b) or (B)(1)(b) of section 3302.03 of the Revised Code and had a four-year adjusted cohort graduation rate of greater than or equal to seventy-five per cent.

(c) For the 2014-2015 school year or any school year thereafter, the building has a grade of "A" or "B" under division (C)(3) of section 3302.03 of the Revised Code and a grade of "A" for the value-added progress dimension under division (C)(1)(e) of section 3302.03 of the Revised Code; or if the building serves only grades ten through twelve, the building received a grade of "A" or "B" for the performance index score under division (C)(1)(b) of section 3302.03 of the Revised Code and had a four-year adjusted cohort graduation rate of greater than or equal to seventy-five per cent.

(2) A student who satisfies only the conditions prescribed in division (A)(5) of this section shall not be eligible for a scholarship if the student's resident district meets any of the following in the most recent rating under section 3302.03 of the Revised Code published prior to the first day of July of the school year for which a scholarship is sought:

(a) The district has an overall designation of excellent or effective under section 3302.03 of the Revised Code as it existed prior to March 22, 2013.

(b) The district has a grade of "A" or "B" for the performance index score under division (A)(1)(b) or (B)(1)(b) of section 3302.03 of the Revised Code and for the value-added

progress dimension under division (A)(1)(e) or (B)(1)(e) of 2139  
section 3302.03 of the Revised Code for the 2012-2013 and 2140  
2013-2014 school years. 2141

(c) The district has an overall grade of "A" or "B" under 2142  
division (C)(3) of section 3302.03 of the Revised Code and a grade 2143  
of "A" for the value-added progress dimension under division 2144  
(C)(1)(e) of section 3302.03 of the Revised Code for the 2014-2015 2145  
school year or any school year thereafter. 2146

**Sec. 3310.031.** (A) The state board of education shall adopt 2147  
rules under section 3310.17 of the Revised Code establishing 2148  
procedures for granting educational choice scholarships to 2149  
eligible students attending a nonpublic school at the time the 2150  
state board grants the school a charter under section 3301.16 of 2151  
the Revised Code. The procedures shall include at least the 2152  
following: 2153

(1) Provisions for extending the application period for 2154  
scholarships for the following school year, if necessary due to 2155  
the timing of the award of the nonpublic school's charter, in 2156  
order for students enrolled in the school at the time the charter 2157  
is granted to apply for scholarships for the following school 2158  
year; 2159

(2) Provisions for notifying the resident districts of the 2160  
nonpublic school's students that the nonpublic school has been 2161  
granted a charter and that educational choice scholarships may be 2162  
awarded to the school's students for the following school year. 2163

(B) A student who is enrolled in a nonpublic school at the 2164  
time the school's charter is granted is an eligible student if any 2165  
of the following applies: 2166

(1) At the end of the last school year before the student 2167  
enrolled in the nonpublic school, the student was enrolled in a 2168

school building operated by the student's resident district or in 2169  
a community school established under Chapter 3314. of the Revised 2170  
Code and, for the current or following school year, the student 2171  
otherwise would be assigned under section 3319.01 of the Revised 2172  
Code to a school building described in division (A)(1) or (B)(1) 2173  
of section 3310.03 of the Revised Code. 2174

(2) At the end of the last school year before the student 2175  
enrolled in the nonpublic school, the student was enrolled in a 2176  
school building operated by the student's resident district and, 2177  
for the current or following school year, the student otherwise 2178  
would be assigned under section 3319.01 of the Revised Code to a 2179  
school building described in division (A)(6) of section 3310.03 of 2180  
the Revised Code. 2181

(3) The student was not enrolled in any public or other 2182  
nonpublic school before the student enrolled in the nonpublic 2183  
school and, for the current or following school year, otherwise 2184  
would be assigned under section 3319.01 of the Revised Code to a 2185  
school building described in division (A)(1) or (6) or (B)(1) of 2186  
section 3310.03 of the Revised Code. 2187

~~(3)~~(4) At the end of the last school year before the student 2188  
enrolled in the nonpublic school, the student was enrolled in a 2189  
school building operated by the student's resident district and, 2190  
during that school year, the building met the conditions described 2191  
in division (A)(1) or (6) or (B)(1) of section 3310.03 of the 2192  
Revised Code. 2193

~~(4)~~(5) At the end of the last school year before the student 2194  
enrolled in the nonpublic school, the student was enrolled in a 2195  
community school established under Chapter 3314. of the Revised 2196  
Code but otherwise would have been assigned under section 3319.01 2197  
of the Revised Code to a school building that, during that school 2198  
year, met the conditions described in division (A)(1) or (B)(1) of 2199  
section 3310.03 of the Revised Code. 2200

Sec. 3310.032. (A) ~~A Subject to section 3310.05 of the~~ 2201  
~~Revised Code, a student is an "eligible student" for purposes of~~ 2202  
the expansion of the educational choice scholarship pilot program 2203  
under this section if the ~~student's resident district is not a~~ 2204  
~~school district in which the pilot project scholarship program is~~ 2205  
~~operating under sections 3313.974 to 3313.979 of the Revised Code,~~ 2206  
the student is not eligible for an educational choice scholarship 2207  
under section 3310.03 of the Revised Code, and the student's 2208  
family income is at or below two hundred per cent of the federal 2209  
poverty guidelines, as defined in section 5101.46 of the Revised 2210  
Code. 2211

(B) In each fiscal year for which the general assembly 2212  
appropriates funds for purposes of this section, the department of 2213  
education shall pay scholarships to attend chartered nonpublic 2214  
schools in accordance with section 3310.08 of the Revised Code. 2215  
The number of scholarships awarded under this section shall not 2216  
exceed the number that can be funded with appropriations made by 2217  
the general assembly for this purpose. 2218

(C) Scholarships under this section shall be awarded as 2219  
follows: 2220

(1) For the 2013-2014 school year, to eligible students who 2221  
are entering kindergarten in that school year for the first time; 2222

(2) For each subsequent school year, scholarships shall be 2223  
awarded to eligible students in the next grade level above the 2224  
highest grade level awarded in the preceding school year, in 2225  
addition to the grade levels for which students received 2226  
scholarships in the preceding school year. 2227

(D) If the number of eligible students who apply for a 2228  
scholarship under this section exceeds the scholarships available 2229  
based on the appropriation for this section, the department shall 2230  
award scholarships in the following order of priority: 2231

(1) First, to eligible students who received scholarships 2232  
under this section in the prior school year; 2233

(2) Second, to eligible students with family incomes at or 2234  
below one hundred per cent of the federal poverty guidelines. If 2235  
the number of students described in division (D)(2) of this 2236  
section who apply for a scholarship exceeds the number of 2237  
available scholarships after awards are made under division (D)(1) 2238  
of this section, the department shall select students described in 2239  
division (D)(2) of this section by lot to receive any remaining 2240  
scholarships. 2241

(3) Third, to other eligible students who qualify under this 2242  
section. If the number of students described in division (D)(3) of 2243  
this section exceeds the number of available scholarships after 2244  
awards are made under divisions (D)(1) and (2) of this section, 2245  
the department shall select students described in division (D)(3) 2246  
of this section by lot to receive any remaining scholarships. 2247

(E) Subject to divisions (E)(1) to (3) of this section, a 2248  
student who receives a scholarship under this section remains an 2249  
eligible student and may continue to receive scholarships under 2250  
this section in subsequent school years until the student 2251  
completes grade twelve, so long as the student satisfies the 2252  
conditions specified in divisions (E)(2) and (3) of section 2253  
3310.03 of the Revised Code. 2254

Once a scholarship is awarded under this section, the student 2255  
shall remain eligible for that scholarship for the current school 2256  
year and subsequent school years even if the student's family 2257  
income rises above the amount specified in division (A) of this 2258  
section, provided the student remains enrolled in a chartered 2259  
nonpublic school, however: 2260

(1) If the student's family income is above two hundred per 2261  
cent but at or below three hundred per cent of the federal poverty 2262

guidelines, the student shall receive a scholarship in the amount 2263  
of seventy-five per cent of the full scholarship amount. 2264

(2) If the student's family income is above three hundred per 2265  
cent but at or below four hundred per cent of the federal poverty 2266  
guidelines, the student shall receive a scholarship in the amount 2267  
of fifty per cent of the full scholarship amount. 2268

(3) If the student's family income is above four hundred per 2269  
cent of the federal poverty guidelines, the student is no longer 2270  
eligible to receive an educational choice scholarship. 2271

Sec. 3310.05. A student entitled to attend school in a school 2272  
district in which the pilot project scholarship program is 2273  
operating under sections 3313.974 to 3313.979 of the Revised Code 2274  
may be eligible for the educational choice scholarship pilot 2275  
program established under sections 3310.01 to 3310.17 of the 2276  
Revised Code only if the number of applicants for the pilot 2277  
project scholarship program exceeds the number of available 2278  
scholarships under that program. 2279

**Sec. 3311.24.** (A)(1) Except as provided in division (B) of 2280  
this section, the board of education of a city, exempted village, 2281  
or local school district shall file with the state board of 2282  
education a proposal to transfer territory from such district to 2283  
an adjoining city, exempted village, or local school district in 2284  
any of the following circumstances: 2285

(a) The district board deems the transfer advisable and, if 2286  
the portion of the district proposed to be transferred is five 2287  
acres or more, the board has obtained written consent to the 2288  
transfer from seventy-five per cent of the owners of parcels of 2289  
real property on the tax duplicate within that portion of the 2290  
district; 2291

(b) A petition, signed by seventy-five per cent of the 2292

qualified electors residing within that portion of a city, 2293  
exempted village, or local school district proposed to be 2294  
transferred voting at the last general election, requests such a 2295  
transfer; 2296

(c) If no qualified electors reside in that portion of the 2297  
district proposed to be transferred, a petition, signed by 2298  
seventy-five per cent of the owners of parcels of real property on 2299  
the tax duplicate within that portion of the district, requests 2300  
such a transfer. 2301

(2) The board of education of the district in which such 2302  
proposal originates shall file such proposal, together with a map 2303  
showing the boundaries of the territory proposed to be 2304  
transferred, with the state board of education prior to the first 2305  
day of April in any even-numbered year. The state board of 2306  
education may, if it is advisable, provide for a hearing in any 2307  
suitable place in any of the school districts affected by such 2308  
proposed transfer of territory. The state board of education or 2309  
its representatives shall preside at any such hearing. 2310

(3) A board of education of a city, exempted village, or 2311  
local school district that receives a petition of transfer signed 2312  
by electors of the district under division (A)(1)(b) of this 2313  
section shall cause the board of elections to check the 2314  
sufficiency of signatures on the petition. A board of education of 2315  
a city, exempted village, or local school district that receives 2316  
written consent or a petition of transfer signed by owners of 2317  
parcels of real property under division (A)(1)(a) or (c) of this 2318  
section shall cause the county auditor to check the sufficiency of 2319  
signatures on the consent or petition. 2320

(4) Not later than the first day of September the state board 2321  
of education shall either approve or disapprove a proposed 2322  
transfer of territory filed with it as provided by this section 2323  
and shall notify, in writing, the boards of education of the 2324

districts affected by such proposed transfer of territory of its 2325  
decision. 2326

If the decision of the state board of education is an 2327  
approval of the proposed transfer of territory then the board of 2328  
education of the district in which the territory is located shall, 2329  
within thirty days after receiving the state board of education's 2330  
decision, adopt a resolution transferring the territory and shall 2331  
forthwith submit a copy of such resolution to the treasurer of the 2332  
board of education of the city, exempted village, or local school 2333  
district to which the territory is transferred. Such transfer 2334  
shall not be complete however, until: 2335

(a) A resolution accepting the transfer has been passed by a 2336  
majority vote of the full membership of the board of education of 2337  
the city, exempted village, or local school district to which the 2338  
territory is transferred; 2339

(b) ~~An~~ Subject to section 3311.241 of the Revised Code, if 2340  
applicable, an equitable division of the funds and indebtedness 2341  
between the districts involved has been made by the board of 2342  
education making the transfer; 2343

(c) A map showing the boundaries of the territory transferred 2344  
has been filed, by the board of education accepting the transfer, 2345  
with the county auditor of each county affected by the transfer. 2346

When such transfer is complete the legal title of the school 2347  
property in the territory transferred shall be vested in the board 2348  
of education or governing board of the school district to which 2349  
the territory is transferred. 2350

(B) Whenever the transfer of territory pursuant to this 2351  
section is initiated by a board of education, the board shall, 2352  
before filing a proposal for transfer with the state board of 2353  
education under this section, make a good faith effort to 2354  
negotiate the terms of transfer with any other school district 2355

whose territory would be affected by the transfer. Before the 2356  
state board may hold a hearing on the transfer, or approve or 2357  
disapprove any such transfer, it must receive the following: 2358

(1) A resolution requesting approval of the transfer passed 2359  
by the school district submitting the proposal and, if applicable, 2360  
evidence of the consent of affected property owners to the 2361  
transfer; 2362

(2) Evidence determined to be sufficient by the state board 2363  
to show that good faith negotiations have taken place or that the 2364  
district requesting the transfer has made a good faith effort to 2365  
hold such negotiations; 2366

(3) If any negotiations took place, a statement signed by all 2367  
boards that participated in the negotiations, listing the terms 2368  
agreed on and the points on which no agreement could be reached. 2369

Negotiations held pursuant to this section shall be governed 2370  
by the rules adopted by the state board under division (D) of 2371  
section 3311.06 of the Revised Code. Districts involved in a 2372  
transfer under division (B) of this section may agree to share 2373  
revenues from the property included in the territory to be 2374  
transferred, establish cooperative programs between the 2375  
participating districts, and establish mechanisms for the 2376  
settlement of any future boundary disputes. 2377

Sec. 3311.241. (A) In the case of a voluntary transfer of the 2378  
territory of a school district in accordance with section 3311.38 2379  
or division (A)(1)(a) of section 3311.24 of the Revised Code, and 2380  
where the transfer results in the complete consolidation and 2381  
dissolution of the transferring district, the net indebtedness 2382  
owed to the solvency assistance fund created under section 3316.20 2383  
of the Revised Code by the transferring district shall be 2384  
canceled, provided that all of the following conditions are 2385  
satisfied: 2386

(1) The amount owed by the transferring district to the solvency assistance fund is greater than or equal to thirty-three per cent of the transferring school district's operating budget for the current fiscal year, but does not exceed ten million dollars. 2387  
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(2) The transferring district has remained in a state of fiscal emergency pursuant to section 3316.03 of the Revised Code during the previous two fiscal years. 2392  
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(3) The acquiring district is in the same county or in a county contiguous to the county in which the transferring district is located. 2395  
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(4) The acquiring district has voluntarily accepted the transfer. 2398  
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(5) The acquiring district has submitted to the state board of education a five-year written projection of solvency which takes into account the fiscal effects of acquiring the transferring district. 2400  
2401  
2402  
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(B) If the conditions in division (A) of this section are satisfied, the acquiring district shall acquire the transferring district's territory free and clear of any amount owed by the transferring district to the solvency assistance fund. However, the acquiring district shall assume the obligations of all other liens, encumbrances, and debts of the transferring district. 2404  
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(C) Upon the making of a transfer pursuant to this section, the board of education of the transferring district is thereby abolished, and the district is thereby dissolved. 2410  
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(D) The director of budget and management may transfer any available moneys from the general revenue fund, appropriated for operating payments to schools, into the solvency assistance fund to replace the amount owed by a transferring school district forgone under division (A) of this section. 2413  
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Sec. 3311.38. The state board of education may conduct, or 2418  
may direct the superintendent of public instruction to conduct, 2419  
studies where there is evidence of need for transfer of local, 2420  
exempted village, or city school districts, or parts of any such 2421  
districts, to contiguous or noncontiguous local, exempted village, 2422  
or city school districts. Such studies shall include a study of 2423  
the effect of any proposal upon any portion of a school district 2424  
remaining after such proposed transfer. The state board, in 2425  
conducting such studies and in making recommendations as a result 2426  
thereof, shall consider the possibility of improving school 2427  
district organization as well as the desires of the residents of 2428  
the school districts which would be affected. 2429

(A) After the adoption of recommendations growing out of any 2430  
such study, or upon receipt of a resolution adopted by majority 2431  
vote of the full membership of the board of any city, local, or 2432  
exempted village school district requesting that the entire 2433  
district be transferred to another city, local, or exempted 2434  
village school district, the state board may propose by resolution 2435  
the transfer of territory, which may consist of part or all of the 2436  
territory of a local, exempted village, or city school district to 2437  
a contiguous local, exempted village, or city school district. 2438

The state board shall thereupon file a copy of such proposal 2439  
with the board of education of each school district whose 2440  
boundaries would be altered by the proposal and with the governing 2441  
board of any educational service center in which such school 2442  
district is located. 2443

The state board may, not less than thirty days following the 2444  
adoption of the resolution proposing the transfer of territory, 2445  
certify the proposal to the board of elections of the county or 2446  
counties in which any of the territory of the proposed district is 2447  
located, for the purpose of having the proposal placed on the 2448

ballot at the next general election or at a primary election 2449  
occurring not less than ninety days after the adoption of such 2450  
resolution. 2451

If any proposal has been previously initiated pursuant to 2452  
section 3311.22, 3311.231, or 3311.26 of the Revised Code which 2453  
affects any of the territory affected by the proposal of the state 2454  
board, the proposal of the state board shall not be placed on the 2455  
ballot while the previously initiated proposal is subject to an 2456  
election. 2457

Upon certification of a proposal to the board of elections of 2458  
any county pursuant to this section, the board of elections of 2459  
such county shall make the necessary arrangements for the 2460  
submission of such question to the electors of the county 2461  
qualified to vote thereon, and the election shall be counted and 2462  
canvassed and the results shall be certified in the same manner as 2463  
in regular elections for the election of members of a board of 2464  
education. 2465

The electors qualified to vote upon a proposal are the 2466  
electors residing in the local, exempted village, or city school 2467  
districts, containing territory proposed to be transferred. 2468

If the proposed transfer be approved by a majority of the 2469  
electors voting on the proposal, the state board, subject to the 2470  
approval of the board of education of the district to which the 2471  
territory would be transferred, shall make such transfer prior to 2472  
the next succeeding July 1. 2473

(B) If a study conducted in accordance with this section 2474  
involves a school district with less than four thousand dollars of 2475  
assessed value for each pupil in the total student count 2476  
determined under section 3317.03 of the Revised Code, the state 2477  
board of education, with the approval of the educational service 2478  
center governing board, and upon recommendation by the state 2479

superintendent of public instruction, may by resolution transfer 2480  
all or any part of such a school district to any city, exempted 2481  
village, or local school district which has more than twenty-five 2482  
thousand pupils in average daily membership. Such resolution of 2483  
transfer shall be adopted only after the board of education of the 2484  
receiving school district has adopted a resolution approving the 2485  
proposed transfer. For the purposes of this division, the assessed 2486  
value shall be as certified in accordance with section 3317.021 of 2487  
the Revised Code. 2488

(C) ~~Upon~~ Subject to section 3311.241 of the Revised Code, if 2489  
applicable, upon the making of a transfer of an entire school 2490  
district pursuant to this section, the indebtedness of the 2491  
district transferred shall be assumed in full by the acquiring 2492  
district and the funds of the district transferred shall be paid 2493  
over in full to the acquiring district. 2494

(D) Upon the making of a transfer pursuant to this section, 2495  
when only part of a district is transferred, the net indebtedness 2496  
of each original district of which only a part is taken by the 2497  
acquiring district shall be apportioned between the acquiring 2498  
district and the original district in the ratio which the assessed 2499  
valuation of the part taken by the acquiring district bears to the 2500  
assessed valuation of the original district as of the effective 2501  
date of the transfer. As used in this section "net indebtedness" 2502  
means the difference between the par value of the outstanding and 2503  
unpaid bonds and notes of the school district and the amount held 2504  
in the sinking fund and other indebtedness retirement funds for 2505  
their redemption. 2506

(E) Upon the making of a transfer pursuant to this section, 2507  
when only part of a district is transferred, the funds of the 2508  
district from which territory was transferred shall be divided 2509  
equitably by the state board between the acquiring district and 2510  
that part of the former district remaining after the transfer. 2511

(F) If an entire school district is transferred, the board of education of such district is thereby abolished. If part of a school district is transferred, any member of the board of education who is a legal resident of that part which is transferred shall thereby cease to be a member of that board.

If an entire school district is transferred, foundation program moneys accruing to a district accepting school territory under the provisions of this section shall not be less, in any year during the next succeeding three years following the transfer, than the sum of the amounts received by the districts separately in the year in which the transfer became effective.

**Sec. 3311.86.** (A) As used in this section:

(1) "Alliance" means a municipal school district transformation alliance established as a nonprofit corporation.

(2) "Alliance municipal school district" means a municipal school district for which an alliance has been created under this section.

(3) "Partnering community school" means a community school established under Chapter 3314. of the Revised Code that is located within the territory of a municipal school district and that either is sponsored by the district or is a party to an agreement with the district whereby the district and the community school endorse each other's programs.

(4) "Transformation alliance education plan" means a plan prepared by the mayor, and confirmed by the alliance, to transform public education in the alliance municipal school district to a system of municipal school district schools and partnering community schools that will be held to the highest standards of school performance and student achievement.

(B) If one or more partnering community schools are located

in a municipal school district, the mayor may initiate proceedings 2542  
to establish a municipal school district transformation alliance 2543  
as a nonprofit corporation under Chapter 1702. of the Revised 2544  
Code. The mayor shall have sole authority to appoint the directors 2545  
of any alliance created under this section. The directors of the 2546  
alliance shall include representatives of all of the following: 2547

(1) The municipal school district; 2548

(2) Partnering community schools; 2549

(3) Members of the community at large, including parents and 2550  
educators; 2551

(4) The business community, including business leaders and 2552  
foundation leaders. 2553

No one group listed in divisions (B)(1) to (4) of this 2554  
section shall comprise a majority of the directors. The mayor 2555  
shall be an ex officio director, and serve as the chairperson of 2556  
the board of directors, of any alliance created under this 2557  
section. If the proceedings are initiated, the mayor shall 2558  
identify the directors in the articles of incorporation filed 2559  
under section 1702.04 of the Revised Code. 2560

(C)(1) A majority of the members of the board of directors of 2561  
the alliance shall constitute a quorum of the board. Any formal 2562  
action taken by the board of directors shall take place at a 2563  
meeting of the board and shall require the concurrence of a 2564  
majority of the members of the board. Meetings of the board of 2565  
directors shall be public meetings open to the public at all 2566  
times, except that the board and its committees and subcommittees 2567  
may hold an executive session, as if it were a public body with 2568  
public employees, for any of the purposes for which an executive 2569  
session of a public body is permitted under division (G) of 2570  
section 121.22 of the Revised Code, notwithstanding that the 2571  
alliance is not a public body as defined in that section, and its 2572

employees are not public employees as provided in division (F) of 2573  
this section. The board of directors shall establish reasonable 2574  
methods whereby any person may determine the time and place of all 2575  
of the board's public meetings and by which any person, upon 2576  
request, may obtain reasonable advance notification of the board's 2577  
public meetings. Provisions for that advance notification may 2578  
include, but are not limited to, mailing notices to all 2579  
subscribers on a mailing list or mailing notices in 2580  
self-addressed, stamped envelopes provided by the person. 2581

(2) All records of the alliance shall be organized and 2582  
maintained by the alliance and also filed with the department of 2583  
education. The alliance and the department shall make those 2584  
records available to the public as though those records were 2585  
public records for purposes of Chapter 149. of the Revised Code. 2586  
The department shall promptly notify the alliance upon the 2587  
department's receipt of any requests for records relating to the 2588  
alliance pursuant to section 149.43 of the Revised Code. 2589

(3) The board of directors of the alliance shall establish a 2590  
conflicts of interest policy and shall adopt that policy, and any 2591  
amendments to the policy, at a meeting of the board held in 2592  
accordance with this section. 2593

(D) If an alliance is created under this section, the 2594  
alliance shall do all of the following: 2595

(1) Report annually on the performance of all municipal 2596  
school district schools and all community schools established 2597  
under Chapter 3314. of the Revised Code and located in the 2598  
district, using the criteria adopted under division (B) of section 2599  
3311.87 of the Revised Code; 2600

(2) Confirm and monitor implementation of the transformation 2601  
alliance education plan; 2602

(3) Suggest national education models for and provide input 2603

in the development of new municipal school district schools and 2604  
partnering community schools. 2605

~~(E) Divisions (E)(1) to (3) of this section apply to each 2606  
community school sponsor that is subject to approval by the 2607  
department of education under section 3314.015 of the Revised Code 2608  
whose approval under that section is granted or renewed on or 2609  
after October 1, 2012. Divisions (E)(1) to (3) of this section do 2610  
not apply to a sponsor that has been approved by the department 2611  
prior to that date, until the sponsor's approval is renewed or 2612  
granted anew on or after that date. 2613~~

~~(1) Before a sponsor to which this section applies may 2614  
sponsor new community schools in an alliance municipal school 2615  
district, the sponsor shall request recommendation from the 2616  
alliance to sponsor community schools in the district. 2617~~

~~(2) The alliance shall review the sponsor's application and 2618  
shall make a recommendation based on the standards for sponsors 2619  
developed under division (A)(2) of section 3311.87 of the Revised 2620  
Code. 2621~~

~~(3) The department shall use the standards developed under 2622  
division (A)(2) of section 3311.87 of the Revised Code, in 2623  
addition to any other requirements of the Revised Code, to review 2624  
a sponsor's request and make a final determination, on 2625  
recommendation of the alliance, of whether the sponsor may sponsor 2626  
new community schools in the alliance municipal school district 2627  
The alliance may recommend to the department of education the 2628  
capacity and ability of the following entities to sponsor 2629  
community schools in the alliance school district as follows: 2630~~

(1) An entity that initially applies to sponsor community 2631  
schools in an alliance municipal school district. The department 2632  
shall notify the alliance within ten days after receiving any such 2633  
initial application. 2634

(2) An entity already approved by the department to sponsor community schools outside of the alliance municipal school district. The entity may not sponsor a school in the alliance school district until it receives approval from the department. The entity shall request approval from the department not less than twelve months prior to entering into a contract under section 3314.03 of the Revised Code. The department shall notify the alliance within ten days after receiving any such application.

(3) An entity that sponsors community schools in the alliance municipal school district on the effective date of this section. If an alliance so chooses to evaluate such entities for recommendation, the department shall establish a schedule by which the alliance recommends the capacity and ability of such sponsors. The schedule shall prescribe that all recommendations be completed not later than December 31, 2017.

Division (E) of this section does not apply to any entity that sponsors community schools and that is exempted under section 3314.021 or 3314.027 of the Revised Code from the requirement to be approved for sponsorship under divisions (A)(2) and (B)(1) of section 3314.015 of the Revised Code.

No sponsor shall be required to receive authorization to sponsor new community schools under division (E)~~(3)~~ of this section more than one time.

(F) Directors, officers, and employees of an alliance are not public employees or public officials, are not subject to Chapters 124., 145., and 4117. of the Revised Code, and are not "public officials" or "public servants" as defined in section 2921.01 of the Revised Code. Membership on the board of directors of an alliance does not constitute the holding of an incompatible public office or employment in violation of any statutory or common law prohibition against the simultaneous holding of more than one public office or employment. Members of the board of directors of

an alliance are not disqualified from holding any public office by 2667  
reason of that membership, and do not forfeit by reason of that 2668  
membership the public office or employment held when appointed to 2669  
the board, notwithstanding any contrary disqualification or 2670  
forfeiture requirement under the Revised Code or the common law of 2671  
this state. 2672

(G) The authority to establish an alliance under this section 2673  
expires on January 1, 2018. Any alliance established under this 2674  
section is terminated, and any related authority granted to the 2675  
alliance under this section expires on that date. 2676

**Sec. 3313.372.** (A) As used in this section, "energy 2677  
conservation measure" means an installation or modification of an 2678  
installation in, or remodeling of, a building, to reduce energy 2679  
consumption. It includes: 2680

(1) Insulation of the building structure and systems within 2681  
the building; 2682

(2) Storm windows and doors, multiglazed windows and doors, 2683  
heat absorbing or heat reflective glazed and coated window and 2684  
door systems, additional glazing, reductions in glass area, and 2685  
other window and door system modifications that reduce energy 2686  
consumption; 2687

(3) Automatic energy control systems; 2688

(4) Heating, ventilating, or air conditioning system 2689  
modifications or replacements; 2690

(5) Caulking and weatherstripping; 2691

(6) Replacement or modification of lighting fixtures to 2692  
increase the energy efficiency of the system without increasing 2693  
the overall illumination of a facility, unless such increase in 2694  
illumination is necessary to conform to the applicable state or 2695  
local building code for the proposed lighting system; 2696

(7) Energy recovery systems;	2697
(8) Cogeneration systems that produce steam or forms of energy such as heat, as well as electricity, for use primarily within a building or complex of buildings;	2698 2699 2700
(9) Any other modification, installation, or remodeling approved by the Ohio school facilities commission as an energy conservation measure.	2701 2702 2703
(B) A board of education of a city, exempted village, local, or joint vocational school district may enter into an installment payment contract for the purchase and installation of energy conservation measures. The provisions of such installment payment contracts dealing with interest charges and financing terms shall not be subject to the competitive bidding requirements of section 3313.46 of the Revised Code, and shall be on the following terms:	2704 2705 2706 2707 2708 2709 2710
(1) Not less than one-fifteenth of the costs thereof shall be paid within two years from the date of purchase.	2711 2712
(2) The remaining balance of the costs thereof shall be paid within fifteen years from the date of purchase.	2713 2714
The provisions of any installment payment contract entered into pursuant to this section shall provide that all payments, except payments for repairs and obligations on termination of the contract prior to its expiration, <del>be stated as a percentage of</del> <u>shall not exceed the</u> calculated energy, water, or waste water cost savings, avoided operating costs, and avoided capital costs attributable to the one or more measures over a defined period of time. Those payments shall be made only to the extent that the savings described in this division actually occur. The contractor shall warrant and guarantee that the energy conservation measures shall realize guaranteed savings and shall be responsible to pay an amount equal to any savings shortfall.	2715 2716 2717 2718 2719 2720 2721 2722 2723 2724 2725 2726
An installment payment contract entered into by a board of	2727

education under this section shall require the board to contract 2728  
in accordance with division (A) of section 3313.46 of the Revised 2729  
Code for the installation, modification, or remodeling of energy 2730  
conservation measures unless division (A) of section 3313.46 of 2731  
the Revised Code does not apply pursuant to division (B)(3) of 2732  
that section, in which case the contract shall be awarded through 2733  
a competitive selection process pursuant to rules adopted by the 2734  
school facilities commission. 2735

An installment payment contract entered into by a board of 2736  
education under this section may include services for measurement 2737  
and verification of energy savings associated with the guarantee. 2738  
The annual cost of measurement and verification services shall not 2739  
exceed ten per cent of the guaranteed savings in any year of the 2740  
installment payment contract. 2741

(C) The board may issue the notes of the school district 2742  
signed by the president and the treasurer of the board and 2743  
specifying the terms of the purchase and securing the deferred 2744  
payments provided in this section, payable at the times provided 2745  
and bearing interest at a rate not exceeding the rate determined 2746  
as provided in section 9.95 of the Revised Code. The notes may 2747  
contain an option for prepayment and shall not be subject to 2748  
Chapter 133. of the Revised Code. In the resolution authorizing 2749  
the notes, the board may provide, without the vote of the electors 2750  
of the district, for annually levying and collecting taxes in 2751  
amounts sufficient to pay the interest on and retire the notes, 2752  
except that the total net indebtedness of the district without a 2753  
vote of the electors incurred under this and all other sections of 2754  
the Revised Code, except section 3318.052 of the Revised Code, 2755  
shall not exceed one per cent of the district's tax valuation. 2756  
Revenues derived from local taxes or otherwise, for the purpose of 2757  
conserving energy or for defraying the current operating expenses 2758  
of the district, may be applied to the payment of interest and the 2759

retirement of such notes. The notes may be sold at private sale or 2760  
given to the contractor under the installment payment contract 2761  
authorized by division (B) of this section. 2762

(D) Debt incurred under this section shall not be included in 2763  
the calculation of the net indebtedness of a school district under 2764  
section 133.06 of the Revised Code. 2765

(E) No school district board shall enter into an installment 2766  
payment contract under division (B) of this section unless it 2767  
first obtains a report of the costs of the energy conservation 2768  
measures and the savings thereof as described under division (G) 2769  
of section 133.06 of the Revised Code as a requirement for issuing 2770  
energy securities, makes a finding that the amount spent on such 2771  
measures is not likely to exceed the amount of money it would save 2772  
in energy costs and resultant operational and maintenance costs as 2773  
described in that division, except that that finding shall cover 2774  
the ensuing fifteen years, and the Ohio school facilities 2775  
commission determines that the district board's findings are 2776  
reasonable and approves the contract as described in that 2777  
division. 2778

The district board shall monitor the savings and maintain a 2779  
report of those savings, which shall be submitted to the 2780  
commission in the same manner as required by division (G) of 2781  
section 133.06 of the Revised Code in the case of energy 2782  
securities. 2783

**Sec. 3313.537.** (A) As used in this section, "extracurricular 2784  
activity" means a pupil activity program that a school or school 2785  
district operates and is not included in the school district's 2786  
graded course of study, including an interscholastic 2787  
extracurricular activity that a school or school district sponsors 2788  
or participates in and that has participants from more than one 2789  
school or school district. 2790

(B)(1) A student ~~in grades seven to twelve~~ who is enrolled in 2791  
a community school established under Chapter 3314. of the Revised 2792  
Code ~~that is sponsored by the city, local, or exempted village~~ 2793  
~~school district in which the student is entitled to attend school~~ 2794  
~~pursuant to section 3313.64 or 3313.65 of the Revised Code shall~~ 2795  
~~be afforded the opportunity to participate in any extracurricular~~ 2796  
~~activities offered at the traditional public school that is~~ 2797  
~~operated by the school district and to which the student otherwise~~ 2798  
~~would be assigned. If more than one such school operated by the~~ 2799  
~~school district serves the student's grade level, the student~~ 2800  
~~shall be afforded the opportunity to participate in any~~ 2801  
~~extracurricular activities offered at the school to which the~~ 2802  
~~student would be assigned by the district superintendent pursuant~~ 2803  
~~to section 3319.01 of the Revised Code.~~ 2804

~~(2) A student who is enrolled in or in~~ a science, technology, 2805  
engineering, and mathematics school established under Chapter 2806  
3326. of the Revised Code shall ~~not be prohibited from~~ 2807  
~~participating in any extracurricular activities offered at the~~ 2808  
~~traditional public school that is operated by the school district~~ 2809  
~~in which the student is entitled to attend school pursuant to~~ 2810  
~~section 3313.64 or 3313.65 of the Revised Code and to which the~~ 2811  
~~student otherwise would be assigned. If more than one such school~~ 2812  
~~operated by the school district serves the student's grade level,~~ 2813  
~~the student shall be afforded the opportunity to participate in~~ 2814  
~~any extracurricular activities offered at the school to which the~~ 2815  
~~student would be assigned by the district superintendent pursuant~~ 2816  
~~to section 3319.01 of the Revised Code~~ be afforded, by the 2817  
superintendent of the school district in which the student is 2818  
entitled to attend school under section 3313.64 or 3313.65 of the 2819  
Revised Code, the opportunity to participate in that 2820  
extracurricular activity at the district school to which the 2821  
student otherwise would be assigned during that school year. If 2822  
more than one school operated by the school district serves the 2823

student's grade level, as determined by the district 2824  
superintendent based on the student's age and academic 2825  
performance, the student shall be afforded the opportunity to 2826  
participate in that extracurricular activity at the school to 2827  
which the student would be assigned by the superintendent under 2828  
section 3319.01 of the Revised Code. 2829

(2) The superintendent of any school district may afford any 2830  
student enrolled in community school or science, technology, 2831  
engineering, and mathematics school, and who is not entitled to 2832  
attend school in the district under section 3313.64 or 3313.65 of 2833  
the Revised Code, the opportunity to participate in an 2834  
extracurricular activity offered by a school of the district, if 2835  
both of the following apply: 2836

(a) The school in which the student is enrolled does not 2837  
offer the extracurricular activity. 2838

(b) The extracurricular activity is not interscholastic 2839  
athletics or interscholastic contests or competition in music, 2840  
drama, or forensics. 2841

(C) In order to participate in any extracurricular activity 2842  
under this section, the student shall be of the appropriate age 2843  
and grade level, as determined by the superintendent of the 2844  
district, for the school that offers the extracurricular activity, 2845  
and shall fulfill the same academic, nonacademic, and financial 2846  
requirements as any other participant, including the rules and 2847  
policies adopted by the school district under section 3313.535 of 2848  
the Revised Code. The school district board of education may 2849  
require a community school student to enroll and participate in no 2850  
more than one academic course at the school offering the 2851  
extracurricular activity as a condition to participating in the 2852  
activity. In that case, the board shall admit students seeking to 2853  
enroll in an academic course to fulfill the requirement as space 2854  
allows after first enrolling students assigned to that school. 2855

(D) No school district board of education shall take any 2856  
action contrary to the provisions of this section. 2857

(E) No school or school district shall impose additional 2858  
rules on a student to participate under this section that do not 2859  
apply to other students participating in the same extracurricular 2860  
activity. No school or school district shall impose fees for a 2861  
student to participate under this section that exceed any fees 2862  
charged to other students participating in the same 2863  
extracurricular activity. 2864

(F) No school district, interscholastic conference, or 2865  
organization that regulates interscholastic conferences or events 2866  
shall require a student who is eligible to participate in 2867  
extracurricular activities under this section to meet eligibility 2868  
requirements that conflict with this section. 2869

**Sec. 3313.603.** (A) As used in this section: 2870

(1) "One unit" means a minimum of one hundred twenty hours of 2871  
course instruction, except that for a laboratory course, "one 2872  
unit" means a minimum of one hundred fifty hours of course 2873  
instruction. 2874

(2) "One-half unit" means a minimum of sixty hours of course 2875  
instruction, except that for physical education courses, "one-half 2876  
unit" means a minimum of one hundred twenty hours of course 2877  
instruction. 2878

(B) Beginning September 15, 2001, except as required in 2879  
division (C) of this section and division (C) of section 3313.614 2880  
of the Revised Code, the requirements for graduation from every 2881  
high school shall include twenty units earned in grades nine 2882  
through twelve and shall be distributed as follows: 2883

(1) English language arts, four units; 2884

(2) Health, one-half unit; 2885

(3) Mathematics, three units;	2886
(4) Physical education, one-half unit;	2887
(5) Science, two units until September 15, 2003, and three units thereafter, which at all times shall include both of the following:	2888 2889 2890
(a) Biological sciences, one unit;	2891
(b) Physical sciences, one unit.	2892
(6) History and government, one unit, which shall comply with division (M) of this section and shall include both of the following:	2893 2894 2895
(a) American history, one-half unit;	2896
(b) American government, one-half unit.	2897
(7) Social studies, two units.	2898
(8) Elective units, seven units until September 15, 2003, and six units thereafter.	2899 2900
Each student's electives shall include at least one unit, or two half units, chosen from among the areas of business/technology, fine arts, and/or foreign language.	2901 2902 2903
(C) Beginning with students who enter ninth grade for the first time on or after July 1, 2010, except as provided in divisions (D) to (F) of this section, the requirements for graduation from every public and chartered nonpublic high school shall include twenty units that are designed to prepare students for the workforce and college. The units shall be distributed as follows:	2904 2905 2906 2907 2908 2909 2910
(1) English language arts, four units;	2911
(2) Health, one-half unit, which shall include instruction in nutrition and the benefits of nutritious foods and physical activity for overall health;	2912 2913 2914

(3) Mathematics, four units, which shall include one unit of algebra II or the equivalent of algebra II;	2915 2916
(4) Physical education, one-half unit;	2917
(5) Science, three units with inquiry-based laboratory experience that engages students in asking valid scientific questions and gathering and analyzing information, which shall include the following, or their equivalent:	2918 2919 2920 2921
(a) Physical sciences, one unit;	2922
(b) Life sciences, one unit;	2923
(c) Advanced study in one or more of the following sciences, one unit:	2924 2925
(i) Chemistry, physics, or other physical science;	2926
(ii) Advanced biology or other life science;	2927
(iii) Astronomy, physical geology, or other earth or space science.	2928 2929
(6) History and government, one unit, which shall comply with division (M) of this section and shall include both of the following:	2930 2931 2932
(a) American history, one-half unit;	2933
(b) American government, one-half unit.	2934
(7) Social studies, two units.	2935
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	2936 2937 2938 2939 2940 2941 2942 2943

class, so that every high school student receives instruction in 2944  
those concepts. In developing the curriculum required by this 2945  
paragraph, schools shall use available public-private partnerships 2946  
and resources and materials that exist in business, industry, and 2947  
through the centers for economics education at institutions of 2948  
higher education in the state. 2949

(8) Five units consisting of one or any combination of 2950  
foreign language, fine arts, business, career-technical education, 2951  
family and consumer sciences, technology, agricultural education, 2952  
a junior reserve officer training corps (JROTC) program approved 2953  
by the congress of the United States under title 10 of the United 2954  
States Code, or English language arts, mathematics, science, or 2955  
social studies courses not otherwise required under division (C) 2956  
of this section. 2957

Ohioans must be prepared to apply increased knowledge and 2958  
skills in the workplace and to adapt their knowledge and skills 2959  
quickly to meet the rapidly changing conditions of the 2960  
twenty-first century. National studies indicate that all high 2961  
school graduates need the same academic foundation, regardless of 2962  
the opportunities they pursue after graduation. The goal of Ohio's 2963  
system of elementary and secondary education is to prepare all 2964  
students for and seamlessly connect all students to success in 2965  
life beyond high school graduation, regardless of whether the next 2966  
step is entering the workforce, beginning an apprenticeship, 2967  
engaging in post-secondary training, serving in the military, or 2968  
pursuing a college degree. 2969

The Ohio core curriculum is the standard expectation for all 2970  
students entering ninth grade for the first time at a public or 2971  
chartered nonpublic high school on or after July 1, 2010. A 2972  
student may satisfy this expectation through a variety of methods, 2973  
including, but not limited to, integrated, applied, 2974  
career-technical, and traditional coursework. 2975

Whereas teacher quality is essential for student success in 2976  
completing the Ohio core curriculum, the general assembly shall 2977  
appropriate funds for strategic initiatives designed to strengthen 2978  
schools' capacities to hire and retain highly qualified teachers 2979  
in the subject areas required by the curriculum. Such initiatives 2980  
are expected to require an investment of \$120,000,000 over five 2981  
years. 2982

Stronger coordination between high schools and institutions 2983  
of higher education is necessary to prepare students for more 2984  
challenging academic endeavors and to lessen the need for academic 2985  
remediation in college, thereby reducing the costs of higher 2986  
education for Ohio's students, families, and the state. The state 2987  
board and the chancellor of the Ohio board of regents shall 2988  
develop policies to ensure that only in rare instances will 2989  
students who complete the Ohio core curriculum require academic 2990  
remediation after high school. 2991

School districts, community schools, and chartered nonpublic 2992  
schools shall integrate technology into learning experiences 2993  
across the curriculum in order to maximize efficiency, enhance 2994  
learning, and prepare students for success in the 2995  
technology-driven twenty-first century. Districts and schools 2996  
shall use distance and web-based course delivery as a method of 2997  
providing or augmenting all instruction required under this 2998  
division, including laboratory experience in science. Districts 2999  
and schools shall utilize technology access and electronic 3000  
learning opportunities provided by the broadcast educational media 3001  
commission, chancellor, the Ohio learning network, education 3002  
technology centers, public television stations, and other public 3003  
and private providers. 3004

(D) Except as provided in division (E) of this section, a 3005  
student who enters ninth grade on or after July 1, 2010, and 3006  
before July 1, 2014, may qualify for graduation from a public or 3007

chartered nonpublic high school even though the student has not 3008  
completed the Ohio core curriculum prescribed in division (C) of 3009  
this section if all of the following conditions are satisfied: 3010

(1) After the student has attended high school for two years, 3011  
as determined by the school, the student and the student's parent, 3012  
guardian, or custodian sign and file with the school a written 3013  
statement asserting the parent's, guardian's, or custodian's 3014  
consent to the student's graduating without completing the Ohio 3015  
core curriculum and acknowledging that one consequence of not 3016  
completing the Ohio core curriculum is ineligibility to enroll in 3017  
most state universities in Ohio without further coursework. 3018

(2) The student and parent, guardian, or custodian fulfill 3019  
any procedural requirements the school stipulates to ensure the 3020  
student's and parent's, guardian's, or custodian's informed 3021  
consent and to facilitate orderly filing of statements under 3022  
division (D)(1) of this section. 3023

(3) The student and the student's parent, guardian, or 3024  
custodian and a representative of the student's high school 3025  
jointly develop ~~an individual career~~ a student success plan for 3026  
the student in the manner described in division (C)(1) of section 3027  
3313.6020 of the Revised Code that specifies the student 3028  
matriculating to a two-year degree program, acquiring a business 3029  
and industry credential, or entering an apprenticeship. 3030

(4) The student's high school provides counseling and support 3031  
for the student related to the plan developed under division 3032  
(D)(3) of this section during the remainder of the student's high 3033  
school experience. 3034

(5) The student successfully completes, at a minimum, the 3035  
curriculum prescribed in division (B) of this section. 3036

The department of education, in collaboration with the 3037  
chancellor, shall analyze student performance data to determine if 3038

there are mitigating factors that warrant extending the exception 3039  
permitted by division (D) of this section to high school classes 3040  
beyond those entering ninth grade before July 1, 2014. The 3041  
department shall submit its findings and any recommendations not 3042  
later than August 1, 2014, to the speaker and minority leader of 3043  
the house of representatives, the president and minority leader of 3044  
the senate, the chairpersons and ranking minority members of the 3045  
standing committees of the house of representatives and the senate 3046  
that consider education legislation, the state board of education, 3047  
and the superintendent of public instruction. 3048

(E) Each school district and chartered nonpublic school 3049  
retains the authority to require an even more rigorous minimum 3050  
curriculum for high school graduation than specified in division 3051  
(B) or (C) of this section. A school district board of education, 3052  
through the adoption of a resolution, or the governing authority 3053  
of a chartered nonpublic school may stipulate any of the 3054  
following: 3055

(1) A minimum high school curriculum that requires more than 3056  
twenty units of academic credit to graduate; 3057

(2) An exception to the district's or school's minimum high 3058  
school curriculum that is comparable to the exception provided in 3059  
division (D) of this section but with additional requirements, 3060  
which may include a requirement that the student successfully 3061  
complete more than the minimum curriculum prescribed in division 3062  
(B) of this section; 3063

(3) That no exception comparable to that provided in division 3064  
(D) of this section is available. 3065

(F) A student enrolled in a dropout prevention and recovery 3066  
program, which program has received a waiver from the department, 3067  
may qualify for graduation from high school by successfully 3068  
completing a competency-based instructional program administered 3069

by the dropout prevention and recovery program in lieu of 3070  
completing the Ohio core curriculum prescribed in division (C) of 3071  
this section. The department shall grant a waiver to a dropout 3072  
prevention and recovery program, within sixty days after the 3073  
program applies for the waiver, if the program meets all of the 3074  
following conditions: 3075

(1) The program serves only students not younger than sixteen 3076  
years of age and not older than twenty-one years of age. 3077

(2) The program enrolls students who, at the time of their 3078  
initial enrollment, either, or both, are at least one grade level 3079  
behind their cohort age groups or experience crises that 3080  
significantly interfere with their academic progress such that 3081  
they are prevented from continuing their traditional programs. 3082

(3) The program requires students to attain at least the 3083  
applicable score designated for each of the assessments prescribed 3084  
under division (B)(1) of section 3301.0710 of the Revised Code or, 3085  
to the extent prescribed by rule of the state board under division 3086  
(D)(6) of section 3301.0712 of the Revised Code, division (B)(2) 3087  
of that section. 3088

(4) The program develops ~~an individual career~~ a student 3089  
success plan for the student in the manner described in division 3090  
(C)(1) of section 3313.6020 of the Revised Code that specifies the 3091  
student's matriculating to a two-year degree program, acquiring a 3092  
business and industry credential, or entering an apprenticeship. 3093

(5) The program provides counseling and support for the 3094  
student related to the plan developed under division (F)(4) of 3095  
this section during the remainder of the student's high school 3096  
experience. 3097

(6) The program requires the student and the student's 3098  
parent, guardian, or custodian to sign and file, in accordance 3099  
with procedural requirements stipulated by the program, a written 3100

statement asserting the parent's, guardian's, or custodian's 3101  
consent to the student's graduating without completing the Ohio 3102  
core curriculum and acknowledging that one consequence of not 3103  
completing the Ohio core curriculum is ineligibility to enroll in 3104  
most state universities in Ohio without further coursework. 3105

(7) Prior to receiving the waiver, the program has submitted 3106  
to the department an instructional plan that demonstrates how the 3107  
academic content standards adopted by the state board under 3108  
section 3301.079 of the Revised Code will be taught and assessed. 3109

(8) Prior to receiving the waiver, the program has submitted 3110  
to the department a policy on career advising that satisfies the 3111  
requirements of section 3313.6020 of the Revised Code, with an 3112  
emphasis on how every student will receive career advising. 3113

(9) Prior to receiving the waiver, the program has submitted 3114  
to the department a written agreement outlining the future 3115  
cooperation between the program and any combination of local job 3116  
training, postsecondary education, nonprofit, and health and 3117  
social service organizations to provide services for students in 3118  
the program and their families. 3119

Divisions (F)(8) and (9) of this section apply only to 3120  
waivers granted on or after July 1, 2016. 3121

If the department does not act either to grant the waiver or 3122  
to reject the program application for the waiver within sixty days 3123  
as required under this section, the waiver shall be considered to 3124  
be granted. 3125

(G) Every high school may permit students below the ninth 3126  
grade to take advanced work. If a high school so permits, it shall 3127  
award high school credit for successful completion of the advanced 3128  
work and shall count such advanced work toward the graduation 3129  
requirements of division (B) or (C) of this section if the 3130  
advanced work was both: 3131

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

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

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 3163  
on high school transcripts. Each school district and community 3164  
school shall comply with the state board's plan adopted under this 3165  
division and award units of high school credit in accordance with 3166  
the plan. The state board may adopt existing methods for earning 3167  
high school credit based on a demonstration of subject area 3168  
competency as necessary prior to the 2009-2010 school year. 3169

(K) This division does not apply to students who qualify for 3170  
graduation from high school under division (D) or (F) of this 3171  
section, or to students pursuing a career-technical instructional 3172  
track as determined by the school district board of education or 3173  
the chartered nonpublic school's governing authority. 3174  
Nevertheless, the general assembly encourages such students to 3175  
consider enrolling in a fine arts course as an elective. 3176

Beginning with students who enter ninth grade for the first 3177  
time on or after July 1, 2010, each student enrolled in a public 3178  
or chartered nonpublic high school shall complete two semesters or 3179  
the equivalent of fine arts to graduate from high school. The 3180  
coursework may be completed in any of grades seven to twelve. Each 3181  
student who completes a fine arts course in grade seven or eight 3182  
may elect to count that course toward the five units of electives 3183  
required for graduation under division (C)(8) of this section, if 3184  
the course satisfied the requirements of division (G) of this 3185  
section. In that case, the high school shall award the student 3186  
high school credit for the course and count the course toward the 3187  
five units required under division (C)(8) of this section. If the 3188  
course in grade seven or eight did not satisfy the requirements of 3189  
division (G) of this section, the high school shall not award the 3190  
student high school credit for the course but shall count the 3191  
course toward the two semesters or the equivalent of fine arts 3192  
required by this division. 3193

(L) Notwithstanding anything to the contrary in this section, 3194

the board of education of each school district and the governing 3195  
authority of each chartered nonpublic school may adopt a policy to 3196  
excuse from the high school physical education requirement each 3197  
student who, during high school, has participated in 3198  
interscholastic athletics, marching band, or cheerleading for at 3199  
least two full seasons or in the junior reserve officer training 3200  
corps for at least two full school years. If the board or 3201  
authority adopts such a policy, the board or authority shall not 3202  
require the student to complete any physical education course as a 3203  
condition to graduate. However, the student shall be required to 3204  
complete one-half unit, consisting of at least sixty hours of 3205  
instruction, in another course of study. In the case of a student 3206  
who has participated in the junior reserve officer training corps 3207  
for at least two full school years, credit received for that 3208  
participation may be used to satisfy the requirement to complete 3209  
one-half unit in another course of study. 3210

(M) It is important that high school students learn and 3211  
understand United States history and the governments of both the 3212  
United States and the state of Ohio. Therefore, beginning with 3213  
students who enter ninth grade for the first time on or after July 3214  
1, 2012, the study of American history and American government 3215  
required by divisions (B)(6) and (C)(6) of this section shall 3216  
include the study of all of the following documents: 3217

(1) The Declaration of Independence; 3218

(2) The Northwest Ordinance; 3219

(3) The Constitution of the United States with emphasis on 3220  
the Bill of Rights; 3221

(4) The Ohio Constitution. 3222

The study of each of the documents prescribed in divisions 3223  
(M)(1) to (4) of this section shall include study of that document 3224  
in its original context. 3225

The study of American history and government required by 3226  
divisions (B)(6) and (C)(6) of this section shall include the 3227  
historical evidence of the role of documents such as the 3228  
Federalist Papers and the Anti-Federalist Papers to firmly 3229  
establish the historical background leading to the establishment 3230  
of the provisions of the Constitution and Bill of Rights. 3231

**Sec. 3313.6013.** (A) As used in this section, "~~dual enrollment~~ 3232  
advanced standing program" means a program that enables a student 3233  
to earn credit toward a degree from an institution of higher 3234  
education while enrolled in high school or that enables a student 3235  
to complete coursework while enrolled in high school that may earn 3236  
credit toward a degree from an institution of higher education 3237  
upon the student's attainment of a specified score on an 3238  
examination covering the coursework. ~~Dual enrollment~~ Advanced 3239  
standing programs may include any of the following: 3240

(1) The ~~post secondary enrollment options~~ college credit plus 3241  
program established under Chapter 3365. of the Revised Code; 3242

(2) Advanced placement courses; 3243

(3) ~~Any similar program established pursuant to an agreement~~ 3244  
~~between a school district or chartered nonpublic high school and~~ 3245  
~~an institution of higher education~~ International baccalaureate 3246  
diploma courses; 3247

(4) Early college high ~~schools~~ school programs. 3248

(B) Each city, local, exempted village, and joint vocational 3249  
school district and each chartered nonpublic high school shall 3250  
provide students enrolled in grades nine through twelve with the 3251  
opportunity to participate in a ~~dual enrollment~~ an advanced 3252  
standing program. For this purpose, each school district and 3253  
chartered nonpublic high school shall offer at least one ~~dual~~ 3254  
~~enrollment~~ advanced standing program in accordance with division 3255

(B)(1) or (2) of this section, as applicable. 3256

(1) A city, local, or exempted village school district meets 3257  
the requirements of this division through its mandatory 3258  
participation in the ~~post-secondary enrollment options~~ college 3259  
credit plus program established under Chapter 3365. of the Revised 3260  
Code. However, a city, local, or exempted village school district 3261  
may offer any other ~~dual-enrollment~~ advanced standing program, in 3262  
addition to the ~~post-secondary enrollment options~~ college credit 3263  
plus program, and each joint vocational school district shall 3264  
offer at least one other ~~dual-enrollment~~ advanced standing 3265  
program, to students in good standing, as defined by the 3266  
partnership for continued learning under section 3301.42 of the 3267  
Revised Code as it existed prior to October 16, 2009, or as 3268  
subsequently defined by the department of education. 3269

(2) A chartered nonpublic high school that elects to 3270  
participate in the ~~post-secondary enrollment options~~ college 3271  
credit plus program established under Chapter 3365. of the Revised 3272  
Code meets the requirements of this division. Each chartered 3273  
nonpublic high school that elects not to participate in the 3274  
~~post-secondary enrollment options~~ college credit plus program 3275  
instead shall offer at least one other ~~dual-enrollment~~ advanced 3276  
standing program to students in good standing, as defined by the 3277  
partnership for continued learning under section 3301.42 of the 3278  
Revised Code as it existed prior to October 16, 2009, or as 3279  
subsequently defined by the department of education. 3280

(C) Each school district and each chartered nonpublic high 3281  
school shall provide information about the ~~dual-enrollment~~ 3282  
advanced standing programs offered by the district or school to 3283  
all students enrolled in grades eight through eleven. The district 3284  
or school shall include information about all of the following: 3285

(1) The process colleges and universities use in awarding 3286  
credit for advanced placement and international baccalaureate 3287

courses and examinations, including minimum scores required by 3288  
state institutions of higher education, as defined in section 3289  
3345.011 of the Revised Code, for a student to receive college 3290  
credit; 3291

(2) The availability of tuition and fee waivers for advanced 3292  
placement and international baccalaureate courses and 3293  
examinations; 3294

(3) The availability of online advanced placement or 3295  
international baccalaureate courses, including those that may be 3296  
available at no cost; 3297

(4) The benefits of earning postsecondary credit through 3298  
advanced placement or international baccalaureate courses; 3299

(5) The availability of advanced placement or international 3300  
baccalaureate courses offered throughout the district. 3301

The district or school may include additional information as 3302  
determined appropriate by the district or school. 3303

(D) ~~No~~ Except as provided for in Chapter 3365. of the Revised 3304  
Code, no city, local, exempted village, and joint vocational 3305  
school district shall charge an enrolled student an additional fee 3306  
or tuition for participation in any ~~dual-enrollment~~ advanced 3307  
standing program offered by the district. Students may be required 3308  
to pay the costs associated with taking an advanced placement or 3309  
international baccalaureate examination. 3310

(E) Any agreement between a school district or school and an 3311  
associated college governing the operation of an early college 3312  
high school program shall be subject to the requirements of the 3313  
college credit plus program, with the following exceptions: 3314

(1) Any aspect of the agreement that does not relate to the 3315  
conferral of transcribed credit, as defined in section 3365.01 of 3316  
the Revised Code, shall not be subject to the requirements of the 3317

college credit plus program. 3318

(2) If the early college high school program began operating 3319  
prior to July 1, 2014, the agreement shall not be subject to the 3320  
requirements of the college credit plus program until the later of 3321  
the date on which the existing agreement expires or July 1, 2015. 3322

(3) If the district, school, or associated college operating 3323  
the early college high school program was granted an award under 3324  
Section 263.325 of Am. Sub. H.B. 59 of the 130th general assembly 3325  
for the 2014-2015 school year, as the lead applicant on the grant 3326  
or as part of a consortium, for a project involving the 3327  
establishment or expansion of an early college high school, the 3328  
agreement shall not be subject to the requirements of the college 3329  
credit plus program during the period of time for which the 3330  
project is funded by the grant award under that section. 3331

The college credit plus program shall not govern any advanced 3332  
placement course or international baccalaureate diploma course as 3333  
described under this section. 3334

(F) As used in this section: 3335

(1) "Associated college" means a public or private college, 3336  
as defined in section 3365.01 of the Revised Code, which has 3337  
entered into an agreement with a school district or school to 3338  
establish an early college high school program, as described in 3339  
division (F)(2) of this section, and awards transcribed credit, 3340  
as defined in section 3365.01 of the Revised Code, to students 3341  
through that program. 3342

(2) "Early college high school program" means a program 3343  
operated by a school district or school and an associated college 3344  
that provides a personalized learning plan, which is based on 3345  
accelerated curriculum and includes both high school and 3346  
college-level coursework, and enables the following students to 3347  
earn a high school diploma and an associate degree, or the 3348

equivalent number of transcribed credits, upon successful 3349  
completion of the program: 3350

(a) Students who are underrepresented in regard to completing 3351  
post-secondary education; 3352

(b) Students who are economically disadvantaged, as defined 3353  
by the department of education; 3354

(c) Students whose parents did not earn a college degree. 3355

**Sec. 3313.6016.** (A) Beginning in the 2011-2012 school year, 3356  
the department of education shall administer a pilot program 3357  
requiring daily physical activity for students. Any school 3358  
district; community school established under Chapter 3314. of the 3359  
Revised Code; science, technology, engineering, and mathematics 3360  
school established under Chapter 3326. of the Revised Code; or 3361  
chartered nonpublic school annually may elect to participate in 3362  
the pilot program by notifying the department of its interest by a 3363  
date established by the department. If a school district elects to 3364  
participate in the pilot program, the district shall select one or 3365  
more school buildings to participate in the program. To the 3366  
maximum extent possible, the department shall seek to include in 3367  
the pilot program districts and schools that are located in urban, 3368  
suburban, and rural areas distributed geographically throughout 3369  
the state. The department shall administer the pilot program in 3370  
accordance with this section. 3371

(B) Except as provided in division (C) of this section, each 3372  
district or school participating in the pilot program shall 3373  
require all students in the school building selected under 3374  
division (A) of this section to engage in at least thirty minutes 3375  
of moderate to rigorous physical activity each school day or at 3376  
least one hundred fifty minutes of moderate to rigorous physical 3377  
activity each week, exclusive of recess. Physical activity engaged 3378  
in during the following may count toward the daily requirement: 3379

(1) A physical education course;	3380
(2) A program or activity occurring before or after the regular school day, as defined in section 3313.814 of the Revised Code, that is sponsored or approved by the school of attendance, provided school officials are able to monitor students' participation to ensure compliance with the requirement.	3381 3382 3383 3384 3385
(C) None of the following shall be subject to the requirement of division (B) of this section:	3386 3387
(1) Any student enrolled in the <del>post-secondary enrollment options</del> college credit plus program established under Chapter 3365. of the Revised Code;	3388 3389 3390
(2) Any student enrolled in a career-technical education program operated by the district or school;	3391 3392
(3) Any student enrolled in a dropout prevention and recovery program operated by the district or school.	3393 3394
(D) For any period in which a student is participating in interscholastic athletics, marching band, cheerleading, or a junior reserve officer training corps program, the district or school may excuse the student from the requirement of division (B) of this section.	3395 3396 3397 3398 3399
(E) The district or school may excuse any kindergarten student who is not enrolled in all-day kindergarten, as defined in section 3321.05 of the Revised Code, from the requirement of division (B) of this section.	3400 3401 3402 3403
(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.	3404 3405 3406 3407 3408 3409

Sec. 3313.6020. (A)(1) Beginning in the 2016-2017 school year, the board of education of each city, local, exempted village, and joint vocational school district shall adopt a policy on career advising that complies with this section. Thereafter, the policy shall be updated at least once every two years.

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

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

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

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

(3) Beginning in the 2016-2017 school year, provide additional interventions and career advising for students who are identified as at risk of dropping out of school in accordance with division (C) of this section;

(4) Train its employees on how to advise students on career pathways, including training on advising students using online tools;

(5) Develop multiple, clear academic pathways through high school that students may choose in order to earn a high school diploma;

(6) Identify and publicize courses that can award students both traditional academic and career-technical credit;

(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. 3440  
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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. 3448  
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(C)(1) Beginning in the 2016-2017 school year, 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. 3452  
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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 parent, guardian, or custodian does not participate in the development of the plan, the district shall provide to the parent, guardian, or custodian a copy of the student's success plan and a statement of the importance of a high school diploma and the academic pathways available to the student in order to successfully graduate. 3460  
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(3) Following the development of a student success plan for a student, the district shall provide career advising to the student that is aligned with the plan and, beginning in the 2016-2017 3469  
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school year, the district's plan to provide career advising 3472  
created under division (B)(2) of this section. 3473

(D) Not later than December 1, 2014, the department of 3474  
education shall develop and post on its web site model policies on 3475  
career advising and model student success plans. 3476

**Sec. 3313.612.** (A) No nonpublic school chartered by the state 3477  
board of education shall grant a high school diploma to any person 3478  
unless, subject to section 3313.614 of the Revised Code, the 3479  
person has met the assessment requirements of division (A)(1) or 3480  
(2) of this section, as applicable. 3481

(1) If the person entered the ninth grade prior to the date 3482  
prescribed by rule of the state board under division (D)(2) of 3483  
section 3301.0712 of the Revised Code, the person has attained at 3484  
least the applicable scores designated under division (B)(1) of 3485  
section 3301.0710 of the Revised Code on all the assessments 3486  
required by that division, or has satisfied the alternative 3487  
conditions prescribed in section 3313.615 of the Revised Code. 3488

(2) If the person entered the ninth grade on or after the 3489  
date prescribed by rule of the state board under division 3490  
~~(E)~~(D)(2) of section 3301.0712 of the Revised Code, the person has 3491  
met the requirements of the entire assessment system prescribed 3492  
under division (B)(2) of section 3301.0710 of the Revised Code. 3493

(B) This section does not apply to any of the following: 3494

(1) Any person with regard to any assessment from which the 3495  
person was excused pursuant to division (C)(1)(c) of section 3496  
3301.0711 of the Revised Code; 3497

(2) Any person that attends a nonpublic school ~~accredited~~ 3498  
~~through the independent school association of the central states~~ 3499  
acting in accordance with division (D) of this section with regard 3500  
to any end-of-course examination required under divisions (B)(2) 3501

and (3) of section 3301.0712 of the Revised Code; 3502

(3) Any person with regard to the social studies assessment 3503  
under division (B)(1) of section 3301.0710 of the Revised Code, 3504  
any American history end-of-course examination and any American 3505  
government end-of-course examination required under division 3506  
(B)(2) of that section if such an exemption is prescribed by rule 3507  
of the state board of education under division (D)(4) of section 3508  
3301.0712 of the Revised Code, or the citizenship test under 3509  
former division (B) of section 3301.0710 of the Revised Code as it 3510  
existed prior to September 11, 2001, if all of the following 3511  
apply: 3512

(a) The person is not a citizen of the United States; 3513

(b) The person is not a permanent resident of the United 3514  
States; 3515

(c) The person indicates no intention to reside in the United 3516  
States after completion of high school. 3517

(C) As used in this division, "limited English proficient 3518  
student" has the same meaning as in division (C)(3) of section 3519  
3301.0711 of the Revised Code. 3520

Notwithstanding division (C)(3) of section 3301.0711 of the 3521  
Revised Code, no limited English proficient student who has not 3522  
either attained the applicable scores designated under division 3523  
(B)(1) of section 3301.0710 of the Revised Code on all the 3524  
assessments required by that division, or met the requirements of 3525  
the assessments under division (B)(2) of that section, shall be 3526  
awarded a diploma under this section. 3527

(D) A nonpublic school chartered by the state board may forgo 3528  
the end-of-course examinations required by divisions (B)(2) and 3529  
(3) of section 3301.0712 of the Revised Code, if that school 3530  
publishes the results of the standardized assessment prescribed 3531  
under division (B)(1) of section 3301.0712 of the Revised Code for 3532

each graduating class. The published results shall include the 3533  
overall composite scores, mean scores, 25th percentile scores, and 3534  
75th percentile scores for each subject area of the assessment. 3535

(E) The state board shall not impose additional requirements 3536  
or assessments for the granting of a high school diploma under 3537  
this section that are not prescribed by this section. 3538

(F) The department of education shall furnish the assessment 3539  
administered by a nonpublic school pursuant to division (B)(1) of 3540  
section 3301.0712 of the Revised Code. 3541

**Sec. 3313.843.** (A) Notwithstanding division (D) of section 3542  
3311.52 of the Revised Code, this section does not apply to any 3543  
cooperative education school district. 3544

(B)(1) The board of education of each city, exempted village, 3545  
or local school district with an average daily student enrollment 3546  
of sixteen thousand or less, reported for the district on the most 3547  
recent report card issued under section 3302.03 of the Revised 3548  
Code, shall enter into an agreement with the governing board of an 3549  
educational service center, under which the educational service 3550  
center governing board will provide services to the district. 3551

(2) The board of education of a city, exempted village, or 3552  
local school district with an average daily student enrollment of 3553  
more than sixteen thousand may enter into an agreement with the 3554  
governing board of an educational service center, under which the 3555  
educational service center governing board will provide services 3556  
to the district. 3557

(3) Services provided under an agreement entered into under 3558  
division (B)(1) or (2) of this section shall be specified in the 3559  
agreement, and may include any of the following: supervisory 3560  
teachers; in-service and continuing education programs for 3561  
district personnel; curriculum services; research and development 3562

programs; academic instruction for which the governing board 3563  
employs teachers pursuant to section 3319.02 of the Revised Code; 3564  
assistance in the provision of special accommodations and classes 3565  
for students with disabilities; or any other services the district 3566  
board and service center governing board agree can be better 3567  
provided by the service center and are not provided under an 3568  
agreement entered into under section 3313.845 of the Revised Code. 3569  
Services included in the agreement shall be provided to the 3570  
district in the manner specified in the agreement. The district 3571  
board of education shall reimburse the educational service center 3572  
governing board pursuant to division (H) of this section. 3573

(C) Any agreement entered into pursuant to this section shall 3574  
be filed with the department of education by the first day of July 3575  
of the school year for which the agreement is in effect. 3576

(D)(1) An agreement for services from an educational service 3577  
center entered into under this section may be terminated by the 3578  
school district board of education, at its option, by notifying 3579  
the governing board of the service center by March 1, 2012, or by 3580  
the first day of January of any odd-numbered year thereafter, that 3581  
the district board intends to terminate the agreement in that 3582  
year, and that termination shall be effective on the thirtieth day 3583  
of June of that year. The failure of a district board to notify an 3584  
educational service center of its intent to terminate an agreement 3585  
by March 1, 2012, shall result in renewal of the existing 3586  
agreement for the following school year. Thereafter, the failure 3587  
of a district board to notify an educational service center of its 3588  
intent to terminate an agreement by the first day of January of an 3589  
odd-numbered year shall result in renewal of the existing 3590  
agreement for the following two school years. 3591

(2) If the school district that terminates an agreement for 3592  
services under division (D)(1) of this section is also subject to 3593  
the requirement of division (B)(1) of this section, the district 3594

board shall enter into a new agreement with any educational 3595  
service center so that the new agreement is effective on the first 3596  
day of July of that same year. 3597

(3) If all moneys owed by a school district to an educational 3598  
service center under an agreement for services terminated under 3599  
division (D)(1) of this section have been paid in full by the 3600  
effective date of the termination, the governing board of the 3601  
service center shall submit an affidavit to the department 3602  
certifying that fact not later than fifteen days after the 3603  
termination's effective date. Notwithstanding anything in the 3604  
Revised Code to the contrary, until the department receives such 3605  
an affidavit, it shall not make any payments to any other 3606  
educational service center with which the district enters into an 3607  
agreement under this section for services that the educational 3608  
service center provides to the district. 3609

(E) An educational service center may apply to any state or 3610  
federal agency for competitive grants. It may also apply to any 3611  
private entity for additional funds. 3612

(F) Not later than January 1, 2014, each educational service 3613  
center shall post on its web site a list of all of the services 3614  
that it provides and the corresponding cost for each of those 3615  
services. 3616

(G)(1) For purposes of calculating any state operating 3617  
subsidy to be paid to an educational service center for the 3618  
operation of that service center and any services required under 3619  
Title XXXVIII of the Revised Code to be provided by the service 3620  
center to a school district, the service center's student count 3621  
shall be the sum of the total student counts of all the school 3622  
districts with which the educational service center has entered 3623  
into an agreement under this section. 3624

(2) When a district enters into a new agreement with a new 3625

educational service center, the department of education shall 3626  
ensure that the state operating subsidy for services provided to 3627  
the district is paid to the new educational service center and 3628  
that the educational service center with which the district 3629  
previously had an agreement is no longer paid a state operating 3630  
subsidy for providing services to that district. 3631

(H) Pursuant to division (B) of section 3317.023 of the 3632  
Revised Code, the department annually shall deduct from each 3633  
school district that enters into an agreement with an educational 3634  
service center under this section, and pay to the service center, 3635  
an amount equal to six dollars and fifty cents times the school 3636  
district's total student count. The district board of education, 3637  
or the district superintendent acting on behalf of the district 3638  
board, may agree to pay an amount in excess of six dollars and 3639  
fifty cents per student in total student count. If a majority of 3640  
the boards of education, or superintendents acting on behalf of 3641  
the boards, of the districts that entered into an agreement under 3642  
this section approve an amount in excess of six dollars and fifty 3643  
cents per student in total student count, each district shall pay 3644  
the excess amount to the service center. 3645

(I) For purposes of this section, a school district's "total 3646  
student count" means the average daily student enrollment reported 3647  
on the most recent report card issued for the district pursuant to 3648  
section 3302.03 of the Revised Code. 3649

**Sec. 3313.90.** As used in this section, "formula ADM" has the 3650  
same meaning as in section 3317.02 of the Revised Code. 3651  
Notwithstanding division (D) of section 3311.19 and division (D) 3652  
of section 3311.52 of the Revised Code, the provisions of this 3653  
section that apply to a city school district do not apply to any 3654  
joint vocational or cooperative education school district. 3655

(A) ~~Each~~ Except as provided in division (B) of this section, 3656

each city, local, and exempted village school district shall, by 3657  
one of the following means, provide ~~vocational~~ to students 3658  
enrolled in grades seven through twelve career-technical education 3659  
adequate to prepare a ~~pupil~~ student enrolled therein for an 3660  
occupation: 3661

(1) Establishing and maintaining a ~~vocational~~ 3662  
career-technical education program that meets standards adopted by 3663  
the state board of education; 3664

(2) Being a member of a joint vocational school district that 3665  
meets standards adopted by the state board; 3666

(3) Contracting for ~~vocational~~ career-technical education 3667  
with a joint vocational school district or another school district 3668  
that meets the standards adopted by the state board. 3669

The standards of the state board of education shall include 3670  
criteria for the participation by nonpublic students in ~~vocational~~ 3671  
career-technical education programs without financial assessment, 3672  
charge, or tuition to such student except such assessments, 3673  
charges, or tuition paid by resident public school students in 3674  
such programs. Such nonpublic school students shall be included in 3675  
the formula ADM of the school district maintaining the ~~vocational~~ 3676  
career-technical education program as part-time students in 3677  
proportion to the time spent in the ~~vocational~~ career-technical 3678  
education program. 3679

By the thirtieth day of October of each year, the 3680  
superintendent of public instruction shall determine and certify 3681  
to the superintendent of each school district subject to this 3682  
section either that the district is in compliance with the 3683  
requirements of this section for the current school year or that 3684  
the district is not in compliance. If the superintendent certifies 3685  
that the district is not in compliance, he shall notify the board 3686  
of education of the district of the actions necessary to bring the 3687

district into compliance with this section. 3688

In meeting standards established by the state board of 3689  
education, school districts, where practicable, shall provide 3690  
~~vocational~~ career-technical education programs in high schools. A 3691  
minimum enrollment of fifteen hundred ~~pupils~~ students in grades 3692  
nine through twelve is established as a base for comprehensive 3693  
~~vocational~~ career-technical education course offerings. Beginning 3694  
with the 2015-2016 school year, this base shall increase to a 3695  
minimum enrollment of two thousand two hundred fifty students in 3696  
grades seven through twelve. A school district may meet this 3697  
requirement alone, through a cooperative arrangement pursuant to 3698  
section 3313.92 of the Revised Code, through school district 3699  
consolidation, by membership in a joint vocational school 3700  
district, by contract with a school district, by contract with a 3701  
school licensed by any state agency established by the Revised 3702  
Code which school operates its courses offered for contracting 3703  
with public schools under standards as to staffing and facilities 3704  
comparable to those prescribed by the state board of education for 3705  
public schools provided no instructor in such courses shall be 3706  
required to be certificated by the state department of education, 3707  
or in a combination of such ways. Exceptions to the minimum 3708  
~~requirement of fifteen hundred pupils enrollment prescribed by~~ 3709  
this section may be made by the state board of education based on 3710  
sparsity of population or other factors indicating that 3711  
comprehensive educational and ~~vocational~~ career-technical 3712  
education programs as required by this section can be provided 3713  
through an alternate plan. 3714

(B) ~~Approval of state funds for the construction and~~ 3715  
~~operation of vocational facilities in any city, local, or exempted~~ 3716  
~~village school district shall be contingent upon a comprehensive~~ 3717  
~~vocational program plan approved by the state board of education~~ 3718  
~~no later than July 1, 1970. The state board of education shall not~~ 3719

~~approve a school district plan unless the plan proposed reasonably 3720  
meets the vocational needs of other school districts in the 3721  
general area of the school districts in the general area of the 3722  
school district submitting the plan. The plan shall be submitted 3723  
to the state board of education no later than April 1, 1970. Such 3724  
plan shall contain: 3725~~

~~(1) The organization for vocational education pursuant to the 3726  
requirements of this section; 3727~~

~~(2) Vocational programs to be offered in the respective 3728  
comprehensive high schools, in specialized schools or skill 3729  
centers, and in joint vocational schools; 3730~~

~~(3) Remodeled, additional, and new vocational facilities 3731  
required at the respective locations. 3732~~

~~In approving the organization for vocational education the 3733  
state board of education shall provide that no city, local, or 3734  
exempted village school district is excluded in the statewide plan 3735  
If the board of education of a city, local, or exempted village 3736  
school district adopts a resolution that specifies the district's 3737  
intent not to provide career-technical education to students 3738  
enrolled in grades seven and eight for a particular school year 3739  
and submits that resolution to the department by the thirtieth day 3740  
of September of that school year, the department shall waive the 3741  
requirement for that district to provide career-technical 3742  
education to students enrolled in grades seven and eight for that 3743  
particular school year. 3744~~

**Sec. 3313.94.** (A) As used in this section: 3745

(1) "Board of education" means the board of education or 3746  
governing authority of a school. 3747

(2) "In good standing" means currently employed, not on 3748  
probation, and not the subject of a pending criminal disciplinary 3749

action or of a criminal or disciplinary action within the past 3750  
five years that resulted in an adverse judgment or determination. 3751

(3) "Law enforcement officer" and "school" have the same 3752  
meanings as in section 5747.64 of the Revised Code. 3753

(4) "Retired law enforcement officer" means a person who 3754  
served as a law enforcement officer and retired from service with 3755  
a law enforcement agency in good standing. 3756

(B) The sheriff of each county shall maintain a list of 3757  
persons available to patrol school premises on a volunteer basis. 3758  
To qualify for inclusion on the list, a person shall be a current 3759  
law enforcement officer in good standing or a retired law 3760  
enforcement officer with a current firearms certification issued 3761  
under section 109.77 of the Revised Code and a current concealed 3762  
carry license issued under section 2923.125 of the Revised Code. 3763  
Before including a person on the list, the sheriff shall verify 3764  
that the person is qualified. In the case of a retired law 3765  
enforcement officer, verification shall include a criminal records 3766  
check of the type required for a school district employee under 3767  
section 3319.391 of the Revised Code. The sheriff shall exclude 3768  
from the list any person who would be disqualified from employment 3769  
under section 3319.391 of the Revised Code. The prospective 3770  
volunteer shall pay the cost of the criminal records check. The 3771  
sheriff shall require each volunteer on the list who is not a 3772  
current law enforcement officer in good standing, as a condition 3773  
of remaining on the list, to undergo a criminal records check 3774  
every five years. Upon request of a board of education of a school 3775  
whose premises are located wholly or partially within the county, 3776  
the sheriff shall provide a paper or electronic copy of the list 3777  
to the board. 3778

(C) A board of education that wishes to use the services of a 3779  
volunteer on the list prepared under division (B) of this section 3780  
may request a copy of the list from the sheriff. The board may 3781

enter into an agreement with a volunteer to patrol school premises 3782  
for the sole purpose of preventing or responding to a mass 3783  
casualty event connected with illegal activity. If the volunteer 3784  
is currently employed as a law enforcement officer, the volunteer 3785  
shall obtain the permission of the volunteer's employer before 3786  
entering into an agreement under this division. An agreement may 3787  
include provisions relating to additional training, uniforms, or 3788  
other matters that the board considers appropriate. A volunteer 3789  
shall spend not more than nine hours of any week engaged in 3790  
volunteer activities pursuant to this section. The board may 3791  
reimburse the volunteer for the cost of a criminal records check. 3792

(D) A school district, member of a school district board of 3793  
education, governing authority of a school, member of a governing 3794  
authority of a school, and volunteer under this section are not 3795  
liable in damages in a civil action for injury, death, or loss to 3796  
person or property allegedly arising from the volunteer's 3797  
performance of services under this section unless the injury, 3798  
death, or loss resulted from the volunteer's reckless or wanton 3799  
conduct. 3800

**Sec. 3313.975.** As used in this section and in sections 3801  
3313.976 to 3313.979 of the Revised Code, "the pilot project 3802  
school district" or "the district" means any school district 3803  
included in the pilot project scholarship program pursuant to this 3804  
section. 3805

(A) The superintendent of public instruction shall establish 3806  
a pilot project scholarship program and shall include in such 3807  
program any school districts that are or have ever been under 3808  
federal court order requiring supervision and operational 3809  
management of the district by the state superintendent. The 3810  
program shall provide for a number of students residing in any 3811  
such district to receive scholarships to attend alternative 3812

schools, and for an equal number of students to receive tutorial 3813  
assistance grants while attending public school in any such 3814  
district. 3815

(B) The state superintendent shall establish an application 3816  
process and deadline for accepting applications from students 3817  
residing in the district to participate in the scholarship 3818  
program. In the initial year of the program students may only use 3819  
a scholarship to attend school in grades kindergarten through 3820  
third. 3821

The state superintendent shall award as many scholarships and 3822  
tutorial assistance grants as can be funded given the amount 3823  
appropriated for the program. In no case, however, shall more than 3824  
fifty per cent of all scholarships awarded be used by students who 3825  
were enrolled in a nonpublic school during the school year of 3826  
application for a scholarship. 3827

(C)(1) The pilot project program shall continue in effect 3828  
each year that the general assembly has appropriated sufficient 3829  
money to fund scholarships and tutorial assistance grants. In each 3830  
year the program continues, new students may receive scholarships 3831  
in grades kindergarten to twelve. A student who has received a 3832  
scholarship may continue to receive one until the student has 3833  
completed grade twelve. 3834

(2) If the general assembly discontinues the scholarship 3835  
program, all students who are attending an alternative school 3836  
under the pilot project shall be entitled to continued admittance 3837  
to that specific school through all grades that are provided in 3838  
such school, under the same conditions as when they were 3839  
participating in the pilot project. The state superintendent shall 3840  
continue to make scholarship payments in accordance with division 3841  
(A) or (B) of section 3313.979 of the Revised Code for students 3842  
who remain enrolled in an alternative school under this provision 3843  
in any year that funds have been appropriated for this purpose. 3844

If funds are not appropriated, the tuition charged to the parents of a student who remains enrolled in an alternative school under this provision shall not be increased beyond the amount equal to the amount of the scholarship plus any additional amount charged that student's parent in the most recent year of attendance as a participant in the pilot project, except that tuition for all the students enrolled in such school may be increased by the same percentage.

(D) Notwithstanding sections 124.39 and 3311.83 of the Revised Code, if the pilot project school district experiences a decrease in enrollment due to participation in a state-sponsored scholarship program pursuant to sections 3313.974 to 3313.979 of the Revised Code, the district board of education may enter into an agreement with any teacher it employs to provide to that teacher severance pay or early retirement incentives, or both, if the teacher agrees to terminate the employment contract with the district board, provided any collective bargaining agreement in force pursuant to Chapter 4117. of the Revised Code does not prohibit such an agreement for termination of a teacher's employment contract.

(E) A student entitled to attend school in a school district in which the pilot project scholarship program is operating may be eligible for the educational choice scholarship pilot program established under sections 3310.01 to 3310.17 of the Revised Code in the manner prescribed by section 3310.05 of the Revised Code; however, a student shall not be awarded a scholarship under both programs for the same school year.

**Sec. 3314.015.** (A) The department of education shall be responsible for the oversight of any and all sponsors of the community schools established under this chapter and shall provide technical assistance to schools and sponsors in their compliance

with applicable laws and the terms of the contracts entered into 3876  
under section 3314.03 of the Revised Code and in the development 3877  
and start-up activities of those schools. In carrying out its 3878  
duties under this section, the department shall do all of the 3879  
following: 3880

(1) In providing technical assistance to proposing parties, 3881  
governing authorities, and sponsors, conduct training sessions and 3882  
distribute informational materials; 3883

(2) Approve entities to be sponsors of community schools; 3884

(3) Monitor and evaluate, as required under section 3314.016 3885  
of the Revised Code, the effectiveness of any and all sponsors in 3886  
their oversight of the schools with which they have contracted; 3887

(4) By December thirty-first of each year, issue a report to 3888  
the governor, the speaker of the house of representatives, the 3889  
president of the senate, and the chairpersons of the house and 3890  
senate committees principally responsible for education matters 3891  
regarding the effectiveness of academic programs, operations, and 3892  
legal compliance and of the financial condition of all community 3893  
schools established under this chapter and on the performance of 3894  
community school sponsors; 3895

(5) From time to time, make legislative recommendations to 3896  
the general assembly designed to enhance the operation and 3897  
performance of community schools. 3898

(B)(1) Except as provided in sections 3314.021 and 3314.027 3899  
of the Revised Code, no entity listed in division (C)(1) of 3900  
section 3314.02 of the Revised Code shall enter into a preliminary 3901  
agreement under division (C)(2) of section 3314.02 of the Revised 3902  
Code until it has received approval from the department of 3903  
education to sponsor community schools under this chapter and has 3904  
entered into a written agreement with the department regarding the 3905  
manner in which the entity will conduct such sponsorship. 3906

The initial term of a sponsor's agreement with the department shall be for up to seven years. For every year that the sponsor satisfies the conditions of division (B)(1)(a) or (b) of this section, as applicable, the department shall add one year to the agreement term, subject to divisions (C) and (F) of this section, unless the sponsor notifies the department that it does not wish to have the term of the agreement so extended.

To qualify for the extension of the term of the sponsor's agreement, the sponsor shall satisfy one of the following, as applicable:

(a) Prior to January 1, 2015, the sponsor is not in the lowest twenty per cent of sponsors statewide according to the composite performance index score as ranked under section 3314.016 of the Revised Code, as that section exists prior to that date, and the sponsor continues to meet all the requirements of this chapter pertaining to community school sponsors.

(b) On or after January 1, 2015, the sponsor is rated as "exemplary" or "effective" under section 3314.016 of the Revised Code, as that section exists on and after that date, and the sponsor continues to meet all the requirements of this chapter pertaining to community school sponsors.

The department shall adopt in accordance with Chapter 119. of the Revised Code rules containing criteria, procedures, and deadlines for processing applications for approval of sponsors, for oversight of sponsors, for notifying a sponsor of noncompliance with applicable laws and administrative rules under division (F) of this section, for revocation of the approval of sponsors under division (C) of this section, and for entering into written agreements with sponsors. The rules shall require an entity to submit evidence of the entity's ability and willingness to comply with the provisions of division (D) of section 3314.03 of the Revised Code. The rules also shall require entities

approved as sponsors on and after June 30, 2005, to demonstrate a 3939  
record of financial responsibility and successful implementation 3940  
of educational programs. If an entity seeking approval on or after 3941  
June 30, 2005, to sponsor community schools in this state sponsors 3942  
or operates schools in another state, at least one of the schools 3943  
sponsored or operated by the entity must be comparable to or 3944  
better than the performance of Ohio schools in need of continuous 3945  
improvement under section 3302.03 of the Revised Code, as 3946  
determined by the department. 3947

Subject to section 3314.016 of the Revised Code, an entity 3948  
that sponsors community schools may enter into preliminary 3949  
agreements and sponsor up to one hundred schools, provided each 3950  
school and the contract for sponsorship meets the requirements of 3951  
this chapter. 3952

(2) The state board of education shall determine, pursuant to 3953  
criteria specified in rules adopted in accordance with Chapter 3954  
119. of the Revised Code, whether the mission proposed to be 3955  
specified in the contract of a community school to be sponsored by 3956  
a state university board of trustees or the board's designee under 3957  
division (C)(1)(e) of section 3314.02 of the Revised Code complies 3958  
with the requirements of that division. Such determination of the 3959  
state board is final. 3960

(3) The state board of education shall determine, pursuant to 3961  
criteria specified in rules adopted in accordance with Chapter 3962  
119. of the Revised Code, if any tax-exempt entity under section 3963  
501(c)(3) of the Internal Revenue Code that is proposed to be a 3964  
sponsor of a community school is an education-oriented entity for 3965  
purpose of satisfying the condition prescribed in division 3966  
(C)(1)(f)(iii) of section 3314.02 of the Revised Code. Such 3967  
determination of the state board is final. 3968

(C) If at any time the state board of education finds that a 3969  
sponsor is not in compliance or is no longer willing to comply 3970

with its contract with any community school or with the 3971  
department's rules for sponsorship, the state board or designee 3972  
shall conduct a hearing in accordance with Chapter 119. of the 3973  
Revised Code on that matter. If after the hearing, the state board 3974  
or designee has confirmed the original finding, the department of 3975  
education may revoke the sponsor's approval to sponsor community 3976  
schools. In that case, the department's office of Ohio school 3977  
sponsorship, established under section 3314.029 of the Revised 3978  
Code, may assume the sponsorship of any schools with which the 3979  
sponsor has contracted until the earlier of the expiration of two 3980  
school years or until a new sponsor as described in division 3981  
(C)(1) of section 3314.02 of the Revised Code is secured by the 3982  
school's governing authority. The office of Ohio school 3983  
sponsorship may extend the term of the contract in the case of a 3984  
school for which it has assumed sponsorship under this division as 3985  
necessary to accommodate the term of the department's 3986  
authorization to sponsor the school specified in this division. 3987  
Community schools sponsored under this division shall not apply to 3988  
the limit on directly authorized community schools under division 3989  
(A)(3) of section 3314.029 of the Revised Code. However, nothing 3990  
in this division shall preclude a community school affected by 3991  
this division from applying for sponsorship under that section. 3992

(D) The decision of the department to disapprove an entity 3993  
for sponsorship of a community school or to revoke approval for 3994  
such sponsorship under division (C) of this section, may be 3995  
appealed by the entity in accordance with section 119.12 of the 3996  
Revised Code. 3997

(E) The department shall adopt procedures for use by a 3998  
community school governing authority and sponsor when the school 3999  
permanently closes and ceases operation, which shall include at 4000  
least procedures for data reporting to the department, handling of 4001  
student records, distribution of assets in accordance with section 4002

3314.074 of the Revised Code, and other matters related to ceasing 4003  
operation of the school. 4004

(F)(1) In lieu of revoking a sponsor's authority to sponsor 4005  
community schools under division (C) of this section, if the 4006  
department finds that a sponsor is not in compliance with 4007  
applicable laws and administrative rules, the department shall 4008  
declare in a written notice to the sponsor the specific laws or 4009  
rules, or both, for which the sponsor is noncompliant. A sponsor 4010  
notified under division (F)(1) of this section shall respond to 4011  
the department not later than fourteen days after the notification 4012  
with a proposed plan to remedy the conditions for which the 4013  
sponsor was found to be noncompliant. The department shall approve 4014  
or disapprove the plan not later than fourteen days after 4015  
receiving it. If the plan is disapproved, the sponsor may submit a 4016  
revised plan to the department not later than fourteen days after 4017  
receiving notification of disapproval from the department or not 4018  
later than sixty days after the date the sponsor received 4019  
notification of noncompliance from the department, whichever is 4020  
earlier. The department shall approve or disapprove the revised 4021  
plan not later than fourteen days after receiving it or not later 4022  
than sixty days after the date the sponsor received notification 4023  
of noncompliance from the department, whichever is earlier. A 4024  
sponsor may continue to make revisions by the deadlines prescribed 4025  
in division (F)(1) of this section to any revised plan that is 4026  
disapproved by the department until the sixtieth day after the 4027  
date the sponsor received notification of noncompliance from the 4028  
department. 4029

If a plan or a revised plan is approved, the sponsor shall 4030  
implement it not later than sixty days after the date the sponsor 4031  
received notification of noncompliance from the department or not 4032  
later than thirty days after the plan is approved, whichever is 4033  
later. If a sponsor does not respond to the department or 4034

implement an approved compliance plan by the deadlines prescribed 4035  
by division (F)(1) of this section, or if a sponsor does not 4036  
receive approval of a compliance plan on or before the sixtieth 4037  
day after the date the sponsor received notification of 4038  
noncompliance from the department, the department shall declare in 4039  
written notice to the sponsor that the sponsor is in probationary 4040  
status, and may limit the sponsor's ability to sponsor additional 4041  
schools. 4042

(2) A sponsor that has been placed on probationary status 4043  
under division (F)(1) of this section may apply to the department 4044  
for its probationary status to be lifted. The application for a 4045  
sponsor's probationary status to be lifted shall include evidence, 4046  
occurring after the initial notification of noncompliance, of the 4047  
sponsor's compliance with applicable laws and administrative 4048  
rules. Not later than fourteen days after receiving an application 4049  
from the sponsor, the department shall decide whether or not to 4050  
remove the sponsor's probationary status. 4051

(G) In carrying out its duties under this chapter, the 4052  
department shall not impose requirements on community schools or 4053  
their sponsors that are not permitted by law or duly adopted 4054  
rules. 4055

(H) ~~This~~ Except as provided in division (B)(2) of section 4056  
3314.02 of the Revised Code, this section applies to entities that 4057  
sponsor conversion community schools and new start-up schools. 4058

**Sec. 3314.016.** This section applies to any entity that 4059  
sponsors a community school, regardless of whether section 4060  
3314.021 or 3314.027 of the Revised Code exempts the entity from 4061  
the requirement to be approved for sponsorship under divisions 4062  
(A)(2) and (B)(1) of section 3314.015 of the Revised Code. ~~The~~ 4063  
~~office of Ohio school sponsorship established under section~~ 4064  
~~3314.029 of the Revised Code shall be ranked under division (B) of~~ 4065

~~this section, but divisions (A) and (C) of this section do not  
apply to the office.~~ 4066  
4067

(A) An entity that sponsors a community school shall be 4068  
permitted to enter into contracts under section 3314.03 of the 4069  
Revised Code to sponsor additional community schools only if the 4070  
entity meets both of the following criteria: 4071

(1) The entity is in compliance with all provisions of this 4072  
chapter requiring sponsors of community schools to report data or 4073  
information to the department of education. 4074

(2) The entity is not ranked in the lowest twenty per cent of 4075  
community school sponsors on the ranking prescribed by division 4076  
(B) of this section. 4077

(B)(1) For purposes of this section, the department shall 4078  
develop a composite performance index score, as defined in section 4079  
3302.01 of the Revised Code, that measures the academic 4080  
performance of students enrolled in community schools sponsored by 4081  
the same entity. 4082

(2) In calculating an entity's composite performance index 4083  
score, the department shall exclude all of the following: 4084

(a) All community schools that have been in operation for 4085  
less than two full school years; 4086

(b) All community schools described in division (A)(3) of 4087  
section 3314.35 of the Revised Code, but the department shall 4088  
cease to exclude the schools described in division (A)(3)(a) of 4089  
that section if those schools become subject to closure under 4090  
division (D) of that section. 4091

(3) The department annually shall rank all entities that 4092  
sponsor community schools from highest to lowest according to the 4093  
entities' composite performance index scores and shall publish the 4094  
rankings between the first day of October and the fifteenth day of 4095

October. 4096

(C) If the governing authority of a community school enters 4097  
into a contract with a sponsor prior to the date on which the 4098  
sponsor is prohibited from sponsoring additional schools under 4099  
division (A) of this section and the school has not opened for 4100  
operation as of that date, that contract shall be void and the 4101  
school shall not open until the governing authority secures a new 4102  
sponsor by entering into a contract with the new sponsor under 4103  
section 3314.03 of the Revised Code. 4104

(D)(1) The office of Ohio school sponsorship established 4105  
under section 3314.029 of the Revised Code shall be rated using 4106  
the evaluation system prescribed by division (B) of this section, 4107  
but divisions (A) and (C) of this section do not apply to the 4108  
office. 4109

(2) Not later than July 1, 2016, and not later than the first 4110  
day of July every fifth year thereafter, the evaluation panel 4111  
created under division (D)(3) of this section shall rate the 4112  
office of Ohio school sponsorship using the evaluation system 4113  
under division (B) of this section. 4114

(3) The panel that rates the office of Ohio school 4115  
sponsorship shall consist of one representative each from the 4116  
following organizations: 4117

(a) A statewide nonprofit organization whose membership is 4118  
composed solely of entities that sponsor community schools and 4119  
whose members sponsor the majority of start-up community schools 4120  
in the state; 4121

(b) An educational service center approved to sponsor 4122  
community schools statewide; 4123

(c) A school district that sponsors one or more community 4124  
schools that is not a municipal school district; 4125

(d) A qualified tax-exempt entity under section 501(c)(3) of the Internal Revenue Code approved to sponsor community schools; 4126  
4127

(e) Any municipal school district transformation alliance established under section 3311.86 of the Revised Code. 4128  
4129

For the initial appointments to the panel, the organizations described in divisions (D)(3)(a) and (e) jointly shall solicit applications from their members to be appointed to the panel not later than November 1, 2014, and appoint members to the panel not later than December 31, 2014. 4130  
4131  
4132  
4133  
4134

Vacancies shall be filled in the manner of the original appointments. 4135  
4136

**Sec. 3314.02.** (A) As used in this chapter: 4137

(1) "Sponsor" means the board of education of a school district or the governing board of an educational service center that agrees to the conversion of all or part of a school or building under division (B) of this section, or an entity listed in division (C)(1) of this section, which either has been approved by the department of education to sponsor community schools or is exempted by section 3314.021 or 3314.027 of the Revised Code from obtaining approval, and with which the governing authority of a community school enters into a contract under section 3314.03 of the Revised Code. 4138  
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4147

(2) "Pilot project area" means the school districts included in the territory of the former community school pilot project established by former Section 50.52 of Am. Sub. H.B. No. 215 of the 122nd general assembly. 4148  
4149  
4150  
4151

(3) "Challenged school district" means any of the following: 4152

(a) A school district that is part of the pilot project area; 4153

(b) A school district that meets one of the following conditions: 4154  
4155

(i) On March 22, 2013, the district was in a state of 4156  
academic emergency or in a state of academic watch under section 4157  
3302.03 of the Revised Code, as that section existed prior to 4158  
March 22, 2013; 4159

(ii) For two of the 2012-2013, 2013-2014, and 2014-2015 4160  
school years, the district received a grade of "D" or "F" for the 4161  
performance index score and a grade of "F" for the value-added 4162  
progress dimension under section 3302.03 of the Revised Code; 4163

(iii) For the 2015-2016 school year and for any school year 4164  
thereafter, the district has received an overall grade of "D" or 4165  
"F" under division (C)(3) of section 3302.03 of the Revised Code, 4166  
or, for at least two of the three most recent school years, the 4167  
district received a grade of "F" for the value-added progress 4168  
dimension under division (C)(1)(e) of that section. 4169

(c) A big eight school district; 4170

(d) A school district ranked in the lowest five per cent of 4171  
school districts according to performance index score under 4172  
section 3302.21 of the Revised Code. 4173

(4) "Big eight school district" means a school district that 4174  
for fiscal year 1997 had both of the following: 4175

(a) A percentage of children residing in the district and 4176  
participating in the predecessor of Ohio works first greater than 4177  
thirty per cent, as reported pursuant to section 3317.10 of the 4178  
Revised Code; 4179

(b) An average daily membership greater than twelve thousand, 4180  
as reported pursuant to former division (A) of section 3317.03 of 4181  
the Revised Code. 4182

(5) "New start-up school" means a community school other than 4183  
one created by converting all or part of an existing public school 4184  
or educational service center building, as designated in the 4185

school's contract pursuant to division (A)(17) of section 3314.03 4186  
of the Revised Code. 4187

(6) "Urban school district" means one of the state's 4188  
twenty-one urban school districts as defined in division (O) of 4189  
section 3317.02 of the Revised Code as that section existed prior 4190  
to July 1, 1998. 4191

(7) "Internet- or computer-based community school" means a 4192  
community school established under this chapter in which the 4193  
enrolled students work primarily from their residences on 4194  
assignments in nonclassroom-based learning opportunities provided 4195  
via an internet- or other computer-based instructional method that 4196  
does not rely on regular classroom instruction or via 4197  
comprehensive instructional methods that include internet-based, 4198  
other computer-based, and noncomputer-based learning 4199  
opportunities. 4200

(8) "Operator" means either of the following: 4201

(a) An individual or organization that manages the daily 4202  
operations of a community school pursuant to a contract between 4203  
the operator and the school's governing authority; 4204

(b) A nonprofit organization that provides programmatic 4205  
oversight and support to a community school under a contract with 4206  
the school's governing authority and that retains the right to 4207  
terminate its affiliation with the school if the school fails to 4208  
meet the organization's quality standards. 4209

(B)(1) Any person or group of individuals may initially 4210  
propose under this division the conversion of all or a portion of 4211  
a public school ~~or a building operated by an educational service~~ 4212  
~~center~~ to a community school. The proposal shall be made to the 4213  
board of education of the city, local, exempted village, or joint 4214  
vocational school district in which the public school is proposed 4215  
to be converted ~~or, in the case of the conversion of a building~~ 4216

~~operated by an educational service center, to the governing board~~ 4217  
~~of the service center. Upon.~~ 4218

(2) Any person or group of individuals may initially propose 4219  
under this division the conversion of all or a portion of a 4220  
building operated by an educational service center to a community 4221  
school. The proposal shall be made to the governing board of the 4222  
service center. 4223

A service center that proposes the establishment of a 4224  
conversion community school located in a county within the 4225  
territory of the service center or in a county contiguous to such 4226  
county is exempt from approval from the department of education 4227  
and from the agreement required under division (B)(1) of section 4228  
3314.015 of the Revised Code. 4229

However, a service center that proposes the establishment of 4230  
a conversion community school located in a county outside of the 4231  
territory of the service center or a county contiguous to such 4232  
county shall be subject to approval from the department of 4233  
education and from the agreement required under that section. 4234

Division (B)(2) of this section does not apply to an 4235  
educational service center that sponsors community schools and 4236  
that is exempted under section 3314.021 or 3314.027 of the Revised 4237  
Code from the requirement to be approved for sponsorship under 4238  
divisions (A)(2) and (B)(1) of section 3314.015 of the Revised 4239  
Code. 4240

(3) Upon receipt of a proposal, a board may enter into a 4241  
preliminary agreement with the person or group proposing the 4242  
conversion of the public school or service center building, 4243  
indicating the intention of the board to support the conversion to 4244  
a community school. A proposing person or group that has a 4245  
preliminary agreement under this division may proceed to finalize 4246  
plans for the school, establish a governing authority for the 4247

school, and negotiate a contract with the board. Provided the 4248  
proposing person or group adheres to the preliminary agreement and 4249  
all provisions of this chapter, the board shall negotiate in good 4250  
faith to enter into a contract in accordance with section 3314.03 4251  
of the Revised Code and division (C) of this section. 4252

(C)(1) Any person or group of individuals may propose under 4253  
this division the establishment of a new start-up school to be 4254  
located in a challenged school district. The proposal may be made 4255  
to any of the following entities: 4256

(a) The board of education of the district in which the 4257  
school is proposed to be located; 4258

(b) The board of education of any joint vocational school 4259  
district with territory in the county in which is located the 4260  
majority of the territory of the district in which the school is 4261  
proposed to be located; 4262

(c) The board of education of any other city, local, or 4263  
exempted village school district having territory in the same 4264  
county where the district in which the school is proposed to be 4265  
located has the major portion of its territory; 4266

(d) The governing board of any educational service center, ~~as~~ 4267  
~~long as the proposed school will be located in a county within the~~ 4268  
~~territory of the service center or in a county contiguous to such~~ 4269  
~~county. However, the governing board of an educational service~~ 4270  
~~center~~ regardless of the location of the proposed school, may 4271  
sponsor a new start-up school in any challenged school district in 4272  
the state if ~~all~~ both of the following are satisfied: 4273

(i) ~~If applicable, it satisfies the requirements of division~~ 4274  
~~(E) of section 3311.86 of the Revised Code;~~ 4275

~~(ii)~~ It is approved to do so by the department; 4276

~~(iii)~~(ii) It enters into an agreement with the department 4277

under section 3314.015 of the Revised Code. 4278

(e) A sponsoring authority designated by the board of 4279  
trustees of any of the thirteen state universities listed in 4280  
section 3345.011 of the Revised Code or the board of trustees 4281  
itself as long as a mission of the proposed school to be specified 4282  
in the contract under division (A)(2) of section 3314.03 of the 4283  
Revised Code and as approved by the department under division 4284  
(B)(2) of section 3314.015 of the Revised Code will be the 4285  
practical demonstration of teaching methods, educational 4286  
technology, or other teaching practices that are included in the 4287  
curriculum of the university's teacher preparation program 4288  
approved by the state board of education; 4289

(f) Any qualified tax-exempt entity under section 501(c)(3) 4290  
of the Internal Revenue Code as long as all of the following 4291  
conditions are satisfied: 4292

(i) The entity has been in operation for at least five years 4293  
prior to applying to be a community school sponsor. 4294

(ii) The entity has assets of at least five hundred thousand 4295  
dollars and a demonstrated record of financial responsibility. 4296

(iii) The department has determined that the entity is an 4297  
education-oriented entity under division (B)(3) of section 4298  
3314.015 of the Revised Code and the entity has a demonstrated 4299  
record of successful implementation of educational programs. 4300

(iv) The entity is not a community school. 4301

(g) The mayor of a city in which the majority of the 4302  
territory of a school district to which section 3311.60 of the 4303  
Revised Code applies is located, regardless of whether that 4304  
district has created the position of independent auditor as 4305  
prescribed by that section. The mayor's sponsorship authority 4306  
under this division is limited to community schools that are 4307  
located in that school district. Such mayor may sponsor community 4308

schools only with the approval of the city council of that city, 4309  
after establishing standards with which community schools 4310  
sponsored by the mayor must comply, and after entering into a 4311  
sponsor agreement with the department as prescribed under section 4312  
3314.015 of the Revised Code. The mayor shall establish the 4313  
standards for community schools sponsored by the mayor not later 4314  
than one hundred eighty days after ~~the effective date of this~~ 4315  
~~amendment~~ July 15, 2013, and shall submit them to the department 4316  
upon their establishment. The department shall approve the mayor 4317  
to sponsor community schools in the district, upon receipt of an 4318  
application by the mayor to do so. Not later than ninety days 4319  
after the department's approval of the mayor as a community school 4320  
sponsor, the department shall enter into the sponsor agreement 4321  
with the mayor. 4322

Any entity described in division (C)(1) of this section may 4323  
enter into a preliminary agreement pursuant to division (C)(2) of 4324  
this section with the proposing person or group. 4325

(2) A preliminary agreement indicates the intention of an 4326  
entity described in division (C)(1) of this section to sponsor the 4327  
community school. A proposing person or group that has such a 4328  
preliminary agreement may proceed to finalize plans for the 4329  
school, establish a governing authority as described in division 4330  
(E) of this section for the school, and negotiate a contract with 4331  
the entity. Provided the proposing person or group adheres to the 4332  
preliminary agreement and all provisions of this chapter, the 4333  
entity shall negotiate in good faith to enter into a contract in 4334  
accordance with section 3314.03 of the Revised Code. 4335

(3) A new start-up school that is established in a school 4336  
district described in either division (A)(3)(b) or (d) of this 4337  
section may continue in existence once the school district no 4338  
longer meets the conditions described in either division, provided 4339  
there is a valid contract between the school and a sponsor. 4340

(4) A copy of every preliminary agreement entered into under this division shall be filed with the superintendent of public instruction.

(D) A majority vote of the board of a sponsoring entity and a majority vote of the members of the governing authority of a community school shall be required to adopt a contract and convert the public school or educational service center building to a community school or establish the new start-up school. Beginning September 29, 2005, adoption of the contract shall occur not later than the fifteenth day of March, and signing of the contract shall occur not later than the fifteenth day of May, prior to the school year in which the school will open. The governing authority shall notify the department of education when the contract has been signed. Subject to sections 3314.013 and 3314.016 of the Revised Code, an unlimited number of community schools may be established in any school district provided that a contract is entered into for each community school pursuant to this chapter.

(E)(1) As used in this division, "immediate relatives" are limited to spouses, children, parents, grandparents, siblings, and in-laws.

Each new start-up community school established under this chapter shall be under the direction of a governing authority which shall consist of a board of not less than five individuals.

No person shall serve on the governing authority or operate the community school under contract with the governing authority so long as the person owes the state any money or is in a dispute over whether the person owes the state any money concerning the operation of a community school that has closed.

(2) No person shall serve on the governing authorities of more than five start-up community schools at the same time.

(3) No present or former member, or immediate relative of a

present or former member, of the governing authority of any 4372  
community school established under this chapter shall be an owner, 4373  
employee, or consultant of any sponsor or operator of a community 4374  
school, unless at least one year has elapsed since the conclusion 4375  
of the person's membership. 4376

(4) The governing authority of a start-up community school 4377  
may provide by resolution for the compensation of its members. 4378  
However, no individual who serves on the governing authority of a 4379  
start-up community school shall be compensated more than four 4380  
hundred twenty-five dollars per meeting of that governing 4381  
authority and no such individual shall be compensated more than a 4382  
total amount of five thousand dollars per year for all governing 4383  
authorities upon which the individual serves. 4384

(F)(1) A new start-up school that is established prior to 4385  
August 15, 2003, in an urban school district that is not also a 4386  
big-eight school district may continue to operate after that date 4387  
and the contract between the school's governing authority and the 4388  
school's sponsor may be renewed, as provided under this chapter, 4389  
after that date, but no additional new start-up schools may be 4390  
established in such a district unless the district is a challenged 4391  
school district as defined in this section as it exists on and 4392  
after that date. 4393

(2) A community school that was established prior to June 29, 4394  
1999, and is located in a county contiguous to the pilot project 4395  
area and in a school district that is not a challenged school 4396  
district may continue to operate after that date, provided the 4397  
school complies with all provisions of this chapter. The contract 4398  
between the school's governing authority and the school's sponsor 4399  
may be renewed, but no additional start-up community school may be 4400  
established in that district unless the district is a challenged 4401  
school district. 4402

(3) Any educational service center that, on June 30, 2007, 4403

sponsors a community school that is not located in a county within 4404  
the territory of the service center or in a county contiguous to 4405  
such county may continue to sponsor that community school on and 4406  
after June 30, 2007, and may renew its contract with the school. 4407  
However, the educational service center shall not enter into a 4408  
contract with any additional community school, unless the school 4409  
is located in a county within the territory of the service center 4410  
or in a county contiguous to such county, or unless the governing 4411  
board of the service center has entered into an agreement with the 4412  
department authorizing the service center to sponsor a community 4413  
school in any challenged school district in the state. 4414

**Sec. 3314.03.** A copy of every contract entered into under 4415  
this section shall be filed with the superintendent of public 4416  
instruction. The department of education shall make available on 4417  
its web site a copy of every approved, executed contract filed 4418  
with the superintendent under this section. 4419

(A) Each contract entered into between a sponsor and the 4420  
governing authority of a community school shall specify the 4421  
following: 4422

(1) That the school shall be established as either of the 4423  
following: 4424

(a) A nonprofit corporation established under Chapter 1702. 4425  
of the Revised Code, if established prior to April 8, 2003; 4426

(b) A public benefit corporation established under Chapter 4427  
1702. of the Revised Code, if established after April 8, 2003. 4428

(2) The education program of the school, including the 4429  
school's mission, the characteristics of the students the school 4430  
is expected to attract, the ages and grades of students, and the 4431  
focus of the curriculum; 4432

(3) The academic goals to be achieved and the method of 4433

measurement that will be used to determine progress toward those 4434  
goals, which shall include the statewide achievement assessments; 4435

(4) Performance standards by which the success of the school 4436  
will be evaluated by the sponsor; 4437

(5) The admission standards of section 3314.06 of the Revised 4438  
Code and, if applicable, section 3314.061 of the Revised Code; 4439

(6)(a) Dismissal procedures; 4440

(b) A requirement that the governing authority adopt an 4441  
attendance policy that includes a procedure for automatically 4442  
withdrawing a student from the school if the student without a 4443  
legitimate excuse fails to participate in one hundred five 4444  
consecutive hours of the learning opportunities offered to the 4445  
student. 4446

(7) The ways by which the school will achieve racial and 4447  
ethnic balance reflective of the community it serves; 4448

(8) Requirements for financial audits by the auditor of 4449  
state. The contract shall require financial records of the school 4450  
to be maintained in the same manner as are financial records of 4451  
school districts, pursuant to rules of the auditor of state. 4452  
Audits shall be conducted in accordance with section 117.10 of the 4453  
Revised Code. 4454

(9) The facilities to be used and their locations; 4455

(10) Qualifications of teachers, including a requirement that 4456  
the school's classroom teachers be licensed in accordance with 4457  
sections 3319.22 to 3319.31 of the Revised Code, except that a 4458  
community school may engage noncertificated persons to teach up to 4459  
twelve hours per week pursuant to section 3319.301 of the Revised 4460  
Code. 4461

(11) That the school will comply with the following 4462  
requirements: 4463

(a) The school will provide learning opportunities to a 4464  
minimum of twenty-five students for a minimum of nine hundred 4465  
twenty hours per school year. 4466

(b) The governing authority will purchase liability 4467  
insurance, or otherwise provide for the potential liability of the 4468  
school. 4469

(c) The school will be nonsectarian in its programs, 4470  
admission policies, employment practices, and all other 4471  
operations, and will not be operated by a sectarian school or 4472  
religious institution. 4473

(d) The school will comply with sections 9.90, 9.91, 109.65, 4474  
121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711, 4475  
3301.0712, 3301.0715, 3313.472, 3313.50, 3313.536, 3313.539, 4476  
3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 4477  
3313.6020, 3313.643, 3313.648, 3313.6411, 3313.66, 3313.661, 4478  
3313.662, 3313.666, 3313.667, 3313.67, 3313.671, 3313.672, 4479  
3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.80, 4480  
3313.814, 3313.816, 3313.817, 3313.86, 3313.96, 3319.073, 4481  
3319.321, 3319.39, 3319.391, 3319.41, 3321.01, 3321.041, 3321.13, 4482  
3321.14, 3321.17, 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 4483  
4113.52, and 5705.391 and Chapters 117., 1347., 2744., 3365., 4484  
3742., 4112., 4123., 4141., and 4167. of the Revised Code as if it 4485  
were a school district and will comply with section 3301.0714 of 4486  
the Revised Code in the manner specified in section 3314.17 of the 4487  
Revised Code. 4488

(e) The school shall comply with Chapter 102. and section 4489  
2921.42 of the Revised Code. 4490

(f) The school will comply with sections 3313.61, 3313.611, 4491  
and 3313.614 of the Revised Code, except that for students who 4492  
enter ninth grade for the first time before July 1, 2010, the 4493  
requirement in sections 3313.61 and 3313.611 of the Revised Code 4494

that a person must successfully complete the curriculum in any 4495  
high school prior to receiving a high school diploma may be met by 4496  
completing the curriculum adopted by the governing authority of 4497  
the community school rather than the curriculum specified in Title 4498  
XXXIII of the Revised Code or any rules of the state board of 4499  
education. Beginning with students who enter ninth grade for the 4500  
first time on or after July 1, 2010, the requirement in sections 4501  
3313.61 and 3313.611 of the Revised Code that a person must 4502  
successfully complete the curriculum of a high school prior to 4503  
receiving a high school diploma shall be met by completing the 4504  
Ohio core curriculum prescribed in division (C) of section 4505  
3313.603 of the Revised Code, unless the person qualifies under 4506  
division (D) or (F) of that section. Each school shall comply with 4507  
the plan for awarding high school credit based on demonstration of 4508  
subject area competency, adopted by the state board of education 4509  
under division (J) of section 3313.603 of the Revised Code. 4510

(g) The school governing authority will submit within four 4511  
months after the end of each school year a report of its 4512  
activities and progress in meeting the goals and standards of 4513  
divisions (A)(3) and (4) of this section and its financial status 4514  
to the sponsor and the parents of all students enrolled in the 4515  
school. 4516

(h) The school, unless it is an internet- or computer-based 4517  
community school, will comply with section 3313.801 of the Revised 4518  
Code as if it were a school district. 4519

(i) If the school is the recipient of moneys from a grant 4520  
awarded under the federal race to the top program, Division (A), 4521  
Title XIV, Sections 14005 and 14006 of the "American Recovery and 4522  
Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, the 4523  
school will pay teachers based upon performance in accordance with 4524  
section 3317.141 and will comply with section 3319.111 of the 4525  
Revised Code as if it were a school district. 4526

(12) Arrangements for providing health and other benefits to employees;	4527 4528
(13) The length of the contract, which shall begin at the beginning of an academic year. No contract shall exceed five years unless such contract has been renewed pursuant to division (E) of this section.	4529 4530 4531 4532
(14) The governing authority of the school, which shall be responsible for carrying out the provisions of the contract;	4533 4534
(15) A financial plan detailing an estimated school budget for each year of the period of the contract and specifying the total estimated per pupil expenditure amount for each such year.	4535 4536 4537
(16) Requirements and procedures regarding the disposition of employees of the school in the event the contract is terminated or not renewed pursuant to section 3314.07 of the Revised Code;	4538 4539 4540
(17) Whether the school is to be created by converting all or part of an existing public school or educational service center building or is to be a new start-up school, and if it is a converted public school or service center building, specification of any duties or responsibilities of an employer that the board of education or service center governing board that operated the school or building before conversion is delegating to the governing authority of the community school with respect to all or any specified group of employees provided the delegation is not prohibited by a collective bargaining agreement applicable to such employees;	4541 4542 4543 4544 4545 4546 4547 4548 4549 4550 4551
(18) Provisions establishing procedures for resolving disputes or differences of opinion between the sponsor and the governing authority of the community school;	4552 4553 4554
(19) A provision requiring the governing authority to adopt a policy regarding the admission of students who reside outside the district in which the school is located. That policy shall comply	4555 4556 4557

with the admissions procedures specified in sections 3314.06 and 4558  
3314.061 of the Revised Code and, at the sole discretion of the 4559  
authority, shall do one of the following: 4560

(a) Prohibit the enrollment of students who reside outside 4561  
the district in which the school is located; 4562

(b) Permit the enrollment of students who reside in districts 4563  
adjacent to the district in which the school is located; 4564

(c) Permit the enrollment of students who reside in any other 4565  
district in the state. 4566

(20) A provision recognizing the authority of the department 4567  
of education to take over the sponsorship of the school in 4568  
accordance with the provisions of division (C) of section 3314.015 4569  
of the Revised Code; 4570

(21) A provision recognizing the sponsor's authority to 4571  
assume the operation of a school under the conditions specified in 4572  
division (B) of section 3314.073 of the Revised Code; 4573

(22) A provision recognizing both of the following: 4574

(a) The authority of public health and safety officials to 4575  
inspect the facilities of the school and to order the facilities 4576  
closed if those officials find that the facilities are not in 4577  
compliance with health and safety laws and regulations; 4578

(b) The authority of the department of education as the 4579  
community school oversight body to suspend the operation of the 4580  
school under section 3314.072 of the Revised Code if the 4581  
department has evidence of conditions or violations of law at the 4582  
school that pose an imminent danger to the health and safety of 4583  
the school's students and employees and the sponsor refuses to 4584  
take such action. 4585

(23) A description of the learning opportunities that will be 4586  
offered to students including both classroom-based and 4587

non-classroom-based learning opportunities that is in compliance 4588  
with criteria for student participation established by the 4589  
department under division (H)(2) of section 3314.08 of the Revised 4590  
Code; 4591

(24) The school will comply with sections 3302.04 and 4592  
3302.041 of the Revised Code, except that any action required to 4593  
be taken by a school district pursuant to those sections shall be 4594  
taken by the sponsor of the school. However, the sponsor shall not 4595  
be required to take any action described in division (F) of 4596  
section 3302.04 of the Revised Code. 4597

(25) Beginning in the 2006-2007 school year, the school will 4598  
open for operation not later than the thirtieth day of September 4599  
each school year, unless the mission of the school as specified 4600  
under division (A)(2) of this section is solely to serve dropouts. 4601  
In its initial year of operation, if the school fails to open by 4602  
the thirtieth day of September, or within one year after the 4603  
adoption of the contract pursuant to division (D) of section 4604  
3314.02 of the Revised Code if the mission of the school is solely 4605  
to serve dropouts, the contract shall be void. 4606

(B) The community school shall also submit to the sponsor a 4607  
comprehensive plan for the school. The plan shall specify the 4608  
following: 4609

(1) The process by which the governing authority of the 4610  
school will be selected in the future; 4611

(2) The management and administration of the school; 4612

(3) If the community school is a currently existing public 4613  
school or educational service center building, alternative 4614  
arrangements for current public school students who choose not to 4615  
attend the converted school and for teachers who choose not to 4616  
teach in the school or building after conversion; 4617

(4) The instructional program and educational philosophy of 4618

the school; 4619

(5) Internal financial controls. 4620

(C) A contract entered into under section 3314.02 of the 4621  
Revised Code between a sponsor and the governing authority of a 4622  
community school may provide for the community school governing 4623  
authority to make payments to the sponsor, which is hereby 4624  
authorized to receive such payments as set forth in the contract 4625  
between the governing authority and the sponsor. The total amount 4626  
of such payments for oversight and monitoring of the school shall 4627  
not exceed three per cent of the total amount of payments for 4628  
operating expenses that the school receives from the state. 4629

(D) The contract shall specify the duties of the sponsor 4630  
which shall be in accordance with the written agreement entered 4631  
into with the department of education under division (B) of 4632  
section 3314.015 of the Revised Code and shall include the 4633  
following: 4634

(1) Monitor the community school's compliance with all laws 4635  
applicable to the school and with the terms of the contract; 4636

(2) Monitor and evaluate the academic and fiscal performance 4637  
and the organization and operation of the community school on at 4638  
least an annual basis; 4639

(3) Report on an annual basis the results of the evaluation 4640  
conducted under division (D)(2) of this section to the department 4641  
of education and to the parents of students enrolled in the 4642  
community school; 4643

(4) Provide technical assistance to the community school in 4644  
complying with laws applicable to the school and terms of the 4645  
contract; 4646

(5) Take steps to intervene in the school's operation to 4647  
correct problems in the school's overall performance, declare the 4648

school to be on probationary status pursuant to section 3314.073 4649  
of the Revised Code, suspend the operation of the school pursuant 4650  
to section 3314.072 of the Revised Code, or terminate the contract 4651  
of the school pursuant to section 3314.07 of the Revised Code as 4652  
determined necessary by the sponsor; 4653

(6) Have in place a plan of action to be undertaken in the 4654  
event the community school experiences financial difficulties or 4655  
closes prior to the end of a school year. 4656

(E) Upon the expiration of a contract entered into under this 4657  
section, the sponsor of a community school may, with the approval 4658  
of the governing authority of the school, renew that contract for 4659  
a period of time determined by the sponsor, but not ending earlier 4660  
than the end of any school year, if the sponsor finds that the 4661  
school's compliance with applicable laws and terms of the contract 4662  
and the school's progress in meeting the academic goals prescribed 4663  
in the contract have been satisfactory. Any contract that is 4664  
renewed under this division remains subject to the provisions of 4665  
sections 3314.07, 3314.072, and 3314.073 of the Revised Code. 4666

(F) If a community school fails to open for operation within 4667  
one year after the contract entered into under this section is 4668  
adopted pursuant to division (D) of section 3314.02 of the Revised 4669  
Code or permanently closes prior to the expiration of the 4670  
contract, the contract shall be void and the school shall not 4671  
enter into a contract with any other sponsor. A school shall not 4672  
be considered permanently closed because the operations of the 4673  
school have been suspended pursuant to section 3314.072 of the 4674  
Revised Code. 4675

**Sec. 3314.08.** (A) As used in this section: 4676

(1)(a) "Category one career-technical education student" 4677  
means a student who is receiving the career-technical education 4678  
services described in division (A) of section 3317.014 of the 4679

Revised Code.	4680
(b) "Category two career-technical student" means a student	4681
who is receiving the career-technical education services described	4682
in division (B) of section 3317.014 of the Revised Code.	4683
(c) "Category three career-technical student" means a student	4684
who is receiving the career-technical education services described	4685
in division (C) of section 3317.014 of the Revised Code.	4686
(d) "Category four career-technical student" means a student	4687
who is receiving the career-technical education services described	4688
in division (D) of section 3317.014 of the Revised Code.	4689
(e) "Category five career-technical education student" means	4690
a student who is receiving the career-technical education services	4691
described in division (E) of section 3317.014 of the Revised Code.	4692
(2)(a) "Category one limited English proficient student"	4693
means a limited English proficient student described in division	4694
(A) of section 3317.016 of the Revised Code.	4695
(b) "Category two limited English proficient student" means a	4696
limited English proficient student described in division (B) of	4697
section 3317.016 of the Revised Code.	4698
(c) "Category three limited English proficient student" means	4699
a limited English proficient student described in division (C) of	4700
section 3317.016 of the Revised Code.	4701
(3)(a) "Category one special education student" means a	4702
student who is receiving special education services for a	4703
disability specified in division (A) of section 3317.013 of the	4704
Revised Code.	4705
(b) "Category two special education student" means a student	4706
who is receiving special education services for a disability	4707
specified in division (B) of section 3317.013 of the Revised Code.	4708
(c) "Category three special education student" means a	4709

student who is receiving special education services for a 4710  
disability specified in division (C) of section 3317.013 of the 4711  
Revised Code. 4712

(d) "Category four special education student" means a student 4713  
who is receiving special education services for a disability 4714  
specified in division (D) of section 3317.013 of the Revised Code. 4715

(e) "Category five special education student" means a student 4716  
who is receiving special education services for a disability 4717  
specified in division (E) of section 3317.013 of the Revised Code. 4718

(f) "Category six special education student" means a student 4719  
who is receiving special education services for a disability 4720  
specified in division (F) of section 3317.013 of the Revised Code. 4721

(4) "Formula amount" has the same meaning as in section 4722  
3317.02 of the Revised Code. 4723

(5) "IEP" has the same meaning as in section 3323.01 of the 4724  
Revised Code. 4725

(6) "Resident district" means the school district in which a 4726  
student is entitled to attend school under section 3313.64 or 4727  
3313.65 of the Revised Code. 4728

(7) "State education aid" has the same meaning as in section 4729  
5751.20 of the Revised Code. 4730

(B) The state board of education shall adopt rules requiring 4731  
both of the following: 4732

(1) The board of education of each city, exempted village, 4733  
and local school district to annually report the number of 4734  
students entitled to attend school in the district who are 4735  
enrolled in each grade kindergarten through twelve in a community 4736  
school established under this chapter, and for each child, the 4737  
community school in which the child is enrolled. 4738

(2) The governing authority of each community school 4739

established under this chapter to annually report all of the 4740  
following: 4741

(a) The number of students enrolled in grades one through 4742  
twelve and the full-time equivalent number of students enrolled in 4743  
kindergarten in the school who are not receiving special education 4744  
and related services pursuant to an IEP; 4745

(b) The number of enrolled students in grades one through 4746  
twelve and the full-time equivalent number of enrolled students in 4747  
kindergarten, who are receiving special education and related 4748  
services pursuant to an IEP; 4749

(c) The number of students reported under division (B)(2)(b) 4750  
of this section receiving special education and related services 4751  
pursuant to an IEP for a disability described in each of divisions 4752  
(A) to (F) of section 3317.013 of the Revised Code; 4753

(d) The full-time equivalent number of students reported 4754  
under divisions (B)(2)(a) and (b) of this section who are enrolled 4755  
in career-technical education programs or classes described in 4756  
each of divisions (A) to (E) of section 3317.014 of the Revised 4757  
Code that are provided by the community school; 4758

(e) Twenty per cent of the number of students reported under 4759  
divisions (B)(2)(a) and (b) of this section who are not reported 4760  
under division (B)(2)(d) of this section but who are enrolled in 4761  
career-technical education programs or classes described in each 4762  
of divisions (A) to (E) of section 3317.014 of the Revised Code at 4763  
a joint vocational school district or another district in the 4764  
career-technical planning district to which the school is 4765  
assigned; 4766

(f) The number of students reported under divisions (B)(2)(a) 4767  
and (b) of this section who are category one to three limited 4768  
English proficient students described in each of divisions (A) to 4769  
(C) of section 3317.016 of the Revised Code; 4770

(g) The number of students reported under divisions (B)(2)(a) 4771  
and (b) who are economically disadvantaged, as defined by the 4772  
department. A student shall not be categorically excluded from the 4773  
number reported under division (B)(2)(g) of this section based on 4774  
anything other than family income. 4775

(h) For each student, the city, exempted village, or local 4776  
school district in which the student is entitled to attend school 4777  
under section 3313.64 or 3313.65 of the Revised Code. 4778

A school district board and a community school governing 4779  
authority shall include in their respective reports under division 4780  
(B) of this section any child admitted in accordance with division 4781  
(A)(2) of section 3321.01 of the Revised Code. 4782

A governing authority of a community school shall not include 4783  
in its report under division (B)(2) of this section any student 4784  
for whom tuition is charged under division (F) of this section. 4785

(C)(1) Except as provided in division (C)(2) of this section, 4786  
and subject to divisions (C)(3), (4), (5), (6), and (7) of this 4787  
section, on a full-time equivalency basis, for each student 4788  
enrolled in a community school established under this chapter, the 4789  
department of education annually shall deduct from the state 4790  
education aid of a student's resident district and, if necessary, 4791  
from the payment made to the district under sections 321.24 and 4792  
323.156 of the Revised Code and pay to the community school the 4793  
sum of the following: 4794

(a) An opportunity grant in an amount equal to the formula 4795  
amount; 4796

(b) The per pupil amount of targeted assistance funds 4797  
calculated under division (A) of section 3317.0217 of the Revised 4798  
Code for the student's resident district, as determined by the 4799  
department, X 0.25; 4800

(c) Additional state aid for special education and related 4801

services provided under Chapter 3323. of the Revised Code as follows:	4802 4803
(i) If the student is a category one special education student, the amount specified in division (A) of section 3317.013 of the Revised Code;	4804 4805 4806
(ii) If the student is a category two special education student, the amount specified in division (B) of section 3317.013 of the Revised Code;	4807 4808 4809
(iii) If the student is a category three special education student, the amount specified in division (C) of section 3317.013 of the Revised Code;	4810 4811 4812
(iv) If the student is a category four special education student, the amount specified in division (D) of section 3317.013 of the Revised Code;	4813 4814 4815
(v) If the student is a category five special education student, the amount specified in division (E) of section 3317.013 of the Revised Code;	4816 4817 4818
(vi) If the student is a category six special education student, the amount specified in division (F) of section 3317.013 of the Revised Code.	4819 4820 4821
(d) If the student is in kindergarten through third grade, an additional amount of \$211, in fiscal year 2014, and \$290, in fiscal year 2015;	4822 4823 4824
(e) If the student is economically disadvantaged, an additional amount equal to the following:	4825 4826
(\$269, in fiscal year 2014, or \$272, in fiscal year 2015) X (the resident district's economically disadvantaged index)	4827 4828
(f) Limited English proficiency funds as follows:	4829
(i) If the student is a category one limited English proficient student, the amount specified in division (A) of	4830 4831

section 3317.016 of the Revised Code;	4832
(ii) If the student is a category two limited English proficient student, the amount specified in division (B) of section 3317.016 of the Revised Code;	4833 4834 4835
(iii) If the student is a category three limited English proficient student, the amount specified in division (C) of section 3317.016 of the Revised Code.	4836 4837 4838
(g) Career-technical education funds as follows:	4839
(i) If the student is a category one career-technical education student, the amount specified in division (A) of section 3317.014 of the Revised Code;	4840 4841 4842
(ii) If the student is a category two career-technical education student, the amount specified in division (B) of section 3317.014 of the Revised Code;	4843 4844 4845
(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;	4846 4847 4848
(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;	4849 4850 4851
(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.	4852 4853 4854
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.	4855 4856 4857 4858
(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	4859 4860 4861

school under this section, the department shall make the 4862  
deductions and payments described in only divisions (C)(1)(a), 4863  
(c), and (g) of this section. 4864

No deductions or payments shall be made for a student 4865  
enrolled in such school under division (C)(1)(b), (d), (e), or (f) 4866  
of this section. 4867

(3)(a) If a community school's costs for a fiscal year for a 4868  
student receiving special education and related services pursuant 4869  
to an IEP for a disability described in divisions (B) to (F) of 4870  
section 3317.013 of the Revised Code exceed the threshold 4871  
catastrophic cost for serving the student as specified in division 4872  
(B) of section 3317.0214 of the Revised Code, the school may 4873  
submit to the superintendent of public instruction documentation, 4874  
as prescribed by the superintendent, of all its costs for that 4875  
student. Upon submission of documentation for a student of the 4876  
type and in the manner prescribed, the department shall pay to the 4877  
community school an amount equal to the school's costs for the 4878  
student in excess of the threshold catastrophic costs. 4879

(b) The community school shall report under division 4880  
(C)(3)(a) of this section, and the department shall pay for, only 4881  
the costs of educational expenses and the related services 4882  
provided to the student in accordance with the student's 4883  
individualized education program. Any legal fees, court costs, or 4884  
other costs associated with any cause of action relating to the 4885  
student may not be included in the amount. 4886

(4) In any fiscal year, a community school receiving funds 4887  
under division (C)(1)(g) of this section shall spend those funds 4888  
only for the purposes that the department designates as approved 4889  
for career-technical education expenses. Career-technical 4890  
~~educational~~ education expenses approved by the department shall 4891  
include only expenses connected to the delivery of 4892  
career-technical programming to career-technical students. The 4893

department shall require the school to report data annually so 4894  
that the department may monitor the school's compliance with the 4895  
requirements regarding the manner in which funding received under 4896  
division (C)(1)(g) of this section may be spent. 4897

(5) All funds received under division (C)(1)(g) of this 4898  
section shall be spent in the following manner: 4899

(a) At least seventy-five per cent of the funds shall be 4900  
spent on curriculum development, purchase, and implementation; 4901  
instructional resources and supplies; industry-based program 4902  
certification; student assessment, credentialing, and placement; 4903  
curriculum specific equipment purchases and leases; 4904  
career-technical student organization fees and expenses; home and 4905  
agency linkages; work-based learning experiences; professional 4906  
development; and other costs directly associated with 4907  
career-technical education programs including development of new 4908  
programs. 4909

(b) Not more than twenty-five per cent of the funds shall be 4910  
used for personnel expenditures. 4911

(6) A community school shall spend the funds it receives 4912  
under division (C)(1)(e) of this section in accordance with 4913  
section 3317.25 of the Revised Code. 4914

(7) If the sum of the payments computed under division (C)(1) 4915  
of this section for the students entitled to attend school in a 4916  
particular school district under sections 3313.64 and 3313.65 of 4917  
the Revised Code exceeds the sum of that district's state 4918  
education aid and its payment under sections 321.24 and 323.156 of 4919  
the Revised Code, the department shall calculate and apply a 4920  
proration factor to the payments to all community schools under 4921  
that division for the students entitled to attend school in that 4922  
district. 4923

(D) A board of education sponsoring a community school may 4924

utilize local funds to make enhancement grants to the school or 4925  
may agree, either as part of the contract or separately, to 4926  
provide any specific services to the community school at no cost 4927  
to the school. 4928

(E) A community school may not levy taxes or issue bonds 4929  
secured by tax revenues. 4930

(F) No community school shall charge tuition for the 4931  
enrollment of any student who is a resident of this state. A 4932  
community school may charge tuition for the enrollment of any 4933  
student who is not a resident of this state. 4934

(G)(1)(a) A community school may borrow money to pay any 4935  
necessary and actual expenses of the school in anticipation of the 4936  
receipt of any portion of the payments to be received by the 4937  
school pursuant to division (C) of this section. The school may 4938  
issue notes to evidence such borrowing. The proceeds of the notes 4939  
shall be used only for the purposes for which the anticipated 4940  
receipts may be lawfully expended by the school. 4941

(b) A school may also borrow money for a term not to exceed 4942  
fifteen years for the purpose of acquiring facilities. 4943

(2) Except for any amount guaranteed under section 3318.50 of 4944  
the Revised Code, the state is not liable for debt incurred by the 4945  
governing authority of a community school. 4946

(H) The department of education shall adjust the amounts 4947  
subtracted and paid under division (C) of this section to reflect 4948  
any enrollment of students in community schools for less than the 4949  
equivalent of a full school year. The state board of education 4950  
within ninety days after April 8, 2003, shall adopt in accordance 4951  
with Chapter 119. of the Revised Code rules governing the payments 4952  
to community schools under this section including initial payments 4953  
in a school year and adjustments and reductions made in subsequent 4954  
periodic payments to community schools and corresponding 4955

deductions from school district accounts as provided under 4956  
division (C) of this section. For purposes of this section: 4957

(1) A student shall be considered enrolled in the community 4958  
school for any portion of the school year the student is 4959  
participating at a college under Chapter 3365. of the Revised 4960  
Code. 4961

(2) A student shall be considered to be enrolled in a 4962  
community school for the period of time beginning on the later of 4963  
the date on which the school both has received documentation of 4964  
the student's enrollment from a parent and the student has 4965  
commenced participation in learning opportunities as defined in 4966  
the contract with the sponsor, or thirty days prior to the date on 4967  
which the student is entered into the education management 4968  
information system established under section 3301.0714 of the 4969  
Revised Code. For purposes of applying this division and divisions 4970  
(H)(3) and (4) of this section to a community school student, 4971  
"learning opportunities" shall be defined in the contract, which 4972  
shall describe both classroom-based and non-classroom-based 4973  
learning opportunities and shall be in compliance with criteria 4974  
and documentation requirements for student participation which 4975  
shall be established by the department. Any student's instruction 4976  
time in non-classroom-based learning opportunities shall be 4977  
certified by an employee of the community school. A student's 4978  
enrollment shall be considered to cease on the date on which any 4979  
of the following occur: 4980

(a) The community school receives documentation from a parent 4981  
terminating enrollment of the student. 4982

(b) The community school is provided documentation of a 4983  
student's enrollment in another public or private school. 4984

(c) The community school ceases to offer learning 4985  
opportunities to the student pursuant to the terms of the contract 4986

with the sponsor or the operation of any provision of this 4987  
chapter. 4988

Except as otherwise specified in this paragraph, beginning in 4989  
the 2011-2012 school year, any student who completed the prior 4990  
school year in an internet- or computer-based community school 4991  
shall be considered to be enrolled in the same school in the 4992  
subsequent school year until the student's enrollment has ceased 4993  
as specified in division (H)(2) of this section. The department 4994  
shall continue subtracting and paying amounts for the student 4995  
under division (C) of this section without interruption at the 4996  
start of the subsequent school year. However, if the student 4997  
without a legitimate excuse fails to participate in the first one 4998  
hundred five consecutive hours of learning opportunities offered 4999  
to the student in that subsequent school year, the student shall 5000  
be considered not to have re-enrolled in the school for that 5001  
school year and the department shall recalculate the payments to 5002  
the school for that school year to account for the fact that the 5003  
student is not enrolled. 5004

(3) The department shall determine each community school 5005  
student's percentage of full-time equivalency based on the 5006  
percentage of learning opportunities offered by the community 5007  
school to that student, reported either as number of hours or 5008  
number of days, is of the total learning opportunities offered by 5009  
the community school to a student who attends for the school's 5010  
entire school year. However, no internet- or computer-based 5011  
community school shall be credited for any time a student spends 5012  
participating in learning opportunities beyond ten hours within 5013  
any period of twenty-four consecutive hours. Whether it reports 5014  
hours or days of learning opportunities, each community school 5015  
shall offer not less than nine hundred twenty hours of learning 5016  
opportunities during the school year. 5017

(4) With respect to the calculation of full-time equivalency 5018

under division (H)(3) of this section, the department shall waive 5019  
the number of hours or days of learning opportunities not offered 5020  
to a student because the community school was closed during the 5021  
school year due to disease epidemic, hazardous weather conditions, 5022  
law enforcement emergencies, inoperability of school buses or 5023  
other equipment necessary to the school's operation, damage to a 5024  
school building, or other temporary circumstances due to utility 5025  
failure rendering the school building unfit for school use, so 5026  
long as the school was actually open for instruction with students 5027  
in attendance during that school year for not less than the 5028  
minimum number of hours required by this chapter. The department 5029  
shall treat the school as if it were open for instruction with 5030  
students in attendance during the hours or days waived under this 5031  
division. 5032

(I) The department of education shall reduce the amounts paid 5033  
under this section to reflect payments made to colleges under 5034  
~~division (B) of section 3365.07 of the Revised Code or through~~ 5035  
~~alternative funding agreements entered into under rules adopted~~ 5036  
~~under section 3365.12 of the Revised Code.~~ 5037

(J)(1) No student shall be considered enrolled in any 5038  
internet- or computer-based community school or, if applicable to 5039  
the student, in any community school that is required to provide 5040  
the student with a computer pursuant to division (C) of section 5041  
3314.22 of the Revised Code, unless both of the following 5042  
conditions are satisfied: 5043

(a) The student possesses or has been provided with all 5044  
required hardware and software materials and all such materials 5045  
are operational so that the student is capable of fully 5046  
participating in the learning opportunities specified in the 5047  
contract between the school and the school's sponsor as required 5048  
by division (A)(23) of section 3314.03 of the Revised Code; 5049

(b) The school is in compliance with division (A) of section 5050

3314.22 of the Revised Code, relative to such student. 5051

(2) In accordance with policies adopted jointly by the 5052  
superintendent of public instruction and the auditor of state, the 5053  
department shall reduce the amounts otherwise payable under 5054  
division (C) of this section to any community school that includes 5055  
in its program the provision of computer hardware and software 5056  
materials to any student, if such hardware and software materials 5057  
have not been delivered, installed, and activated for each such 5058  
student in a timely manner or other educational materials or 5059  
services have not been provided according to the contract between 5060  
the individual community school and its sponsor. 5061

The superintendent of public instruction and the auditor of 5062  
state shall jointly establish a method for auditing any community 5063  
school to which this division pertains to ensure compliance with 5064  
this section. 5065

The superintendent, auditor of state, and the governor shall 5066  
jointly make recommendations to the general assembly for 5067  
legislative changes that may be required to assure fiscal and 5068  
academic accountability for such schools. 5069

(K)(1) If the department determines that a review of a 5070  
community school's enrollment is necessary, such review shall be 5071  
completed and written notice of the findings shall be provided to 5072  
the governing authority of the community school and its sponsor 5073  
within ninety days of the end of the community school's fiscal 5074  
year, unless extended for a period not to exceed thirty additional 5075  
days for one of the following reasons: 5076

(a) The department and the community school mutually agree to 5077  
the extension. 5078

(b) Delays in data submission caused by either a community 5079  
school or its sponsor. 5080

(2) If the review results in a finding that additional 5081

funding is owed to the school, such payment shall be made within 5082  
thirty days of the written notice. If the review results in a 5083  
finding that the community school owes moneys to the state, the 5084  
following procedure shall apply: 5085

(a) Within ten business days of the receipt of the notice of 5086  
findings, the community school may appeal the department's 5087  
determination to the state board of education or its designee. 5088

(b) The board or its designee shall conduct an informal 5089  
hearing on the matter within thirty days of receipt of such an 5090  
appeal and shall issue a decision within fifteen days of the 5091  
conclusion of the hearing. 5092

(c) If the board has enlisted a designee to conduct the 5093  
hearing, the designee shall certify its decision to the board. The 5094  
board may accept the decision of the designee or may reject the 5095  
decision of the designee and issue its own decision on the matter. 5096

(d) Any decision made by the board under this division is 5097  
final. 5098

(3) If it is decided that the community school owes moneys to 5099  
the state, the department shall deduct such amount from the 5100  
school's future payments in accordance with guidelines issued by 5101  
the superintendent of public instruction. 5102

(L) The department shall not subtract from a school 5103  
district's state aid account and shall not pay to a community 5104  
school under division (C) of this section any amount for any of 5105  
the following: 5106

(1) Any student who has graduated from the twelfth grade of a 5107  
public or nonpublic high school; 5108

(2) Any student who is not a resident of the state; 5109

(3) Any student who was enrolled in the community school 5110  
during the previous school year when assessments were administered 5111

under section 3301.0711 of the Revised Code but did not take one 5112  
or more of the assessments required by that section and was not 5113  
excused pursuant to division (C)(1) or (3) of that section, unless 5114  
the superintendent of public instruction grants the student a 5115  
waiver from the requirement to take the assessment and a parent is 5116  
not paying tuition for the student pursuant to section 3314.26 of 5117  
the Revised Code. The superintendent may grant a waiver only for 5118  
good cause in accordance with rules adopted by the state board of 5119  
education. 5120

(4) Any student who has attained the age of twenty-two years, 5121  
except for veterans of the armed services whose attendance was 5122  
interrupted before completing the recognized twelve-year course of 5123  
the public schools by reason of induction or enlistment in the 5124  
armed forces and who apply for enrollment in a community school 5125  
not later than four years after termination of war or their 5126  
honorable discharge. If, however, any such veteran elects to 5127  
enroll in special courses organized for veterans for whom tuition 5128  
is paid under federal law, or otherwise, the department shall not 5129  
subtract from a school district's state aid account and shall not 5130  
pay to a community school under division (C) of this section any 5131  
amount for that veteran. 5132

Sec. 3314.191. Notwithstanding any provision to the contrary 5133  
in the Revised Code, the department of education shall make no 5134  
payment under section 3314.08 of the Revised Code to a community 5135  
school opening for its first year of operation until the sponsor 5136  
of that school confirms all of the following: 5137

(A) The school is in compliance with the provisions described 5138  
in divisions (A), (H), (I), and (J)(3) of section 3314.19 of the 5139  
Revised Code. 5140

(B) The sponsor has approved the financial controls required 5141  
by the comprehensive plan for the school under division (B)(5) of 5142

section 3314.03 of the Revised Code. 5143

(C) The school facilities will be ready and open for use by 5144  
the date prescribed in the contract entered into under section 5145  
3314.03 of the Revised Code, and the sponsor has reviewed any 5146  
lease, purchase agreement, permits required by statute or 5147  
contract, and construction plans. 5148

(D) The chief administrator of the community school actively 5149  
is managing daily operations at the school. 5150

(E) The projected enrollment reported to the department is 5151  
accurate. 5152

Sec. 3314.352. No community school that is permanently closed 5153  
under section 3314.35 or 3314.351 of the Revised Code may be 5154  
reopened under another name if any of the following conditions are 5155  
true: 5156

(A) The new school has the same sponsor as the closed school. 5157

(B) The new school has the same chief administrator as the 5158  
closed school. 5159

(C) The governing authority of the new school consists of any 5160  
of the same members that served on the governing authority of the 5161  
closed school during that school's last year of operation. 5162

(D) Fifty per cent or more of the teaching staff of the new 5163  
school consists of the same individuals who were employed as 5164  
teachers at the closed school during that school's last year of 5165  
operation. 5166

(E) Fifty per cent or more of the administrative staff of the 5167  
new school consists of the same individuals who were employed as 5168  
administrators at the closed school during that school's last year 5169  
of operation. 5170

(F) The performance standards and accountability plan 5171

prescribed by the sponsor contract for the new school, entered 5172  
into under section 3314.03 of the Revised Code, are the same as 5173  
those for the closed school. 5174

(G) This section does not apply to internet- or 5175  
computer-based community schools. 5176

**Sec. 3317.03.** (A) The superintendent of each city, local, and 5177  
exempted village school district shall report to the state board 5178  
of education as of the last day of October, March, and June of 5179  
each year the enrollment of students receiving services from 5180  
schools under the superintendent's supervision, and the numbers of 5181  
other students entitled to attend school in the district under 5182  
section 3313.64 or 3313.65 of the Revised Code the superintendent 5183  
is required to report under this section, so that the department 5184  
of education can calculate the district's formula ADM, total ADM, 5185  
category one through five career-technical education ADM, category 5186  
one through three limited English proficient ADM, category one 5187  
through six special education ADM, preschool scholarship ADM, 5188  
transportation ADM, and, for purposes of provisions of law outside 5189  
of Chapter 3317. of the Revised Code, average daily membership. 5190

(1) The enrollment reported by the superintendent during the 5191  
reporting period shall consist of the number of students in grades 5192  
kindergarten through twelve receiving any educational services 5193  
from the district, except that the following categories of 5194  
students shall not be included in the determination: 5195

(a) Students enrolled in adult education classes; 5196

(b) Adjacent or other district students enrolled in the 5197  
district under an open enrollment policy pursuant to section 5198  
3313.98 of the Revised Code; 5199

(c) Students receiving services in the district pursuant to a 5200  
compact, cooperative education agreement, or a contract, but who 5201

are entitled to attend school in another district pursuant to 5202  
section 3313.64 or 3313.65 of the Revised Code; 5203

(d) Students for whom tuition is payable pursuant to sections 5204  
3317.081 and 3323.141 of the Revised Code; 5205

(e) Students receiving services in the district through a 5206  
scholarship awarded under either section 3310.41 or sections 5207  
3310.51 to 3310.64 of the Revised Code. 5208

When reporting students under division (A)(1) of this 5209  
section, the superintendent also shall report the district where 5210  
each student is entitled to attend school pursuant to sections 5211  
3313.64 and 3313.65 of the Revised Code. 5212

(2) The department of education shall compile a list of all 5213  
students reported to be enrolled in a district under division 5214  
(A)(1) of this section and of the students entitled to attend 5215  
school in the district pursuant to section 3313.64 or 3313.65 of 5216  
the Revised Code on an FTE basis but receiving educational 5217  
services in grades kindergarten through twelve from one or more of 5218  
the following entities: 5219

(a) A community school pursuant to Chapter 3314. of the 5220  
Revised Code, including any participation in a college pursuant to 5221  
Chapter 3365. of the Revised Code while enrolled in such community 5222  
school; 5223

(b) An alternative school pursuant to sections 3313.974 to 5224  
3313.979 of the Revised Code as described in division (I)(2)(a) or 5225  
(b) of this section; 5226

(c) A college pursuant to Chapter 3365. of the Revised Code, 5227  
except when the student is enrolled in the college while also 5228  
enrolled in a community school pursuant to Chapter 3314. ~~or~~, a 5229  
science, technology, engineering, and mathematics school 5230  
established under Chapter 3326., or a college-preparatory boarding 5231  
school established under Chapter 3328. of the Revised Code; 5232

(d) An adjacent or other school district under an open enrollment policy adopted pursuant to section 3313.98 of the Revised Code;	5233 5234 5235
(e) An educational service center or cooperative education district;	5236 5237
(f) Another school district under a cooperative education agreement, compact, or contract;	5238 5239
(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;	5240 5241 5242 5243
(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.	5244 5245 5246
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.	5247 5248 5249
(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;	5250 5251 5252 5253
(j) 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>	5254 5255 5256 5257
(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	5258 5259 5260 5261 5262

district who are enrolled in another school district through an 5263  
open enrollment policy as reported under division (A)(2)(d) of 5264  
this section and then enroll in a joint vocational school district 5265  
or under a career-technical education compact. 5266

The department shall provide each city, local, and exempted 5267  
village school district with an opportunity to review the list of 5268  
students compiled under divisions (A)(2) and (3) of this section 5269  
to ensure that the students reported accurately reflect the 5270  
enrollment of students in the district. 5271

(B) To enable the department of education to obtain the data 5272  
needed to complete the calculation of payments pursuant to this 5273  
chapter, each superintendent shall certify from the reports 5274  
provided by the department under division (A) of this section all 5275  
of the following: 5276

(1) The total student enrollment in regular learning day 5277  
classes included in the report under division (A)(1) or (2) of 5278  
this section for each of the individual grades kindergarten 5279  
through twelve in schools under the superintendent's supervision; 5280

(2) The unduplicated count of the number of preschool 5281  
children with disabilities enrolled in the district for whom the 5282  
district is eligible to receive funding under section 3317.0213 of 5283  
the Revised Code adjusted for the portion of the year each child 5284  
is so enrolled, in accordance with the disability categories 5285  
prescribed in section 3317.013 of the Revised Code; 5286

(3) The number of children entitled to attend school in the 5287  
district pursuant to section 3313.64 or 3313.65 of the Revised 5288  
Code who are: 5289

(a) Participating in a pilot project scholarship program 5290  
established under sections 3313.974 to 3313.979 of the Revised 5291  
Code as described in division (I)(2)(a) or (b) of this section; 5292

(b) Enrolled in a college under Chapter 3365. of the Revised 5293

Code, except when the student is enrolled in the college while 5294  
also enrolled in a community school pursuant to Chapter 3314. of 5295  
the Revised Code ~~or~~, a science, technology, engineering, and 5296  
mathematics school established under Chapter 3326., or a 5297  
college-preparatory boarding school established under Chapter 5298  
3328. of the Revised Code; 5299

(c) Enrolled in an adjacent or other school district under 5300  
section 3313.98 of the Revised Code; 5301

(d) Enrolled in a community school established under Chapter 5302  
3314. of the Revised Code that is not an internet- or 5303  
computer-based community school as defined in section 3314.02 of 5304  
the Revised Code, including any participation in a college 5305  
pursuant to Chapter 3365. of the Revised Code while enrolled in 5306  
such community school; 5307

(e) Enrolled in an internet- or computer-based community 5308  
school, as defined in section 3314.02 of the Revised Code, 5309  
including any participation in a college pursuant to Chapter 3365. 5310  
of the Revised Code while enrolled in the school; 5311

(f) Enrolled in a chartered nonpublic school with a 5312  
scholarship paid under section 3310.08 of the Revised Code and who 5313  
qualified for the scholarship under section 3310.03 of the Revised 5314  
Code; 5315

(g) Enrolled in kindergarten through grade twelve in an 5316  
alternative public provider or a registered private provider with 5317  
a scholarship awarded under section 3310.41 of the Revised Code; 5318

(h) Enrolled as a preschool child with a disability in an 5319  
alternative public provider or a registered private provider with 5320  
a scholarship awarded under section 3310.41 of the Revised Code; 5321

(i) Participating in a program operated by a county DD board 5322  
or a state institution; 5323

(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;

(k) Enrolled in 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;

(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.

(4) The total enrollment of pupils in joint vocational schools;

(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;

(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;

(7) The combined enrollment of children with disabilities reported under division (A)(1) or (2) of this section receiving

special education services for category three disabilities 5355  
described in division (C) of section 3317.013 of the Revised Code, 5356  
including children attending a special education program operated 5357  
by an alternative public provider or a registered private provider 5358  
with a scholarship awarded under sections 3310.51 to 3310.64 of 5359  
the Revised Code; 5360

(8) The combined enrollment of children with disabilities 5361  
reported under division (A)(1) or (2) of this section receiving 5362  
special education services for category four disabilities 5363  
described in division (D) of section 3317.013 of the Revised Code, 5364  
including children attending a special education program operated 5365  
by an alternative public provider or a registered private provider 5366  
with a scholarship awarded under sections 3310.51 to 3310.64 of 5367  
the Revised Code; 5368

(9) The combined enrollment of children with disabilities 5369  
reported under division (A)(1) or (2) of this section receiving 5370  
special education services for the category five disabilities 5371  
described in division (E) of section 3317.013 of the Revised Code, 5372  
including children attending a special education program operated 5373  
by an alternative public provider or a registered private provider 5374  
with a scholarship awarded under sections 3310.51 to 3310.64 of 5375  
the Revised Code; 5376

(10) The combined enrollment of children with disabilities 5377  
reported under division (A)(1) or (2) and under division (B)(3)(h) 5378  
of this section receiving special education services for category 5379  
six disabilities described in division (F) of section 3317.013 of 5380  
the Revised Code, including children attending a special education 5381  
program operated by an alternative public provider or a registered 5382  
private provider with a scholarship awarded under either section 5383  
3310.41 or sections 3310.51 to 3310.64 of the Revised Code; 5384

(11) The enrollment of pupils reported under division (A)(1) 5385  
or (2) of this section on a full-time equivalency basis in 5386

category one career-technical education programs or classes, 5387  
described in division (A) of section 3317.014 of the Revised Code, 5388  
operated by the school district or by another district that is a 5389  
member of the district's career-technical planning district, other 5390  
than a joint vocational school district, or by an educational 5391  
service center, notwithstanding division (H) of section 3317.02 of 5392  
the Revised Code and division (C)(3) of this section; 5393

(12) The enrollment of pupils reported under division (A)(1) 5394  
or (2) of this section on a full-time equivalency basis in 5395  
category two career-technical education programs or services, 5396  
described in division (B) of section 3317.014 of the Revised Code, 5397  
operated by the school district or another school district that is 5398  
a member of the district's career-technical planning district, 5399  
other than a joint vocational school district, or by an 5400  
educational service center, notwithstanding division (H) of 5401  
section 3317.02 of the Revised Code and division (C)(3) of this 5402  
section; 5403

(13) The enrollment of pupils reported under division (A)(1) 5404  
or (2) of this section on a full-time equivalency basis in 5405  
category three career-technical education programs or services, 5406  
described in division (C) of section 3317.014 of the Revised Code, 5407  
operated by the school district or another school district that is 5408  
a member of the district's career-technical planning district, 5409  
other than a joint vocational school district, or by an 5410  
educational service center, notwithstanding division (H) of 5411  
section 3317.02 of the Revised Code and division (C)(3) of this 5412  
section; 5413

(14) The enrollment of pupils reported under division (A)(1) 5414  
or (2) of this section on a full-time equivalency basis in 5415  
category four career-technical education programs or services, 5416  
described in division (D) of section 3317.014 of the Revised Code, 5417  
operated by the school district or another school district that is 5418

a member of the district's career-technical planning district, 5419  
other than a joint vocational school district, or by an 5420  
educational service center, notwithstanding division (H) of 5421  
section 3317.02 of the Revised Code and division (C)(3) of this 5422  
section; 5423

(15) The enrollment of pupils reported under division (A)(1) 5424  
or (2) of this section on a full-time equivalency basis in 5425  
category five career-technical education programs or services, 5426  
described in division (E) of section 3317.014 of the Revised Code, 5427  
operated by the school district or another school district that is 5428  
a member of the district's career-technical planning district, 5429  
other than a joint vocational school district, or by an 5430  
educational service center, notwithstanding division (H) of 5431  
section 3317.02 of the Revised Code and division (C)(3) of this 5432  
section; 5433

(16) The enrollment of pupils reported under division (A)(1) 5434  
or (2) of this section who are limited English proficient students 5435  
described in division (A) of section 3317.016 of the Revised Code, 5436  
excluding any student reported under division (B)(3)(e) of this 5437  
section as enrolled in an internet- or computer-based community 5438  
school; 5439

(17) The enrollment of pupils reported under division (A)(1) 5440  
or (2) of this section who are limited English proficient students 5441  
described in division (B) of section 3317.016 of the Revised Code, 5442  
excluding any student reported under division (B)(3)(e) of this 5443  
section as enrolled in an internet- or computer-based community 5444  
school; 5445

(18) The enrollment of pupils reported under division (A)(1) 5446  
or (2) of this section who are limited English proficient students 5447  
described in division (C) of section 3317.016 of the Revised Code, 5448  
excluding any student reported under division (B)(3)(e) of this 5449  
section as enrolled in an internet- or computer-based community 5450

school; 5451

(19) The average number of children transported during the 5452  
reporting period by the school district on board-owned or 5453  
contractor-owned and -operated buses, reported in accordance with 5454  
rules adopted by the department of education; 5455

(20)(a) The number of children, other than preschool children 5456  
with disabilities, the district placed with a county DD board in 5457  
fiscal year 1998. Division (B)(20)(a) of this section does not 5458  
apply after fiscal year 2013. 5459

(b) The number of children with disabilities, other than 5460  
preschool children with disabilities, placed with a county DD 5461  
board in the current fiscal year to receive special education 5462  
services for the category one disability described in division (A) 5463  
of section 3317.013 of the Revised Code; 5464

(c) The number of children with disabilities, other than 5465  
preschool children with disabilities, placed with a county DD 5466  
board in the current fiscal year to receive special education 5467  
services for category two disabilities described in division (B) 5468  
of section 3317.013 of the Revised Code; 5469

(d) The number of children with disabilities, other than 5470  
preschool children with disabilities, placed with a county DD 5471  
board in the current fiscal year to receive special education 5472  
services for category three disabilities described in division (C) 5473  
of section 3317.013 of the Revised Code; 5474

(e) The number of children with disabilities, other than 5475  
preschool children with disabilities, placed with a county DD 5476  
board in the current fiscal year to receive special education 5477  
services for category four disabilities described in division (D) 5478  
of section 3317.013 of the Revised Code; 5479

(f) The number of children with disabilities, other than 5480  
preschool children with disabilities, placed with a county DD 5481

board in the current fiscal year to receive special education 5482  
services for the category five disabilities described in division 5483  
(E) of section 3317.013 of the Revised Code; 5484

(g) The number of children with disabilities, other than 5485  
preschool children with disabilities, placed with a county DD 5486  
board in the current fiscal year to receive special education 5487  
services for category six disabilities described in division (F) 5488  
of section 3317.013 of the Revised Code. 5489

(21) The enrollment of students who are economically 5490  
disadvantaged, as defined by the department, excluding any student 5491  
reported under division (B)(3)(e) of this section as enrolled in 5492  
an internet- or computer-based community school. A student shall 5493  
not be categorically excluded from the number reported under 5494  
division (B)(21) of this section based on anything other than 5495  
family income. 5496

(C)(1) The state board of education shall adopt rules 5497  
necessary for implementing divisions (A), (B), and (D) of this 5498  
section. 5499

(2) A student enrolled in a community school established 5500  
under Chapter 3314., a science, technology, engineering, and 5501  
mathematics school established under Chapter 3326., or a 5502  
college-preparatory boarding school established under Chapter 5503  
3328. of the Revised Code shall be counted in the formula ADM and, 5504  
if applicable, the category one, two, three, four, five, or six 5505  
special education ADM of the school district in which the student 5506  
is entitled to attend school under section 3313.64 or 3313.65 of 5507  
the Revised Code for the same proportion of the school year that 5508  
the student is counted in the enrollment of the community school, 5509  
the science, technology, engineering, and mathematics school, or 5510  
the college-preparatory boarding school for purposes of section 5511  
3314.08, 3326.33, or 3328.24 of the Revised Code. Notwithstanding 5512  
the enrollment of students certified pursuant to division 5513

(B)(3)(d), (e), (j), or (k) of this section, the department may 5514  
adjust the formula ADM of a school district to account for 5515  
students entitled to attend school in the district under section 5516  
3313.64 or 3313.65 of the Revised Code who are enrolled in a 5517  
community school, a science, technology, engineering, and 5518  
mathematics school, or a college-preparatory boarding school for 5519  
only a portion of the school year. 5520

(3) No child shall be counted as more than a total of one 5521  
child in the sum of the enrollment of students of a school 5522  
district under division (A), divisions (B)(1) to (22), or division 5523  
(D) of this section, except as follows: 5524

(a) A child with a disability described in section 3317.013 5525  
of the Revised Code may be counted both in formula ADM and in 5526  
category one, two, three, four, five, or six special education ADM 5527  
and, if applicable, in category one, two, three, four, or five 5528  
career-technical education ADM. As provided in division (H) of 5529  
section 3317.02 of the Revised Code, such a child shall be counted 5530  
in category one, two, three, four, five, or six special education 5531  
ADM in the same proportion that the child is counted in formula 5532  
ADM. 5533

(b) A child enrolled in career-technical education programs 5534  
or classes described in section 3317.014 of the Revised Code may 5535  
be counted both in formula ADM and category one, two, three, four, 5536  
or five career-technical education ADM and, if applicable, in 5537  
category one, two, three, four, five, or six special education 5538  
ADM. Such a child shall be counted in category one, two, three, 5539  
four, or five career-technical education ADM in the same 5540  
proportion as the percentage of time that the child spends in the 5541  
career-technical education programs or classes. 5542

(4) Based on the information reported under this section, the 5543  
department of education shall determine the total student count, 5544  
as defined in section 3301.011 of the Revised Code, for each 5545

school district. 5546

(D)(1) The superintendent of each joint vocational school 5547  
district shall report and certify to the superintendent of public 5548  
instruction as of the last day of October, March, and June of each 5549  
year the enrollment of students receiving services from schools 5550  
under the superintendent's supervision so that the department can 5551  
calculate the district's formula ADM, total ADM, category one 5552  
through five career-technical education ADM, category one through 5553  
three limited English proficient ADM, category one through six 5554  
special education ADM, and for purposes of provisions of law 5555  
outside of Chapter 3317. of the Revised Code, average daily 5556  
membership. 5557

The enrollment reported and certified by the superintendent, 5558  
except as otherwise provided in this division, shall consist of 5559  
the the number of students in grades six through twelve receiving 5560  
any educational services from the district, except that the 5561  
following categories of students shall not be included in the 5562  
determination: 5563

(a) Students enrolled in adult education classes; 5564

(b) Adjacent or other district joint vocational students 5565  
enrolled in the district under an open enrollment policy pursuant 5566  
to section 3313.98 of the Revised Code; 5567

(c) Students receiving services in the district pursuant to a 5568  
compact, cooperative education agreement, or a contract, but who 5569  
are entitled to attend school in a city, local, or exempted 5570  
village school district whose territory is not part of the 5571  
territory of the joint vocational district; 5572

(d) Students for whom tuition is payable pursuant to sections 5573  
3317.081 and 3323.141 of the Revised Code. 5574

(2) To enable the department of education to obtain the data 5575  
needed to complete the calculation of payments pursuant to this 5576

chapter, each superintendent shall certify from the report	5577
provided under division (D)(1) of this section the enrollment for	5578
each of the following categories of students:	5579
(a) Students enrolled in each individual grade included in	5580
the joint vocational district schools;	5581
(b) Children with disabilities receiving special education	5582
services for the category one disability described in division (A)	5583
of section 3317.013 of the Revised Code;	5584
(c) Children with disabilities receiving special education	5585
services for the category two disabilities described in division	5586
(B) of section 3317.013 of the Revised Code;	5587
(d) Children with disabilities receiving special education	5588
services for category three disabilities described in division (C)	5589
of section 3317.013 of the Revised Code;	5590
(e) Children with disabilities receiving special education	5591
services for category four disabilities described in division (D)	5592
of section 3317.013 of the Revised Code;	5593
(f) Children with disabilities receiving special education	5594
services for the category five disabilities described in division	5595
(E) of section 3317.013 of the Revised Code;	5596
(g) Children with disabilities receiving special education	5597
services for category six disabilities described in division (F)	5598
of section 3317.013 of the Revised Code;	5599
(h) Students receiving category one career-technical	5600
education services, described in division (A) of section 3317.014	5601
of the Revised Code;	5602
(i) Students receiving category two career-technical	5603
education services, described in division (B) of section 3317.014	5604
of the Revised Code;	5605
(j) Students receiving category three career-technical	5606

education services, described in division (C) of section 3317.014 5607  
of the Revised Code; 5608

(k) Students receiving category four career-technical 5609  
education services, described in division (D) of section 3317.014 5610  
of the Revised Code; 5611

(l) Students receiving category five career-technical 5612  
education services, described in division (E) of section 3317.014 5613  
of the Revised Code; 5614

(m) Limited English proficient students described in division 5615  
(A) of section 3317.016 of the Revised Code; 5616

(n) Limited English proficient students described in division 5617  
(B) of section 3317.016 of the Revised Code; 5618

(o) Limited English proficient students described in division 5619  
(C) of section 3317.016 of the Revised Code; 5620

(p) Students who are economically disadvantaged, as defined 5621  
by the department. A student shall not be categorically excluded 5622  
from the number reported under division (D)(2)(p) of this section 5623  
based on anything other than family income. 5624

The superintendent of each joint vocational school district 5625  
shall also indicate the city, local, or exempted village school 5626  
district in which each joint vocational district pupil is entitled 5627  
to attend school pursuant to section 3313.64 or 3313.65 of the 5628  
Revised Code. 5629

(E) In each school of each city, local, exempted village, 5630  
joint vocational, and cooperative education school district there 5631  
shall be maintained a record of school enrollment, which record 5632  
shall accurately show, for each day the school is in session, the 5633  
actual enrollment in regular day classes. For the purpose of 5634  
determining the enrollment of students, the enrollment figure of 5635  
any school shall not include any pupils except those pupils 5636

described by division (A) of this section. The record of 5637  
enrollment for each school shall be maintained in such manner that 5638  
no pupil shall be counted as enrolled prior to the actual date of 5639  
entry in the school and also in such manner that where for any 5640  
cause a pupil permanently withdraws from the school that pupil 5641  
shall not be counted as enrolled from and after the date of such 5642  
withdrawal. There shall not be included in the enrollment of any 5643  
school any of the following: 5644

(1) Any pupil who has graduated from the twelfth grade of a 5645  
public or nonpublic high school; 5646

(2) Any pupil who is not a resident of the state; 5647

(3) Any pupil who was enrolled in the schools of the district 5648  
during the previous school year when assessments were administered 5649  
under section 3301.0711 of the Revised Code but did not take one 5650  
or more of the assessments required by that section and was not 5651  
excused pursuant to division (C)(1) or (3) of that section; 5652

(4) Any pupil who has attained the age of twenty-two years, 5653  
except for veterans of the armed services whose attendance was 5654  
interrupted before completing the recognized twelve-year course of 5655  
the public schools by reason of induction or enlistment in the 5656  
armed forces and who apply for reenrollment in the public school 5657  
system of their residence not later than four years after 5658  
termination of war or their honorable discharge; 5659

(5) Any pupil who has a high school equivalence diploma as 5660  
defined in section 5107.40 of the Revised Code. 5661

If, however, any veteran described by division (E)(4) of this 5662  
section elects to enroll in special courses organized for veterans 5663  
for whom tuition is paid under the provisions of federal laws, or 5664  
otherwise, that veteran shall not be included in the enrollment of 5665  
students determined under this section. 5666

Notwithstanding division (E)(3) of this section, the 5667

enrollment of any school may include a pupil who did not take an 5668  
assessment required by section 3301.0711 of the Revised Code if 5669  
the superintendent of public instruction grants a waiver from the 5670  
requirement to take the assessment to the specific pupil and a 5671  
parent is not paying tuition for the pupil pursuant to section 5672  
3313.6410 of the Revised Code. The superintendent may grant such a 5673  
waiver only for good cause in accordance with rules adopted by the 5674  
state board of education. 5675

The formula ADM, total ADM, category one through five 5676  
career-technical education ADM, category one through three limited 5677  
English proficient ADM, category one through six special education 5678  
ADM, preschool scholarship ADM, transportation ADM, and, for 5679  
purposes of provisions of law outside of Chapter 3317. of the 5680  
Revised Code, average daily membership of any school district 5681  
shall be determined in accordance with rules adopted by the state 5682  
board of education. 5683

(F)(1) If a student attending a community school under 5684  
Chapter 3314., a science, technology, engineering, and mathematics 5685  
school established under Chapter 3326., or a college-preparatory 5686  
boarding school established under Chapter 3328. of the Revised 5687  
Code is not included in the formula ADM calculated for the school 5688  
district in which the student is entitled to attend school under 5689  
section 3313.64 or 3313.65 of the Revised Code, the department of 5690  
education shall adjust the formula ADM of that school district to 5691  
include the student in accordance with division (C)(2) of this 5692  
section, and shall recalculate the school district's payments 5693  
under this chapter for the entire fiscal year on the basis of that 5694  
adjusted formula ADM. 5695

(2) If a student awarded an educational choice scholarship is 5696  
not included in the formula ADM of the school district from which 5697  
the department deducts funds for the scholarship under section 5698  
3310.08 of the Revised Code, the department shall adjust the 5699

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

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

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

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

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

(b) The superintendent of an institution with 5731  
career-technical education units approved under section 3317.05 of 5732  
the Revised Code shall, for the units under the superintendent's 5733  
supervision, certify to the state board of education the 5734  
enrollment in those units, in the manner prescribed by the 5735  
superintendent of public instruction. 5736

(2) The superintendent of each county DD board that maintains 5737  
special education classes under section 3317.20 of the Revised 5738  
Code or provides services to preschool children with disabilities 5739  
pursuant to an agreement between the DD board and the appropriate 5740  
school district shall do both of the following: 5741

(a) Certify to the state board, in the manner prescribed by 5742  
the board, the enrollment in classes under section 3317.20 of the 5743  
Revised Code for each school district that has placed children in 5744  
the classes; 5745

(b) Certify to the state board, in the manner prescribed by 5746  
the board, the unduplicated count of the number of all preschool 5747  
children with disabilities enrolled in classes for which the DD 5748  
board is eligible to receive funding under section 3317.0213 of 5749  
the Revised Code adjusted for the portion of the year each child 5750  
is so enrolled, reported according to the categories prescribed in 5751  
section 3317.013 of the Revised Code, and the number of those 5752  
classes. 5753

(H) Except as provided in division (I) of this section, when 5754  
any city, local, or exempted village school district provides 5755  
instruction for a nonresident pupil whose attendance is 5756  
unauthorized attendance as defined in section 3327.06 of the 5757  
Revised Code, that pupil's enrollment shall not be included in 5758  
that district's enrollment figure used in calculating the 5759  
district's payments under this chapter. The reporting official 5760  
shall report separately the enrollment of all pupils whose 5761  
attendance in the district is unauthorized attendance, and the 5762

enrollment of each such pupil shall be credited to the school 5763  
district in which the pupil is entitled to attend school under 5764  
division (B) of section 3313.64 or section 3313.65 of the Revised 5765  
Code as determined by the department of education. 5766

(I)(1) A city, local, exempted village, or joint vocational 5767  
school district admitting a scholarship student of a pilot project 5768  
district pursuant to division (C) of section 3313.976 of the 5769  
Revised Code may count such student in its enrollment. 5770

(2) In any year for which funds are appropriated for pilot 5771  
project scholarship programs, a school district implementing a 5772  
state-sponsored pilot project scholarship program that year 5773  
pursuant to sections 3313.974 to 3313.979 of the Revised Code may 5774  
count in its enrollment: 5775

(a) All children residing in the district and utilizing a 5776  
scholarship to attend kindergarten in any alternative school, as 5777  
defined in section 3313.974 of the Revised Code; 5778

(b) All children who were enrolled in the district in the 5779  
preceding year who are utilizing a scholarship to attend an 5780  
alternative school. 5781

(J) The superintendent of each cooperative education school 5782  
district shall certify to the superintendent of public 5783  
instruction, in a manner prescribed by the state board of 5784  
education, the applicable enrollments for all students in the 5785  
cooperative education district, also indicating the city, local, 5786  
or exempted village district where each pupil is entitled to 5787  
attend school under section 3313.64 or 3313.65 of the Revised 5788  
Code. 5789

(K) If the superintendent of public instruction determines 5790  
that a component of the enrollment certified or reported by a 5791  
district superintendent, or other reporting entity, is not 5792  
correct, the superintendent of public instruction may order that 5793

the formula ADM used for the purposes of payments under any 5794  
section of Title XXXIII of the Revised Code be adjusted in the 5795  
amount of the error. 5796

**Sec. 3319.22.** (A)(1) The state board of education shall issue 5797  
the following educator licenses: 5798

(a) A resident educator license, which shall be valid for 5799  
four years, ~~except that the~~ and shall be renewable for reasons 5800  
specified by rules adopted by the state board pursuant to division 5801  
(A)(3) of this section. The state board, on a case-by-case basis, 5802  
may extend the license's duration as necessary to enable the 5803  
license holder to complete the Ohio teacher residency program 5804  
established under section 3319.223 of the Revised Code; 5805

(b) A professional educator license, which shall be valid for 5806  
five years and shall be renewable; 5807

(c) A senior professional educator license, which shall be 5808  
valid for five years and shall be renewable; 5809

(d) A lead professional educator license, which shall be 5810  
valid for five years and shall be renewable. 5811

(2) The state board may issue any additional educator 5812  
licenses of categories, types, and levels the board elects to 5813  
provide. 5814

(3) The state board shall adopt rules establishing the 5815  
standards and requirements for obtaining each educator license 5816  
issued under this section. The rules shall also include the 5817  
reasons for which a resident educator license may be renewed under 5818  
division (A)(1)(a) of this section. 5819

(B) The rules adopted under this section shall require at 5820  
least the following standards and qualifications for the educator 5821  
licenses described in division (A)(1) of this section: 5822

(1) An applicant for a resident educator license shall hold 5823

at least a bachelor's degree from an accredited teacher 5824  
preparation program or be a participant in the teach for America 5825  
program and meet the qualifications required under section 5826  
3319.227 of the Revised Code. 5827

(2) An applicant for a professional educator license shall: 5828

(a) Hold at least a bachelor's degree from an institution of 5829  
higher education accredited by a regional accrediting 5830  
organization; 5831

(b) Have successfully completed the Ohio teacher residency 5832  
program established under section 3319.223 of the Revised Code, if 5833  
the applicant's current or most recently issued license is a 5834  
resident educator license issued under this section or an 5835  
alternative resident educator license issued under section 3319.26 5836  
of the Revised Code. 5837

(3) An applicant for a senior professional educator license 5838  
shall: 5839

(a) Hold at least a master's degree from an institution of 5840  
higher education accredited by a regional accrediting 5841  
organization; 5842

(b) Have previously held a professional educator license 5843  
issued under this section or section 3319.222 or under former 5844  
section 3319.22 of the Revised Code; 5845

(c) Meet the criteria for the accomplished or distinguished 5846  
level of performance, as described in the standards for teachers 5847  
adopted by the state board under section 3319.61 of the Revised 5848  
Code. 5849

(4) An applicant for a lead professional educator license 5850  
shall: 5851

(a) Hold at least a master's degree from an institution of 5852  
higher education accredited by a regional accrediting 5853

organization; 5854

(b) Have previously held a professional educator license or a 5855  
senior professional educator license issued under this section or 5856  
a professional educator license issued under section 3319.222 or 5857  
former section 3319.22 of the Revised Code; 5858

(c) Meet the criteria for the distinguished level of 5859  
performance, as described in the standards for teachers adopted by 5860  
the state board under section 3319.61 of the Revised Code; 5861

(d) Either hold a valid certificate issued by the national 5862  
board for professional teaching standards or meet the criteria for 5863  
a master teacher or other criteria for a lead teacher adopted by 5864  
the educator standards board under division (F)(4) or (5) of 5865  
section 3319.61 of the Revised Code. 5866

(C) The state board shall align the standards and 5867  
qualifications for obtaining a principal license with the 5868  
standards for principals adopted by the state board under section 5869  
3319.61 of the Revised Code. 5870

(D) If the state board requires any examinations for educator 5871  
licensure, the department of education shall provide the results 5872  
of such examinations received by the department to the chancellor 5873  
of the Ohio board of regents, in the manner and to the extent 5874  
permitted by state and federal law. 5875

(E) Any rules the state board of education adopts, amends, or 5876  
rescinds for educator licenses under this section, division (D) of 5877  
section 3301.07 of the Revised Code, or any other law shall be 5878  
adopted, amended, or rescinded under Chapter 119. of the Revised 5879  
Code except as follows: 5880

(1) Notwithstanding division (D) of section 119.03 and 5881  
division (A)(1) of section 119.04 of the Revised Code, in the case 5882  
of the adoption of any rule or the amendment or rescission of any 5883  
rule that necessitates institutions' offering preparation programs 5884

for educators and other school personnel that are approved by the 5885  
chancellor of the Ohio board of regents under section 3333.048 of 5886  
the Revised Code to revise the curriculum of those programs, the 5887  
effective date shall not be as prescribed in division (D) of 5888  
section 119.03 and division (A)(1) of section 119.04 of the 5889  
Revised Code. Instead, the effective date of such rules, or the 5890  
amendment or rescission of such rules, shall be the date 5891  
prescribed by section 3333.048 of the Revised Code. 5892

(2) Notwithstanding the authority to adopt, amend, or rescind 5893  
emergency rules in division (F) of section 119.03 of the Revised 5894  
Code, this authority shall not apply to the state board of 5895  
education with regard to rules for educator licenses. 5896

(F)(1) The rules adopted under this section establishing 5897  
standards requiring additional coursework for the renewal of any 5898  
educator license shall require a school district and a chartered 5899  
nonpublic school to establish local professional development 5900  
committees. In a nonpublic school, the chief administrative 5901  
officer shall establish the committees in any manner acceptable to 5902  
such officer. The committees established under this division shall 5903  
determine whether coursework that a district or chartered 5904  
nonpublic school teacher proposes to complete meets the 5905  
requirement of the rules. The department of education shall 5906  
provide technical assistance and support to committees as the 5907  
committees incorporate the professional development standards 5908  
adopted by the state board of education pursuant to section 5909  
3319.61 of the Revised Code into their review of coursework that 5910  
is appropriate for license renewal. The rules shall establish a 5911  
procedure by which a teacher may appeal the decision of a local 5912  
professional development committee. 5913

(2) In any school district in which there is no exclusive 5914  
representative established under Chapter 4117. of the Revised 5915  
Code, the professional development committees shall be established 5916

as described in division (F)(2) of this section. 5917

Not later than the effective date of the rules adopted under 5918  
this section, the board of education of each school district shall 5919  
establish the structure for one or more local professional 5920  
development committees to be operated by such school district. The 5921  
committee structure so established by a district board shall 5922  
remain in effect unless within thirty days prior to an anniversary 5923  
of the date upon which the current committee structure was 5924  
established, the board provides notice to all affected district 5925  
employees that the committee structure is to be modified. 5926  
Professional development committees may have a district-level or 5927  
building-level scope of operations, and may be established with 5928  
regard to particular grade or age levels for which an educator 5929  
license is designated. 5930

Each professional development committee shall consist of at 5931  
least three classroom teachers employed by the district, one 5932  
principal employed by the district, and one other employee of the 5933  
district appointed by the district superintendent. For committees 5934  
with a building-level scope, the teacher and principal members 5935  
shall be assigned to that building, and the teacher members shall 5936  
be elected by majority vote of the classroom teachers assigned to 5937  
that building. For committees with a district-level scope, the 5938  
teacher members shall be elected by majority vote of the classroom 5939  
teachers of the district, and the principal member shall be 5940  
elected by a majority vote of the principals of the district, 5941  
unless there are two or fewer principals employed by the district, 5942  
in which case the one or two principals employed shall serve on 5943  
the committee. If a committee has a particular grade or age level 5944  
scope, the teacher members shall be licensed to teach such grade 5945  
or age levels, and shall be elected by majority vote of the 5946  
classroom teachers holding such a license and the principal shall 5947  
be elected by all principals serving in buildings where any such 5948

teachers serve. The district superintendent shall appoint a 5949  
replacement to fill any vacancy that occurs on a professional 5950  
development committee, except in the case of vacancies among the 5951  
elected classroom teacher members, which shall be filled by vote 5952  
of the remaining members of the committee so selected. 5953

Terms of office on professional development committees shall 5954  
be prescribed by the district board establishing the committees. 5955  
The conduct of elections for members of professional development 5956  
committees shall be prescribed by the district board establishing 5957  
the committees. A professional development committee may include 5958  
additional members, except that the majority of members on each 5959  
such committee shall be classroom teachers employed by the 5960  
district. Any member appointed to fill a vacancy occurring prior 5961  
to the expiration date of the term for which a predecessor was 5962  
appointed shall hold office as a member for the remainder of that 5963  
term. 5964

The initial meeting of any professional development 5965  
committee, upon election and appointment of all committee members, 5966  
shall be called by a member designated by the district 5967  
superintendent. At this initial meeting, the committee shall 5968  
select a chairperson and such other officers the committee deems 5969  
necessary, and shall adopt rules for the conduct of its meetings. 5970  
Thereafter, the committee shall meet at the call of the 5971  
chairperson or upon the filing of a petition with the district 5972  
superintendent signed by a majority of the committee members 5973  
calling for the committee to meet. 5974

(3) In the case of a school district in which an exclusive 5975  
representative has been established pursuant to Chapter 4117. of 5976  
the Revised Code, professional development committees shall be 5977  
established in accordance with any collective bargaining agreement 5978  
in effect in the district that includes provisions for such 5979  
committees. 5980

If the collective bargaining agreement does not specify a 5981  
different method for the selection of teacher members of the 5982  
committees, the exclusive representative of the district's 5983  
teachers shall select the teacher members. 5984

If the collective bargaining agreement does not specify a 5985  
different structure for the committees, the board of education of 5986  
the school district shall establish the structure, including the 5987  
number of committees and the number of teacher and administrative 5988  
members on each committee; the specific administrative members to 5989  
be part of each committee; whether the scope of the committees 5990  
will be district levels, building levels, or by type of grade or 5991  
age levels for which educator licenses are designated; the lengths 5992  
of terms for members; the manner of filling vacancies on the 5993  
committees; and the frequency and time and place of meetings. 5994  
However, in all cases, except as provided in division (F)(4) of 5995  
this section, there shall be a majority of teacher members of any 5996  
professional development committee, there shall be at least five 5997  
total members of any professional development committee, and the 5998  
exclusive representative shall designate replacement members in 5999  
the case of vacancies among teacher members, unless the collective 6000  
bargaining agreement specifies a different method of selecting 6001  
such replacements. 6002

(4) Whenever an administrator's coursework plan is being 6003  
discussed or voted upon, the local professional development 6004  
committee shall, at the request of one of its administrative 6005  
members, cause a majority of the committee to consist of 6006  
administrative members by reducing the number of teacher members 6007  
voting on the plan. 6008

(G)(1) The department of education, educational service 6009  
centers, county boards of developmental disabilities, regional 6010  
professional development centers, special education regional 6011  
resource centers, college and university departments of education, 6012

head start programs, and the Ohio education computer network may 6013  
establish local professional development committees to determine 6014  
whether the coursework proposed by their employees who are 6015  
licensed or certificated under this section or section 3319.222 of 6016  
the Revised Code, or under the former version of either section as 6017  
it existed prior to October 16, 2009, meet the requirements of the 6018  
rules adopted under this section. They may establish local 6019  
professional development committees on their own or in 6020  
collaboration with a school district or other agency having 6021  
authority to establish them. 6022

Local professional development committees established by 6023  
county boards of developmental disabilities shall be structured in 6024  
a manner comparable to the structures prescribed for school 6025  
districts in divisions (F)(2) and (3) of this section, as shall 6026  
the committees established by any other entity specified in 6027  
division (G)(1) of this section that provides educational services 6028  
by employing or contracting for services of classroom teachers 6029  
licensed or certificated under this section or section 3319.222 of 6030  
the Revised Code, or under the former version of either section as 6031  
it existed prior to October 16, 2009. All other entities specified 6032  
in division (G)(1) of this section shall structure their 6033  
committees in accordance with guidelines which shall be issued by 6034  
the state board. 6035

(2) Any public agency that is not specified in division 6036  
(G)(1) of this section but provides educational services and 6037  
employs or contracts for services of classroom teachers licensed 6038  
or certificated under this section or section 3319.222 of the 6039  
Revised Code, or under the former version of either section as it 6040  
existed prior to October 16, 2009, may establish a local 6041  
professional development committee, subject to the approval of the 6042  
department of education. The committee shall be structured in 6043  
accordance with guidelines issued by the state board. 6044

Sec. 3319.26. (A) The state board of education shall adopt 6045  
rules establishing the standards and requirements for obtaining an 6046  
alternative resident educator license for teaching in grades 6047  
kindergarten to twelve, or the equivalent, in a designated subject 6048  
area or in the area of intervention specialist, as defined by rule 6049  
of the state board. The rules shall also include the reasons for 6050  
which an alternative resident educator license may be renewed 6051  
under division (D) of this section. 6052

(B) The superintendent of public instruction and the 6053  
chancellor of the Ohio board of regents jointly shall develop an 6054  
intensive pedagogical training institute to provide instruction in 6055  
the principles and practices of teaching for individuals seeking 6056  
an alternative resident educator license. The instruction shall 6057  
cover such topics as student development and learning, pupil 6058  
assessment procedures, curriculum development, classroom 6059  
management, and teaching methodology. 6060

(C) The rules adopted under this section shall require 6061  
applicants for the alternative resident educator license to 6062  
satisfy the following conditions prior to issuance of the license, 6063  
but they shall not require applicants to have completed a major in 6064  
the subject area for which application is being made: 6065

(1) Hold a minimum of a baccalaureate degree; 6066

(2) Successfully complete the pedagogical training institute 6067  
described in division (B) of this section or a summer training 6068  
institute provided to participants of a teacher preparation 6069  
program that is operated by a nonprofit organization and has been 6070  
approved by the chancellor. The chancellor shall approve any such 6071  
program that requires participants to hold a bachelor's degree; 6072  
have a cumulative undergraduate grade point average of at least 6073  
2.5 out of 4.0, or its equivalent; and successfully complete the 6074  
program's summer training institute. 6075

(3) Pass an examination in the subject area for which application is being made. 6076  
6077

(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. 6078  
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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: 6085  
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(1) Participate in the Ohio teacher residency program; 6088

(2) Show satisfactory progress in taking and successfully completing one of the following: 6089  
6090

(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; 6091  
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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. 6096  
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(3) Take an assessment of professional knowledge in the second year of teaching under the license. 6099  
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(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: 6101  
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6103  
6104

(1) Four years of teaching under the alternative license; 6105

(2) The additional college coursework or professional development described in division (E)(2) of this section;	6106 6107
(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.	6108 6109 6110 6111 6112 6113
(4) The Ohio teacher residency program;	6114
(5) All other requirements for a professional educator license adopted by the state board under section 3319.22 of the Revised Code.	6115 6116 6117
(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.	6118 6119 6120 6121 6122 6123
<b>Sec. 3324.07.</b> (A) The board of education of each school district shall develop a plan for the service of gifted students enrolled in the district that are identified under section 3324.03 of the Revised Code. Services specified in the plan developed by each board may include such options as the following:	6124 6125 6126 6127 6128
(1) A differentiated curriculum;	6129
(2) Cluster grouping;	6130
(3) Mentorships;	6131
(4) Accelerated course work;	6132
(5) The <del>post secondary enrollment option</del> <u>college credit plus</u> program under Chapter 3365. of the Revised Code;	6133 6134

(6) Advanced placement;	6135
(7) Honors classes;	6136
(8) Magnet schools;	6137
(9) Self-contained classrooms;	6138
(10) Independent study;	6139
(11) Other options identified in rules adopted by the department of education.	6140 6141
(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.	6142 6143 6144 6145
(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.	6146 6147 6148 6149 6150
<u>Sec. 3324.09. Not later than the thirty-first day of July of each year, each school district shall submit a report to the department of education detailing its spending of the funds it received for the previous fiscal year under division (A)(7) of section 3317.022 of the Revised Code for the identification of and services provided to the district's gifted students.</u>	6151 6152 6153 6154 6155 6156
<u>Sec. 3324.11. No rule adopted by the state board of education pursuant to this chapter, section 3301.07 of the Revised Code, or any other provision of the Revised Code shall permit a school district to report that it has provided services to a student identified as gifted unless those services are paid for by the district.</u>	6157 6158 6159 6160 6161 6162

**Sec. 3326.11.** Each science, technology, engineering, and 6163  
mathematics school established under this chapter and its 6164  
governing body shall comply with sections 9.90, 9.91, 109.65, 6165  
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 6166  
3301.0714, 3301.0715, 3313.14, 3313.15, 3313.16, 3313.18, 6167  
3313.201, 3313.26, 3313.472, 3313.48, 3313.481, 3313.482, 3313.50, 6168  
3313.536, 3313.539, 3313.608, 3313.6012, 3313.6013, 3313.6014, 6169  
3313.6015, 3313.6020, 3313.61, 3313.611, 3313.614, 3313.615, 6170  
3313.643, 3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 6171  
3313.666, 3313.667, 3313.67, 3313.671, 3313.672, 3313.673, 6172  
3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.80, 3313.801, 6173  
3313.814, 3313.816, 3313.817, 3313.86, 3313.96, 3319.073, 3319.21, 6174  
3319.32, 3319.321, 3319.35, 3319.39, 3319.391, 3319.41, 3319.45, 6175  
3321.01, 3321.041, 3321.13, 3321.14, 3321.17, 3321.18, 3321.19, 6176  
3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 6177  
102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 6178  
4123., 4141., and 4167. of the Revised Code as if it were a school 6179  
district. 6180

**Sec. 3326.36.** The department of education shall reduce the 6181  
amounts paid to a science, technology, engineering, and 6182  
mathematics school under section 3326.33 of the Revised Code to 6183  
reflect payments made to colleges under ~~division (B) of section~~ 6184  
3365.07 of the Revised Code ~~or through alternative funding~~ 6185  
~~agreements entered into under rules adopted under section 3365.12~~ 6186  
~~of the Revised Code.~~ A student shall be considered enrolled in the 6187  
school for any portion of the school year the student is attending 6188  
a college under Chapter 3365. of the Revised Code. 6189

**Sec. 3328.24.** A college-preparatory boarding school 6190  
established under this chapter and its board of trustees shall 6191  
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 6192

3301.0714, 3313.6013, 3313.6411, 3319.39, and 3319.391 and Chapter 6193  
3365, of the Revised Code as if the school were a school district 6194  
and the school's board of trustees were a district board of 6195  
education. 6196

**Sec. 3331.04.** Whenever an age and schooling certificate is 6197  
applied for by a child over sixteen years of age who is ~~unable to~~ 6198  
~~pass a test for the completion of the work of the seventh grade~~ 6199  
~~and who is not so below the normal in mental development that the~~ 6200  
~~child cannot profit from further schooling~~ participating in a 6201  
program that, upon successful completion of instruction, will 6202  
result in the child receiving an industry-recognized credential, a 6203  
journeyman certification as recognized by the United States 6204  
department of labor, or full-time employment, an age and schooling 6205  
certificate may be issued by the superintendent of schools to such 6206  
child upon proof acceptable to such superintendent of the 6207  
following facts and upon agreement to the respective conditions 6208  
made in writing by the child and by the parents, guardian, or 6209  
custodian in charge of such child: 6210

(A) That the child is addicted to no habit which is likely to 6211  
detract from the child's reliability or effectiveness as a worker, 6212  
or proper use of the child's earnings or leisure, or the 6213  
probability of the child's faithfully carrying out the conditions 6214  
to which the child agrees as specified in division (B) of this 6215  
section, and in addition any one of the following groups of facts: 6216

(1) That the child has been a resident of the school district 6217  
for the last two years, has diligently attended upon instruction 6218  
at school for the last two years, and is able to read, write, and 6219  
perform the fundamental operations of arithmetic. These abilities 6220  
shall be judged by the superintendent. 6221

(2) That the child having been a resident of the school 6222  
district less than two years, ~~diligently attended upon instruction~~ 6223

~~in~~ school in the district in which the child was a resident ~~next~~ 6224  
~~preceding the child's residence in the present district~~ for the 6225  
last school year preceding the child's ~~removal to~~ residence in the 6226  
present district, and has diligently attended ~~upon instruction in~~ 6227  
the schools of the present district for the period that the child 6228  
has been a resident thereof; 6229

(3) That the child has ~~removed to~~ resided in the present 6230  
school district since the beginning of the last annual school 6231  
session, and that instruction adapted to the child's needs is not 6232  
provided in the regular day schools in the district; 6233

~~(4) That the child is not sufficiently familiar with the~~ 6234  
~~English language to be properly instructed in the full-time day~~ 6235  
~~schools of the district;~~ 6236

~~(5)~~ That conditions are such that the child must provide for 6237  
the child's own support or the support of the child's own child or 6238  
that the child is needed for the support or care of parents or for 6239  
the support or care of brothers or sisters for whom the parents 6240  
are unable to provide and that the child is desirous of working 6241  
for the support or care of self or of the child's own child or of 6242  
such parents or siblings and that such child cannot render such 6243  
needed support or care by a reasonable effort outside of school 6244  
hours; but no age and schooling certificate shall be granted to a 6245  
child of this group upon proof of such facts without written 6246  
consent given to the superintendent by the juvenile judge and by 6247  
the department of job and family services. 6248

(B)~~(1)~~ In case the certificate is granted under division 6249  
(A)~~(1), (2), (3), or (5)~~ of this section, that until reaching the 6250  
age of eighteen years the child will diligently attend in addition 6251  
to part-time classes, such evening classes as will add to the 6252  
child's education for literacy, citizenship, or vocational 6253  
preparation which may be made available to the child in the school 6254  
district and which the child may be directed to attend by the 6255

superintendent, or in case no such classes are available, that the 6256  
child will pursue such reading and study and report monthly 6257  
thereon as may be directed by the superintendent; 6258

~~(2) In case the certificate is granted under division (A)(4) 6259  
of this section, that until the age of eighteen years the child 6260  
will attend in addition to part time classes, such evening classes 6261  
as will assist the child to learn the English language or advance 6262  
in Americanization which may be made available to the child in the 6263  
school district and which the child may be directed to attend by 6264  
the superintendent. 6265~~

**Sec. 3333.041.** (A) On or before the last day of December of 6266  
each year, the chancellor of the Ohio board of regents shall 6267  
submit to the governor and, in accordance with section 101.68 of 6268  
the Revised Code, the general assembly a report or reports 6269  
concerning all of the following: 6270

(1) The status of graduates of Ohio school districts at state 6271  
institutions of higher education during the twelve-month period 6272  
ending on the thirtieth day of September of the current calendar 6273  
year. The report shall list, by school district, the number of 6274  
graduates of each school district who attended a state institution 6275  
of higher education and the percentage of each district's 6276  
graduates enrolled in a state institution of higher education 6277  
during the reporting period who were required during such period 6278  
by the college or university, as a prerequisite to enrolling in 6279  
those courses generally required for first-year students, to 6280  
enroll in a remedial course in English, including composition or 6281  
reading, mathematics, and any other area designated by the 6282  
chancellor. The chancellor also shall make the information 6283  
described in division (A)(1) of this section available to the 6284  
board of education of each city, exempted village, and local 6285  
school district. 6286

Each state institution of higher education shall, by the 6287  
first day of November of each year, submit to the chancellor in 6288  
the form specified by the chancellor the information the 6289  
chancellor requires to compile the report. 6290

(2) Aggregate academic growth data for students assigned to 6291  
graduates of teacher preparation programs approved under section 6292  
3333.048 of the Revised Code who teach English language arts or 6293  
mathematics in any of grades four to eight in a public school in 6294  
Ohio. For this purpose, the chancellor shall use the value-added 6295  
progress dimension prescribed by section 3302.021 of the Revised 6296  
Code or the alternative student academic progress measure if 6297  
adopted under division (C)(1)(e) of section 3302.03 of the Revised 6298  
Code. The chancellor shall aggregate the data by graduating class 6299  
for each approved teacher preparation program, except that if a 6300  
particular class has ten or fewer graduates to which this section 6301  
applies, the chancellor shall report the data for a group of 6302  
classes over a three-year period. In no case shall the report 6303  
identify any individual graduate. The department of education 6304  
shall share any data necessary for the report with the chancellor. 6305

(3) The following information with respect to the Ohio 6306  
tuition trust authority: 6307

(a) The name of each investment manager that is a minority 6308  
business enterprise or a women's business enterprise with which 6309  
the chancellor contracts; 6310

(b) The amount of assets managed by investment managers that 6311  
are minority business enterprises or women's business enterprises, 6312  
expressed as a percentage of assets managed by investment managers 6313  
with which the chancellor has contracted; 6314

(c) Efforts by the chancellor to increase utilization of 6315  
investment managers that are minority business enterprises or 6316  
women's business enterprises. 6317

(4) A description of ~~dual-enrollment~~ advanced standing 6318  
programs, as defined in section 3313.6013 of the Revised Code, 6319  
that are offered by school districts, community schools 6320  
established under Chapter 3314. of the Revised Code, STEM schools 6321  
established under Chapter 3326. of the Revised Code, 6322  
college-preparatory boarding schools established under Chapter 6323  
3328. of the Revised Code, and chartered nonpublic high schools. 6324  
The chancellor also shall post the information on the chancellor's 6325  
web site. 6326

(5) The chancellor's strategy in assigning choose Ohio first 6327  
scholarships, as established under section 3333.61 of the Revised 6328  
Code, among state universities and colleges and how the actual 6329  
awards fit that strategy. 6330

(6) The academic and economic impact of the Ohio 6331  
co-op/internship program established under section 3333.72 of the 6332  
Revised Code. At a minimum, the report shall include the 6333  
following: 6334

(a) Progress and performance metrics for each initiative that 6335  
received an award in the previous fiscal year; 6336

(b) Economic indicators of the impact of each initiative, and 6337  
all initiatives as a whole, on the regional economies and the 6338  
statewide economy; 6339

(c) The chancellor's strategy in allocating awards among 6340  
state institutions of higher education and how the actual awards 6341  
fit that strategy. 6342

(B) As used in this section: 6343

(1) "Minority business enterprise" has the same meaning as in 6344  
section 122.71 of the Revised Code. 6345

(2) "State institution of higher education" and "state 6346  
university" have the same meanings as in section 3345.011 of the 6347

Revised Code. 6348

(3) "State university or college" has the same meaning as in 6349  
section 3345.12 of the Revised Code. 6350

(4) "Women's business enterprise" means a business, or a 6351  
partnership, corporation, limited liability company, or joint 6352  
venture of any kind, that is owned and controlled by women who are 6353  
United States citizens and residents of this state. 6354

**Sec. 3333.35.** The state board of education and the chancellor 6355  
of the Ohio board of regents shall strive to reduce unnecessary 6356  
student remediation costs incurred by colleges and universities in 6357  
this state, increase overall access for students to higher 6358  
education, enhance the ~~post-secondary enrollment options~~ college 6359  
credit plus program in accordance with Chapter 3365. of the 6360  
Revised Code, and enhance the alternative resident educator 6361  
licensure program in accordance with section 3319.26 of the 6362  
Revised Code. 6363

**Sec. 3333.43.** This section does not apply to any 6364  
baccalaureate degree program that is a cooperative education 6365  
program, as defined in section 3333.71 of the Revised Code. 6366

(A) The chancellor of the Ohio board of regents shall require 6367  
all state institutions of higher education that offer 6368  
baccalaureate degrees, as a condition of reauthorization for 6369  
certification of each baccalaureate program offered by the 6370  
institution, to submit a statement describing how each major for 6371  
which the school offers a baccalaureate degree may be completed 6372  
within three academic years. The chronology of the statement shall 6373  
begin with the fall semester of a student's first year of the 6374  
baccalaureate program. 6375

(B) The statement required under this section may include, 6376  
but not be limited to, any of the following methods to contribute 6377

to earning a baccalaureate degree in three years:	6378
(1) Advanced placement credit;	6379
(2) International baccalaureate program credit;	6380
(3) A waiver of degree and credit-hour requirements by	6381
completion of courses that are widely available at community	6382
colleges in the state or through online programs offered by state	6383
institutions of higher education or private nonprofit institutions	6384
of higher education holding certificates of authorization under	6385
Chapter 1713. of the Revised Code, and through courses taken by	6386
the student through the <del>post-secondary enrollment options</del> <u>college</u>	6387
<u>credit plus</u> program under Chapter 3365. of the Revised Code;	6388
(4) Completion of coursework during summer sessions;	6389
(5) A waiver of foreign-language degree requirements based on	6390
a proficiency examination specified by the institution.	6391
(C)(1) Not later than October 15, 2012, each state	6392
institution of higher education shall provide statements required	6393
under this section for ten per cent of all baccalaureate degree	6394
programs offered by the institution.	6395
(2) Not later than June 30, 2014, each state institution of	6396
higher education shall provide statements required under this	6397
section for sixty per cent of all baccalaureate degree programs	6398
offered by the institution.	6399
(D) Each state institution of higher education required to	6400
submit statements under this section shall post its three-year	6401
option on its web site and also provide that information to the	6402
department of education. The department shall distribute that	6403
information to the superintendent, high school principal, and	6404
guidance counselor, or equivalent, of each school district,	6405
community school established under Chapter 3314. of the Revised	6406
Code, and STEM school established under Chapter 3326. of the	6407

Revised Code. 6408

(E) Nothing in this section requires an institution to take 6409  
any action that would violate the requirements of any independent 6410  
association accrediting baccalaureate degree programs. 6411

**Sec. 3333.86.** The chancellor of the Ohio board of regents may 6412  
determine the manner in which a course included in the 6413  
clearinghouse may be offered as ~~a dual enrollment~~ an advanced 6414  
standing program as defined in section 3313.6013 of the Revised 6415  
Code, may be offered to students who are enrolled in nonpublic 6416  
schools or are instructed at home pursuant to section 3321.04 of 6417  
the Revised Code, or may be offered at times outside the normal 6418  
school day or school week, including any necessary additional fees 6419  
and methods of payment for a course so offered. 6420

**Sec. 3345.06.** (A) Subject to divisions (B) and (C) of this 6421  
section, a graduate of the twelfth grade shall be entitled to 6422  
admission without examination to any college or university which 6423  
is supported wholly or in part by the state, but for unconditional 6424  
admission may be required to complete such units not included in 6425  
the graduate's high school course as may be prescribed, not less 6426  
than two years prior to the graduate's entrance, by the faculty of 6427  
the institution. 6428

(B) Beginning with the 2014-2015 academic year, each state 6429  
university listed in section 3345.011 of the Revised Code, except 6430  
for Central state university, Shawnee state university, and 6431  
Youngstown state university, shall permit a resident of this state 6432  
who entered ninth grade for the first time on or after July 1, 6433  
2010, to begin undergraduate coursework at the university only if 6434  
the person has successfully completed the Ohio core curriculum for 6435  
high school graduation prescribed in division (C) of section 6436  
3313.603 of the Revised Code, unless one of the following applies: 6437

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

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

(3) The person met the high school graduation requirements by successfully completing the person's individualized education program developed under section 3323.08 of the Revised Code.

(4) The person is receiving or has completed the final year of instruction at home as authorized under section 3321.04 of the Revised Code, or has graduated from a nonchartered, nonpublic

school in Ohio, and demonstrates mastery of the academic content 6470  
and skills in reading, writing, and mathematics needed to 6471  
successfully complete introductory level coursework at an 6472  
institution of higher education and to avoid remedial coursework. 6473

(5) The person is a high school student participating in the 6474  
~~post-secondary enrollment options~~ college credit plus program 6475  
under Chapter 3365. of the Revised Code or another ~~dual enrollment~~ 6476  
advanced standing program. 6477

(C) A state university subject to division (B) of this 6478  
section may delay admission for or admit conditionally an 6479  
undergraduate student who has successfully completed the Ohio core 6480  
curriculum if the university determines the student requires 6481  
academic remedial or developmental coursework. The university may 6482  
delay admission pending, or make admission conditional upon, the 6483  
student's successful completion of the academic remedial or 6484  
developmental coursework at a university branch, community 6485  
college, state community college, or technical college. 6486

(D)(1) For the purposes of admission to the institution, each 6487  
state institution of higher education, as defined in section 6488  
3345.011 of the Revised Code, shall accept a sworn affidavit 6489  
verifying the successful completion of a student's high school 6490  
curriculum from either of the following: 6491

(a) If the student was enrolled in a chartered nonpublic 6492  
school, the chief administrator of that school; 6493

(b) If the student was excused from attendance at school for 6494  
the purpose of home instruction under section 3321.04 of the 6495  
Revised Code, the student's parent or guardian. 6496

Notwithstanding anything in the Revised Code to the contrary, 6497  
the affidavit shall fulfill any admission criteria requiring proof 6498  
of the successful completion of that student's applicable high 6499  
school curriculum. 6500

(2) For the purposes of admission to a state institution of higher education, no institution shall discriminate against any student to which division (D) of this section applies solely on the manner in which the student received instruction in order to successfully fulfill the high school curriculum applicable to that student. 6501  
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(E) This section does not deny the right of a college of law, medicine, or other specialized education to require college training for admission, or the right of a department of music or other art to require particular preliminary training or talent. 6507  
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Sec. 3365.01. As used in this chapter: 6511

(A) "Articulated credit" means post-secondary credit that is reflected on the official record of a student at an institution of higher education only upon enrollment at that institution after graduation from a secondary school. 6512  
6513  
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(B) "Default ceiling amount" means one of the following amounts, whichever is applicable: 6516  
6517

(1) For a participant enrolled in a college operating on a semester schedule, the amount calculated according to the following formula: 6518  
6519  
6520

((0.83 X formula amount) / 30) 6521  
6522

X number of enrolled credit hours 6523

(2) For a participant enrolled in a college operating on a quarter schedule, the amount calculated according to the following formula: 6524  
6525  
6526

((0.83 X formula amount) / 45) 6527  
6528

X number of enrolled credit hours 6529

(C) "Default floor amount" means twenty-five per cent of the 6530

default ceiling amount. 6531

(D) "Eligible out-of-state college" means any institution of higher education that is located outside of Ohio and is approved by the chancellor of the Ohio board of regents to participate in the college credit plus program. 6532  
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(E) "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. 6536  
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(F) "Formula amount" has the same meaning as in section 3317.02 of the Revised Code. 6539  
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(G) "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. 6541  
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(H) "Home-instructed participant" means a student who has been excused from the compulsory attendance law for the purpose of home instruction under section 3321.04 of the Revised Code, and is participating in the program established by this chapter. 6547  
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(I) "Maximum per participant charge amount" means one of the following amounts, whichever is applicable: 6551  
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(1) For a participant enrolled in a college operating on a semester schedule, the amount calculated according to the following formula: 6553  
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6555

((formula amount / 30) 6556  
X number of enrolled credit hours) 6557  
- default ceiling amount 6558

(2) For a participant enrolled in a college operating on a quarter schedule, the amount calculated according to the following 6559  
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<u>formula:</u>	6561
<u>((formula amount / 45)</u>	6562
<u>X number of enrolled credit hours)</u>	6563
<u>- default ceiling amount</u>	6564
<u>(J) "Nonpublic secondary school" means a chartered or</u>	6565
<u>nonchartered school for which minimum standards are prescribed by</u>	6566
<u>the state board of education pursuant to division (D) of section</u>	6567
<u>3301.07 of the Revised Code.</u>	6568
<u>(K) "Number of enrolled credit hours" means the number of</u>	6569
<u>credit hours for a course in which a participant is enrolled</u>	6570
<u>during the previous term after the date on which a withdrawal from</u>	6571
<u>a course would have negatively affected the participant's</u>	6572
<u>transcripted grade, as prescribed by the college's established</u>	6573
<u>withdrawal policy.</u>	6574
<u>(L) "Parent" has the same meaning as in section 3313.64 of</u>	6575
<u>the Revised Code.</u>	6576
<u>(M) "Participant" means any student enrolled in a college</u>	6577
<u>under the program established by this chapter.</u>	6578
<u>(N) "Partnering college" means a college with which a public</u>	6579
<u>or nonpublic secondary school has entered into an agreement in</u>	6580
<u>order to offer the program established by this chapter.</u>	6581
<u>(O) "Partnering secondary school" means a public or nonpublic</u>	6582
<u>secondary school with which a college has entered into an</u>	6583
<u>agreement in order to offer the program established by this</u>	6584
<u>chapter.</u>	6585
<u>(P) "Private college" means any of the following:</u>	6586
<u>(1) A nonprofit institution holding a certificate of</u>	6587
<u>authorization pursuant to Chapter 1713. of the Revised Code;</u>	6588
<u>(2) An institution holding a certificate of registration from</u>	6589
<u>the state board of career colleges and schools and program</u>	6590

authorization for an associate or bachelor's degree program issued 6591  
under section 3332.05 of the Revised Code; 6592

(3) A private institution exempt from regulation under 6593  
Chapter 3332. of the Revised Code as prescribed in section 6594  
3333.046 of the Revised Code. 6595

(O) "Public college" means a "state institution of higher 6596  
education" in section 3345.011 of the Revised Code, excluding the 6597  
northeast Ohio medical university. 6598

(R) "Public secondary school" means a school serving grades 6599  
nine through twelve in a city, local, or exempted village school 6600  
district, a joint vocational school district, a community school 6601  
established under Chapter 3314., a STEM school established under 6602  
Chapter 3326., or a college-preparatory boarding school 6603  
established under Chapter 3328. of the Revised Code. 6604

(S) "School year" has the same meaning as in section 3313.62 6605  
of the Revised Code. 6606

(T) "Secondary grade" means any of grades nine through 6607  
twelve. 6608

(U) "Transcripted credit" means post-secondary credit that is 6609  
conferred by an institution of higher education and is reflected 6610  
on a student's official record at that institution upon completion 6611  
of a course. 6612

**Sec. 3365.02.** (A) There is hereby established the college 6613  
credit plus program under which, beginning with the 2015-2016 6614  
school year, a secondary grade student who is a resident of this 6615  
state may enroll at a college, on a full- or part-time basis, and 6616  
complete nonsectarian, nonremedial courses for high school and 6617  
college credit. The program shall govern arrangements in which a 6618  
secondary grade student enrolls in a college and, upon successful 6619  
completion of coursework taken under the program, receives 6620

transcribed credit from the college, except for any of the 6621  
following: 6622

(1) An agreement governing an early college high school 6623  
program that meets any of the exemption criteria under division 6624  
(E) of section 3313.6013 of the Revised Code; 6625

(2) An advanced placement course or international 6626  
baccalaureate diploma course, as described in divisions (A)(2) and 6627  
(3) of section 3313.6013 of the Revised Code; 6628

(3) Until July 1, 2016, a career-technical education program 6629  
that is approved by the department of education under section 6630  
3317.161 of the Revised Code and grants articulated credit to 6631  
students participating in that program. 6632

(B) Any student enrolled in a public or nonpublic secondary 6633  
school in the student's ninth, tenth, eleventh, or twelfth grade 6634  
and any student who has been excused from the compulsory 6635  
attendance law for the purpose of home instruction under section 6636  
3321.04 of the Revised Code and is the equivalent of a ninth, 6637  
tenth, eleventh, or twelfth grade student, may participate in the 6638  
program, if the student meets the applicable eligibility criteria 6639  
in section 3365.03 of the Revised Code. 6640

(C) All public secondary schools and all public colleges 6641  
shall participate in the program and are subject to the 6642  
requirements of this chapter. Any nonpublic secondary school or 6643  
private college that chooses to participate in the program shall 6644  
also be subject to the requirements of this chapter. 6645

(D) The state board of education, in accordance with Chapter 6646  
119. of the Revised Code and in consultation with the chancellor 6647  
of the Ohio board of regents, shall adopt rules governing the 6648  
program. 6649

**Sec. 3365.03.** (A) A student enrolled in a public or nonpublic 6650

secondary school during the student's ninth, tenth, eleventh, or 6651  
twelfth grade school year or a student who has been excused from 6652  
the compulsory attendance law for the purpose of home instruction 6653  
under section 3321.04 of the Revised Code and is the equivalent of 6654  
a ninth, tenth, eleventh, or twelfth grade student, may apply to 6655  
and enroll in a college under the college credit plus program. 6656

(1) In order for a public secondary school student to 6657  
participate in the program, all of the following criteria shall be 6658  
met: 6659

(a) The student or the student's parent shall inform the 6660  
principal, or equivalent, of the student's school by the first day 6661  
of April of the student's intent to participate in the program 6662  
during the following school year. Any student who fails to provide 6663  
the notification by the required date may not participate in the 6664  
program during the following school year without the written 6665  
consent of the principal, or equivalent. If a student seeks 6666  
consent from the principal after failing to provide notification 6667  
by the required date, the principal shall notify the department of 6668  
education of the student's intent to participate within ten days 6669  
of the date on which the student seeks consent. If the principal 6670  
does not provide written consent, the student may appeal the 6671  
principal's decision to the state board of education. Not later 6672  
than thirty days after the notification of the appeal, the state 6673  
board shall hear the appeal and shall make a decision to either 6674  
grant or deny that student's participation in the program. 6675

(b) The student shall both: 6676

(i) Apply to a public or a participating private college, or 6677  
an eligible out-of-state college participating in the program, in 6678  
accordance with the college's established procedures for 6679  
admission, pursuant to section 3365.05 of the Revised Code; 6680

(ii) Meet the college's established standards for admission 6681

and for course placement, including course-specific capacity 6682  
limitations, pursuant to section 3365.05 of the Revised Code. 6683

(c) The student shall elect at the time of enrollment to 6684  
participate under either division (A) or (B) of section 3365.06 of 6685  
the Revised Code for each course under the program. 6686

(d) The student and the student's parent shall sign a form, 6687  
provided by the school, stating that they have received the 6688  
counseling required under division (B) of section 3365.04 of the 6689  
Revised Code and that they understand the responsibilities they 6690  
must assume in the program. 6691

(2) In order for a nonpublic secondary school or 6692  
home-instructed student to participate in the program, both of the 6693  
following criteria shall be met: 6694

(a) The student shall meet the criteria in divisions 6695  
(A)(1)(b) and (c) of this section. 6696

(b)(i) If the student is enrolled in a nonpublic secondary 6697  
school, that student shall send to the department of education a 6698  
copy of the student's acceptance from a college and an 6699  
application. The application shall be made on forms provided by 6700  
the state board of education and shall include information about 6701  
the student's proposed participation, including the school year in 6702  
which the student wishes to participate; the semesters or terms 6703  
the student wishes to enroll during such year; the student's 6704  
expected full-time equivalency percentage for each such semester 6705  
or term; and the percentage of the school day each such semester 6706  
or term that the student expects to be enrolled in programs 6707  
provided by a college under division (B) of section 3365.06 of the 6708  
Revised Code. The department shall mark each application with the 6709  
date and time of receipt. 6710

(ii) If the student is home-instructed, the parent or 6711  
guardian of that student shall notify the department by the first 6712

day of April prior to the school year in which the student wishes 6713  
to participate. 6714

(B) Except as provided for in division (C) of this section 6715  
and in sections 3365.031 and 3365.032 of the Revised Code: 6716

(1) No public secondary school shall prohibit a student 6717  
enrolled in that school from participating in the program if that 6718  
student meets all of the criteria in division (A)(1) of this 6719  
section. 6720

(2) No participating nonpublic secondary school shall 6721  
prohibit a student enrolled in that school from participating in 6722  
the program if the student meets all of the criteria in division 6723  
(A)(2) of this section and, if the student is enrolled under 6724  
division (B) of section 3365.06 of the Revised Code, the student 6725  
is awarded funding from the department in accordance with rules 6726  
adopted by the state board, in consultation with the chancellor, 6727  
pursuant to section 3365.071 of the Revised Code. 6728

(C) For purposes of this section, during the period of an 6729  
expulsion imposed by a public secondary school, a student is 6730  
ineligible to apply to enroll in a college under this section, 6731  
unless the student is admitted to another public secondary or 6732  
participating nonpublic secondary school. If a student is enrolled 6733  
in a college under this section at the time the student is 6734  
expelled, the student's status for the remainder of the college 6735  
term in which the expulsion is imposed shall be determined under 6736  
section 3365.032 of the Revised Code. 6737

(D) Upon a student's graduation from high school, 6738  
participation in the college credit plus program shall not affect 6739  
the student's eligibility at any public college for scholarships 6740  
or for other benefits or opportunities that are available to 6741  
first-time college students and are awarded by that college, 6742  
regardless of the number of credit hours that the student 6743

completed under the program. 6744

**Sec. ~~3365.06~~ 3365.031.** (A) A student in grade nine may not 6745  
enroll in courses under this chapter for which the student elects 6746  
under division (B) of section ~~3365.04~~ 3365.06 of the Revised Code 6747  
to receive credit toward high school graduation for more than the 6748  
equivalent of four academic school years. A student enrolling in 6749  
courses under this chapter may not enroll in courses in which the 6750  
student elects to receive credit toward high school graduation for 6751  
more than the equivalent of: 6752

(1) Three academic school years, if the student so enrolls 6753  
for the first time in grade ten; 6754

(2) Two academic school years, if the student so enrolls for 6755  
the first time in grade eleven; 6756

(3) One academic school year, if the student so enrolls for 6757  
the first time in grade twelve. 6758

~~These~~ (B) The restrictions prescribed in division (A) of this 6759  
section shall be reduced proportionately for any such student who 6760  
enrolls in the program during the course of a school year in 6761  
accordance with rules adopted under section 3365.02 of the Revised 6762  
Code. 6763

~~(B) In considering the admission of any secondary student, a~~ 6764  
~~college shall give priority to its other students regarding~~ 6765  
~~enrollment in courses. However, once a student has been accepted~~ 6766  
~~in a course as a participant, the institution shall not displace~~ 6767  
~~the participant for another student.~~ 6768

**Sec. ~~3365.041~~ 3365.032.** (A) When a ~~school district~~ 6769  
~~superintendent, the governing authority of a community school, or~~ 6770  
~~the chief administrative officer of a STEM~~ public secondary school 6771  
expels a student under division (B) of section 3313.66 of the 6772  
Revised Code or, for a college-preparatory boarding school 6773

established under Chapter 3328. of the Revised Code, in accordance 6774  
with the school's bylaws adopted pursuant to section 3328.13 of 6775  
the Revised Code, the ~~district~~ superintendent, ~~governing~~ 6776  
~~authority, or chief administrative officer or equivalent,~~ shall 6777  
send a written notice of the expulsion to any college in which the 6778  
expelled student is enrolled under section 3365.03 of the Revised 6779  
Code at the time the expulsion is imposed. The notice shall 6780  
indicate the date the expulsion is scheduled to expire. The notice 6781  
also shall indicate whether the ~~district board of education,~~ 6782  
~~community school governing authority, or the STEM~~ school has 6783  
adopted a policy under section 3313.613 of the Revised Code or, 6784  
for a college-preparatory boarding school, in accordance with the 6785  
school's bylaws adopted pursuant to section 3328.13 of the Revised 6786  
Code to deny high school credit for ~~post-secondary~~ courses taken 6787  
under the college credit plus program during an expulsion. If the 6788  
expulsion is extended under division (F) of section 3313.66 of the 6789  
Revised Code or, for a college-preparatory boarding school, in 6790  
accordance with the school's bylaws adopted pursuant to section 6791  
3328.13 of the Revised Code, the ~~district~~ superintendent, 6792  
~~community school governing authority, or STEM school chief~~ 6793  
~~administrative officer or equivalent,~~ shall notify the college of 6794  
the extension. 6795

(B) A college may withdraw its acceptance under section 6796  
3365.03 of the Revised Code of a student who is expelled from 6797  
school under division (B) of section 3313.66 of the Revised Code 6798  
or, for a college-preparatory boarding school, in accordance with 6799  
the school's bylaws adopted pursuant to section 3328.13 of the 6800  
Revised Code. As provided in section 3365.03 of the Revised Code, 6801  
regardless of whether the college withdraws its acceptance of the 6802  
student for the college term in which the student is expelled, the 6803  
student is ineligible to enroll in a college under that section 6804  
for subsequent college terms during the period of the expulsion, 6805  
unless the student enrolls in another public school ~~district or~~ 6806

~~community school~~, or a participating nonpublic school during that 6807  
period. 6808

If a college withdraws its acceptance of an expelled student 6809  
who elected either option of division (A)(1) or (2) of section 6810  
~~3365.04~~ 3365.06 of the Revised Code, the college shall refund 6811  
tuition and fees paid by the student in the same proportion that 6812  
it refunds tuition and fees to students who voluntarily withdraw 6813  
from the college at the same time in the term. 6814

If a college withdraws its acceptance of an expelled student 6815  
who elected the option of division (B) of section ~~3365.04~~ 3365.06 6816  
of the Revised Code, the public school district, ~~community school~~, 6817  
~~or STEM school~~ shall not award high school credit for the college 6818  
courses in which the student was enrolled at the time the college 6819  
withdrew its acceptance, and any reimbursement under section 6820  
3365.07 of the Revised Code ~~or through alternative funding~~ 6821  
~~agreements entered into under rules adopted under section 3365.12~~ 6822  
~~of the Revised Code~~ for the student's attendance prior to the 6823  
withdrawal shall be the same as would be paid for a student who 6824  
voluntarily withdrew from the college at the same time in the 6825  
term. If the withdrawal results in the college's receiving no 6826  
reimbursement, the college or secondary school may require the 6827  
student to return or pay for ~~the~~ any textbooks and materials it 6828  
provided the student free of charge ~~under section 3365.08 of the~~ 6829  
~~Revised Code.~~ 6830

(C) When a student who elected the option of division (B) of 6831  
section ~~3365.04~~ 3365.06 of the Revised Code is expelled under 6832  
division (B) of section 3313.66 of the Revised Code or, for a 6833  
college-preparatory boarding school, in accordance with the 6834  
school's bylaws adopted pursuant to section 3328.13 of the Revised 6835  
Code from a public school district, ~~community school~~, ~~or STEM~~ 6836  
~~school~~ that has adopted a policy under section 3313.613 of the 6837  
Revised Code or, for a college-preparatory boarding school, in 6838

accordance with the school's bylaws adopted pursuant to section 6839  
3328.13 of the Revised Code to deny high school credit for courses 6840  
taken under the college credit plus program during an expulsion, 6841  
that election is automatically revoked for all college courses in 6842  
which the student is enrolled during the college term in which the 6843  
expulsion is imposed. Any reimbursement under section 3365.07 of 6844  
the Revised Code ~~or through alternative funding agreements entered~~ 6845  
~~into under rules adopted under section 3365.12 of the Revised Code~~ 6846  
for the student's attendance prior to the expulsion shall be the 6847  
same as would be paid for a student who voluntarily withdrew from 6848  
the college at the same time in the term. If the revocation 6849  
results in the college's receiving no reimbursement, the college 6850  
or secondary school may require the student to return or pay for 6851  
~~the~~ any textbooks and materials it provided the student free of 6852  
charge ~~under section 3365.08 of the Revised Code.~~ 6853

~~No~~ Not later than five days after receiving an expulsion 6854  
notice from the superintendent ~~of a district, the governing~~ 6855  
~~authority of a community school, or the chief administrative~~ 6856  
~~officer of a STEM, or equivalent, of a public school that has~~ 6857  
adopted a policy under section 3313.613 of the Revised Code or, 6858  
for a college-preparatory boarding school, in accordance with the 6859  
school's bylaws adopted pursuant to section 3328.13 of the Revised 6860  
Code, the college shall send a written notice to the expelled 6861  
student that the student's election of division (B) of section 6862  
~~3365.04~~ 3365.06 of the Revised Code is revoked. If the college 6863  
elects not to withdraw its acceptance of the student, the student 6864  
shall pay all applicable tuition and fees for the college courses 6865  
and shall pay for ~~the~~ any textbooks and materials that the college 6866  
or secondary school provided ~~under section 3365.08 of the Revised~~ 6867  
Code to the student. 6868

**Sec. 3365.033.** (A) Notwithstanding anything to the contrary 6869  
in Chapter 3365. of the Revised Code, any student enrolled in a 6870

public or nonpublic secondary school in the student's seventh or eighth grade and any student who has been excused from the compulsory attendance law for the purpose of home instruction under section 3321.04 of the Revised Code and is the equivalent of a seventh or eighth grade student, may participate in the college credit plus program, if the student meets the applicable eligibility criteria required of secondary grade students for participation. Participants under this section shall be subject to the same requirements as secondary grade participants under this chapter. 6871  
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(B) Participants under this section shall receive high school and college credit for courses taken under the program, in accordance with the option elected under section 3365.06 of the Revised Code. High school credit earned under the program shall be awarded in the same manner as for secondary grade participants. 6881  
6882  
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(C) If a participant under this section elects to have the college reimbursed under section 3365.07 of the Revised Code for courses taken under the program, the department shall reimburse the college in the same manner as for secondary grade participants in accordance with that section. 6886  
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(D) Notwithstanding section 3327.01 of the Revised Code, the parent or guardian of a participant under this section shall be responsible for any transportation for the participant related to participation in the program. 6891  
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**Sec. 3365.04.** Each public and participating nonpublic secondary school shall do all of the following with respect to the college credit plus program: 6895  
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(A) Provide information about the program prior to the first day of March of each year to all students enrolled in grades six through eleven; 6898  
6899  
6900

<u>(B) Provide counseling services to students in grades six</u>	6901
<u>through eleven and to their parents before the students</u>	6902
<u>participate in the program under this chapter to ensure that</u>	6903
<u>students and parents are fully aware of the possible consequences</u>	6904
<u>and benefits of participation. Counseling information shall</u>	6905
<u>include:</u>	6906
<u>(1) Program eligibility;</u>	6907
<u>(2) The process for granting academic credits;</u>	6908
<u>(3) Any necessary financial arrangements for tuition,</u>	6909
<u>textbooks, and fees;</u>	6910
<u>(4) Criteria for any transportation aid;</u>	6911
<u>(5) Available support services;</u>	6912
<u>(6) Scheduling;</u>	6913
<u>(7) Communicating the possible consequences and benefits of</u>	6914
<u>participation, including all of the following:</u>	6915
<u>(a) The consequences of failing or not completing a course</u>	6916
<u>under the program, including the effect on the student's ability</u>	6917
<u>to complete the secondary school's graduation requirements;</u>	6918
<u>(b) The effect of the grade attained in a course under the</u>	6919
<u>program being included in the student's grade point average, as</u>	6920
<u>applicable;</u>	6921
<u>(c) The benefits to the student for successfully completing a</u>	6922
<u>course under the program, including the ability to reduce the</u>	6923
<u>overall costs of, and the amount of time required for, a college</u>	6924
<u>education.</u>	6925
<u>(8) The academic and social responsibilities of students and</u>	6926
<u>parents under the program;</u>	6927
<u>(9) Information about and encouragement to use the counseling</u>	6928
<u>services of the college in which the student intends to enroll;</u>	6929

(10) The standard packet of information for the program 6930  
developed by the chancellor of the Ohio board of regents pursuant 6931  
to section 3365.15 of the Revised Code; 6932

For a participating nonpublic secondary school, counseling 6933  
information shall also include an explanation that funding may be 6934  
limited and that not all students who wish to participate may be 6935  
able to do so. 6936

(C) Promote the program on the school's web site, including 6937  
the details of the school's current agreements with partnering 6938  
colleges; 6939

(D) Schedule at least one informational session per school 6940  
year to allow each partnering college that is located within 6941  
thirty miles of the school to meet with interested students and 6942  
parents. The session shall include the benefits and consequences 6943  
of participation and shall outline any changes or additions to the 6944  
requirements of the program. If there are no partnering colleges 6945  
located within thirty miles of the school, the school shall 6946  
coordinate with the closest partnering college to offer an 6947  
informational session. 6948

(E) Implement a policy for the awarding of grades and the 6949  
calculation of class standing for courses taken under division 6950  
(A)(2) or (B) of section 3365.06 of the Revised Code. The policy 6951  
adopted under this division shall be equivalent to the school's 6952  
current policy for courses taken under the advanced standing 6953  
programs described in divisions (A)(2) and (3) of section 6954  
3313.6013 of the Revised Code. If the current policy includes 6955  
awarding a weighted grade or enhancing a student's class standing 6956  
for courses taken under these programs, the policy adopted under 6957  
this section shall also provide for these procedures to be applied 6958  
to courses taken under the college credit plus program. 6959

(F) Develop model course pathways, pursuant to section 6960

3365.13 of the Revised Code, and publish the course pathways among 6961  
the school's official list of course offerings for the program. 6962

(G) Annually collect, report, and track specified data 6963  
related to the program according to data reporting guidelines 6964  
adopted by the chancellor and the superintendent of public 6965  
instruction pursuant to section 3365.15 of the Revised Code. 6966

**Sec. 3365.05. Each public and participating private college** 6967  
**shall do all of the following with respect to the college credit** 6968  
**plus program:** 6969

(A) Apply established standards and procedures for admission 6970  
to the college and for course placement for participants. When 6971  
determining admission and course placement, the college shall do 6972  
all of the following: 6973

(1) Consider all available student data that may be an 6974  
indicator of college readiness, including grade point average and 6975  
end-of-course examination scores, if applicable; 6976

(2) Give priority to its current students regarding 6977  
enrollment in courses. However, once a participant has been 6978  
accepted into a course, the college shall not displace the 6979  
participant for another student. 6980

(3) Adhere to any capacity limitations that the college has 6981  
established for specified courses. 6982

(B) Send written notice to a participant, the participant's 6983  
parent, the participant's secondary school, and the superintendent 6984  
of public instruction, not later than fourteen calendar days prior 6985  
to the first day of classes for that term, of the participant's 6986  
admission to the college and to specified courses under the 6987  
program. 6988

(C) Provide both of the following, not later than twenty-one 6989  
calendar days after the first day of classes for that term, to 6990

each participant, participant's secondary school, and the 6991  
superintendent of public instruction: 6992

(1) The courses and hours of enrollment of the participant; 6993

(2) The option elected by the participant under division (A) 6994  
or (B) of section 3365.06 of the Revised Code for each course. 6995

The college shall also provide to each partnering school a 6996  
roster of participants from that school that are enrolled in the 6997  
college and a list of course assignments for each participant. 6998

(D) Promote the program on the college's web site, including 6999  
the details of the college's current agreements with partnering 7000  
secondary schools. 7001

(E) Coordinate with each partnering secondary school that is 7002  
located within thirty miles of the college to present at least one 7003  
informational session per school year for interested students and 7004  
parents. The session shall include the benefits and consequences 7005  
of participation and shall outline any changes or additions to the 7006  
requirements of the program. If there are no partnering schools 7007  
located within thirty miles of the college, the college shall 7008  
coordinate with the closest partnering school to offer an 7009  
informational session. 7010

(F) Assign an academic advisor that is employed by the 7011  
college to each participant enrolled in that college. Prior to the 7012  
date on which a withdrawal from a course would negatively affect a 7013  
participant's transcribed grade, as prescribed by the college's 7014  
established withdrawal policy, the college shall ensure that the 7015  
academic advisor and the participant meet at least once to discuss 7016  
the program and the courses in which the participant is enrolled. 7017

(G) Do both of the following with regard to high school 7018  
teachers that are teaching courses for the college at a secondary 7019  
school under the program: 7020

(1) Provide at least one professional development session per school year; 7021  
7022

(2) Conduct at least one classroom observation per school year for each course that is authorized by the college and taught by a high school teacher to ensure that the course meets the quality of a college-level course. 7023  
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(H) 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. 7027  
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7030

(I) With the exception of divisions (D) and (E) of this section, any eligible out-of-state college participating in the college credit plus program shall be subject to the same requirements as a participating private college under this section. 7031  
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**Sec. ~~3365.04~~ 3365.06.** The rules adopted under section 3365.02 of the Revised Code shall provide for ~~students~~ participants to enroll in courses under either of the following options: 7036  
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(A) The ~~student~~ participant may elect at the time of enrollment to be responsible for payment of all tuition and the cost of all textbooks, materials, and fees associated with the course. The college shall notify the ~~student~~ participant about payment of tuition and fees in the customary manner followed by the college. A ~~student~~ participant electing this option also shall elect, at the time of enrollment, whether to receive only college credit or high school credit and college credit for the course. 7039  
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(1) The ~~student~~ participant may elect to receive only college credit for the course. Except as provided in section ~~3365.041~~ 3365.032 of the Revised Code, if the ~~student~~ participant 7048  
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successfully completes the course, the college shall award the 7051  
~~student participant~~ full credit for the course, but the ~~board of~~ 7052  
~~education, community school governing authority, STEM governing~~ 7053  
~~entity of a public secondary school,~~ or ~~nonpublic~~ the governing 7054  
body of a participating nonpublic secondary school shall not award 7055  
the high school credit. 7056

(2) The ~~student participant~~ may elect to receive both high 7057  
school credit and college credit for the course. Except as 7058  
provided in section ~~3365.041~~ 3365.032 of the Revised Code, if the 7059  
~~student participant~~ successfully completes the course, the college 7060  
shall award the ~~student participant~~ full credit for the course and 7061  
the ~~board of education, community school governing authority, STEM~~ 7062  
~~governing entity of a public school,~~ or the governing body of a 7063  
participating nonpublic school shall award the ~~student participant~~ 7064  
high school credit. 7065

(B) The ~~student participant~~ may elect at the time of 7066  
enrollment for each course to have the college reimbursed under 7067  
section 3365.07 of the Revised Code ~~or as provided in alternative~~ 7068  
~~funding agreements entered into under rules adopted under section~~ 7069  
~~3365.12 of the Revised Code.~~ Except as provided in section 7070  
~~3365.041~~ 3365.032 of the Revised Code, if the ~~student participant~~ 7071  
successfully completes the course, the college shall award the 7072  
~~student participant~~ full credit for the course, and the ~~board of~~ 7073  
~~education, community school governing authority, STEM governing~~ 7074  
~~entity of a public school,~~ or the governing body of a 7075  
participating nonpublic school shall award the ~~student participant~~ 7076  
high school credit, ~~and the college shall be reimbursed in~~ 7077  
~~accordance with section 3365.07 of the Revised Code or alternative~~ 7078  
~~funding agreements entered into under rules adopted under section~~ 7079  
~~3365.12 of the Revised Code.~~ If the participant elects to have the 7080  
college reimbursed under this division, the department shall 7081  
reimburse the college for the number of enrolled credit hours in 7082

accordance with section 3365.07 of the Revised Code. 7083

When determining a school district's ~~formula~~ ADM enrollment 7084  
under section 3317.03 of the Revised Code, the time a participant 7085  
is attending courses under division (A) of this section shall be 7086  
considered as time the participant is not attending or enrolled in 7087  
school anywhere, and the time a participant is attending courses 7088  
under division (B) of this section shall be considered as time the 7089  
participant is attending or enrolled in the district's schools. 7090

Sec. 3365.07. The department of education shall calculate and 7091  
pay state funds to colleges for participants in the college credit 7092  
plus program under division (B) of section 3365.06 of the Revised 7093  
Code pursuant to this section. For a nonpublic secondary school or 7094  
home-instructed participant, the department shall pay state funds 7095  
pursuant to this section only if that participant is awarded 7096  
funding according to rules adopted by the state board of 7097  
education, in consultation with the chancellor of the Ohio board 7098  
of regents, pursuant to section 3365.071 of the Revised Code. The 7099  
program shall be the sole mechanism by which state funds are paid 7100  
to colleges for students to earn college-level credit while 7101  
enrolled in a secondary school, with the exception of the programs 7102  
listed in division (A) of section 3365.02 of the Revised Code. 7103

(A) For each public or nonpublic secondary school participant 7104  
enrolled in a public college: 7105

(1) If no agreement has been entered into under division 7106  
(A)(2) of this section, both of the following shall apply: 7107

(a) The department shall pay to the college the applicable 7108  
amount as follows: 7109

(i) For a participant enrolled in a college course delivered 7110  
on the college campus, at another location operated by the 7111  
college, or online, the default ceiling amount; 7112

(ii) For a participant enrolled in a college course delivered at the participant's secondary school but taught by college faculty, fifty per cent of the default ceiling amount; 7113  
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(iii) For a participant enrolled in a college course delivered at the participant's secondary school and taught by a high school teacher who has met the credential requirements established for purposes of the program in rules adopted by the chancellor of the Ohio board of regents, the default floor amount. 7116  
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(b) The participant's secondary school shall pay for textbooks, and the college shall waive payment of all other fees related to participation in the program. 7121  
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(2) The governing entity of a participant's secondary school and the college may enter into an agreement to establish an alternative payment structure for tuition, textbooks, and fees. Under such an agreement, payments for each participant made by the department may be less than the default floor amount. However, no payments made by the department under such an agreement shall be more than the default ceiling amount. If no agreement is entered into under division (A)(2) of this section, both of the following shall apply: 7124  
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(a) The department shall pay to the college the applicable default amounts prescribed by division (A)(1)(a) of this section, depending upon the method of delivery and instruction. 7133  
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(b) In accordance with division (A)(1)(b) of this section, the participant's secondary school shall pay for textbooks, and the college shall waive payment of all other fees related to participation in the program. 7136  
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(3) No participant that is enrolled in a public college shall be charged for any tuition, textbooks, or other fees related to participation in the program. 7140  
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7142

(B) For each public secondary school participant enrolled in 7143

a private college: 7144

(1) If no agreement has been entered into under division (B)(2) of this section, the department shall pay to the college the applicable amount calculated in the same manner as in division (A)(1)(a) of this section. 7145  
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(2) The governing entity of a participant's secondary school and the college may enter into an agreement to establish an alternative payment structure for tuition, textbooks, and fees. Under such an agreement, payments may be less than the default floor amount. However, no payments made by the department under such an agreement shall be more than the default ceiling amount. If no agreement is entered into under division (B)(2) of this section, the department shall pay to the college the applicable default amounts prescribed by division (A)(1)(a) of this section, depending upon the method of delivery and instruction. 7149  
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If an agreement is entered into under this division, the agreement may include a stipulation permitting the charging of a participant. A participant may be charged an amount not to exceed the maximum per participant charge amount. A participant may be charged only if all of the following conditions are met: 7159  
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(a) Payments for the participant made by the department to the college are not less than the default ceiling amount. 7164  
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(b) The school provides information to the participant on the no-cost options available under this chapter. 7166  
7167

(c) The participant is not identified as economically disadvantaged according to rules adopted by the department. 7168  
7169

(C) For each nonpublic secondary school participant enrolled in a private or eligible out-of-state college, the department shall pay to the college the applicable amount calculated in the same manner as in division (A)(1)(a) of this section. Payment for costs for the participant that exceed the amount paid by the 7170  
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department shall be negotiated by the governing body of the 7175  
nonpublic secondary school and the college. 7176

However, under no circumstances shall: 7177

(1) The payments for a participant made by the department 7178  
under this division exceed the default ceiling amount. 7179

(2) Any nonpublic secondary school participant, who is 7180  
enrolled in that secondary school with a scholarship awarded under 7181  
either the educational choice scholarship pilot program, as 7182  
prescribed by sections 3310.01 to 3310.17, or the pilot project 7183  
scholarship program, as prescribed by sections 3313.974 to 7184  
3313.979 of the Revised Code, and who qualifies as a low-income 7185  
student under either of those programs, be charged for any 7186  
tuition, textbooks, or other fees related to participation in the 7187  
college credit plus program. 7188

(D) For each home-instructed participant enrolled in a 7189  
public, private, or eligible out-of-state college, the department 7190  
shall pay to the college the default ceiling amount, if that 7191  
participant is enrolled in a college course delivered on the 7192  
college campus, at another location operated by the college, or 7193  
online. 7194

(E) Not later than thirty days after the end of each term, 7195  
each college expecting to receive payment for the costs of a 7196  
participant under this section shall notify the department of the 7197  
number of enrolled credit hours for each participant. 7198

(F) Each January and July, or as soon as possible thereafter, 7199  
the department shall make the applicable payments under this 7200  
section to each college, which provided proper notification to the 7201  
department under division (E) of this section, for the number of 7202  
enrolled credit hours for participants enrolled in the college 7203  
under division (B) of section 3365.06 of the Revised Code. The 7204  
department shall not make any payments to a college under this 7205

section if a participant withdrew from a course prior to the date 7206  
on which a withdrawal from the course would have negatively 7207  
affected the participant's transcribed grade, as prescribed by 7208  
the college's established withdrawal policy. 7209

(1) Payments made for public secondary school participants 7210  
under this section shall be deducted from the school foundation 7211  
payments made to the participant's school district or, if the 7212  
participant is enrolled in a community school, a STEM school, or a 7213  
college-preparatory boarding school, from the payments made to 7214  
that school under section 3314.08, 3326.33, or 3328.34 of the 7215  
Revised Code. If the participant is enrolled in a joint vocational 7216  
school district, a portion of the amount shall be deducted from 7217  
the payments to the joint vocational school district and a portion 7218  
shall be deducted from the payments to the participant's city, 7219  
local, or exempted village school district in accordance with the 7220  
full-time equivalency of the student's enrollment in each 7221  
district. Amounts deducted under division (F)(1) of this section 7222  
shall be calculated in accordance with rules adopted by the state 7223  
board of education, pursuant to division (B) of section 3365.071 7224  
of the Revised Code. 7225

(2) Payments made for nonpublic secondary school and 7226  
home-instructed participants under this section shall be deducted 7227  
from moneys appropriated by the general assembly for such purpose. 7228  
Payments shall be allocated and distributed in accordance with 7229  
rules adopted by the state board, in consultation with the 7230  
chancellor of the Ohio board of regents, pursuant to division (A) 7231  
of section 3365.071 of the Revised Code. 7232

(G) Any public college that enrolls a student under division 7233  
(B) of section 3365.06 of the Revised Code may include that 7234  
student in the calculation used to determine its state share of 7235  
instruction funds appropriated to the Ohio board of regents by the 7236  
general assembly. 7237

Sec. 3365.071. (A) The state board of education, in 7238  
accordance with Chapter 119. of the Revised Code and in 7239  
consultation with the chancellor of the Ohio board of regents, 7240  
shall adopt rules prescribing a method to allocate and distribute 7241  
payments under section 3365.07 of the Revised Code for nonpublic 7242  
secondary school and home-instructed participants. 7243

(B) The state board shall also adopt rules establishing a 7244  
method to calculate the amounts deducted from a joint vocational 7245  
school district and from a participant's city, local, or exempted 7246  
village school district for payments under section 3365.07 of the 7247  
Revised Code. 7248

~~Sec. 3365.08.~~ (A) ~~A college that expects to receive or~~ 7249  
~~receives reimbursement under section 3365.07 of the Revised Code~~ 7250  
~~or through alternative funding agreements entered into under rules~~ 7251  
~~adopted under section 3365.12 of the Revised Code shall furnish to~~ 7252  
~~a participant all textbooks and materials directly related to a~~ 7253  
~~course taken by the participant under division (B) of section~~ 7254  
~~3365.04 of the Revised Code. No college shall charge such~~ 7255  
~~participant for tuition, textbooks, materials, or other fees~~ 7256  
~~directly related to any such course.~~ 7257

~~(B)~~ No ~~student~~ participant enrolled under this chapter in a 7258  
course for which credit toward high school graduation is awarded 7259  
shall receive direct financial aid through any state or federal 7260  
program. 7261

~~(C)~~(B) If a school district provides transportation for 7262  
resident school students in grades eleven and twelve under section 7263  
3327.01 of the Revised Code, a parent of a pupil participant 7264  
enrolled in a course under division (A)(2) or (B) of section 7265  
~~3365.04~~ 3365.06 of the Revised Code may apply to the board of 7266  
education for full or partial reimbursement for the necessary 7267

costs of transporting the ~~student~~ participant between the 7268  
secondary school the ~~student~~ participant attends and the college 7269  
in which the ~~student~~ participant is enrolled. Reimbursement may be 7270  
paid solely from funds received by the district for ~~pupil~~ student 7271  
transportation under section 3317.0212 of the Revised Code or 7272  
other provisions of law. The state board of education shall 7273  
establish guidelines, based on financial need, under which a 7274  
district may provide such reimbursement. 7275

~~(D)~~(C) If a community school provides or arranges 7276  
transportation for its ~~pupils~~ students in grades nine through 7277  
twelve under section 3314.091 of the Revised Code, a parent of a 7278  
~~pupil~~ participant of the community school who is enrolled in a 7279  
course under division (A)(2) or (B) of section ~~3365.04~~ 3365.06 of 7280  
the Revised Code may apply to the governing authority of the 7281  
community school for full or partial reimbursement of the 7282  
necessary costs of transporting the ~~student~~ participant between 7283  
the community school and the college. The governing authority may 7284  
pay the reimbursement in accordance with the state board's rules 7285  
adopted under division ~~(C)~~(B) of this section solely from funds 7286  
paid to it under section 3314.091 of the Revised Code. 7287

**Sec. ~~3365.11~~ 3365.09.** (A) ~~If~~ Except as provided for in 7288  
division (C) of this section, if the superintendent ~~of the school~~ 7289  
~~district or the chief administrator of the community school or~~ 7290  
~~STEM, or equivalent, of a public secondary~~ school in which a 7291  
participant is enrolled determines that the participant has not 7292  
attained a passing final grade in a college course in which the 7293  
participant enrolled under this chapter, the superintendent, or 7294  
~~chief administrator shall~~ equivalent, may seek reimbursement from 7295  
the participant or the participant's parent for the amount of 7296  
state funds paid to the college on behalf of the participant for 7297  
that college course. The ~~board of education of the school~~ 7298  
~~district, the governing authority of the community school, or the~~ 7299

~~STEM~~ governing entity of a public school, in accordance with 7300  
division (C) of section 3313.642 of the Revised Code, may withhold 7301  
grades and credits received by the participant for ~~district or~~ 7302  
~~community~~ high school courses taken by the participant until the 7303  
participant or the participant's parent provides reimbursement. 7304

(B) ~~If~~ Except as provided for in division (C) of this 7305  
section, if the chief administrator of ~~the~~ a participating 7306  
nonpublic school in which a participant is enrolled determines 7307  
that the participant has not attained a passing final grade in a 7308  
college course in which the participant enrolled under this 7309  
chapter, the chief administrator ~~shall~~ may seek reimbursement from 7310  
the participant or the participant's parent for the amount of 7311  
state funds paid to the college on behalf of the participant for 7312  
enrollment in that college course. Upon the collection of any 7313  
funds from a participant or participant's parent under this 7314  
division, the chief administrator of a nonpublic school shall send 7315  
an amount equal to the funds collected to the superintendent of 7316  
public instruction. The superintendent of public instruction shall 7317  
credit that amount to the general revenue fund. 7318

(C) Unless the participant was expelled by the school, the 7319  
superintendent, or equivalent, or chief administrator shall not 7320  
seek reimbursement from a participant or a participant's parent 7321  
under division (A) or (B) of this section, if the participant is 7322  
identified as economically disadvantaged according to rules 7323  
adopted by the department of education. 7324

Sec. 3365.11. Each instructor teaching a course under the 7325  
college credit plus program shall meet the credential requirements 7326  
set forth in guidelines and procedures established by the 7327  
chancellor of the Ohio board of regents. If the guidelines require 7328  
high school teachers to take any additional graduate-level 7329  
coursework in order to meet the credential requirements, that 7330

coursework shall be applicable to continuing education and 7331  
professional development requirements for the renewal of the 7332  
teacher's educator license. 7333

**Sec. ~~3365.05~~ 3365.12.** (A) All courses offered under the 7334  
college credit plus program shall be the same courses that are 7335  
included in the partnering college's course catalogue for 7336  
college-level, nonremedial courses and shall apply to at least one 7337  
degree or professional certification at the partnering college. 7338

(B)(1) High school credit awarded for courses successfully 7339  
completed under this chapter shall count toward the graduation 7340  
requirements and subject area requirements of the ~~school district,~~ 7341  
~~community school,~~ STEM public secondary school, or participating 7342  
nonpublic secondary school. If a course comparable to one a 7343  
~~student~~ participant completed at a college is offered by the 7344  
~~district or school,~~ the ~~board or school~~ governing entity or 7345  
governing body shall award comparable credit for the course 7346  
completed at the college. If no comparable course is offered by 7347  
the ~~district or school,~~ the ~~board or school~~ governing entity or 7348  
governing body shall grant an appropriate number of elective 7349  
credits ~~in a similar subject area~~ to the ~~student~~ participant. 7350

(2) If there is a dispute between a ~~school district board,~~ a 7351  
~~community school governing authority,~~ or a STEM participant's 7352  
school and a ~~student~~ participant regarding high school credits 7353  
granted for a course, the ~~student~~ participant may appeal the 7354  
decision to the state board of education. The state board's 7355  
decision regarding any high school credits granted under this 7356  
section is final. 7357

(C) Evidence of successful completion of each course and the 7358  
high school credits awarded by the ~~district or school~~ shall be 7359  
included in the student's record. The record shall indicate that 7360

the credits were earned as a participant under this chapter and 7361  
shall include the name of the college at which the credits were 7362  
earned. ~~The district or school shall determine whether and the 7363  
manner in which the grade achieved in a course completed at a 7364  
college under division (A)(2) or (B) of section 3365.04 of the 7365  
Revised Code will be counted in any cumulative grade point average 7366  
maintained for the student.~~ 7367

Sec. 3365.13. (A) Each public secondary school shall develop, 7368  
in consultation with at least one public partnering college, two 7369  
model pathways for courses offered under the college credit plus 7370  
program. One of the model pathways shall be a fifteen-credit hour 7371  
pathway and one shall be a thirty-credit hour pathway. Each 7372  
pathway shall include courses which, once completed, all apply to 7373  
at least one degree or professional certification offered at the 7374  
college. The pathways may be organized by desired major or career 7375  
path or may include various core courses required for a degree or 7376  
professional certification by the college. The school shall 7377  
publish the pathways among the school's official list of course 7378  
offerings from which a participant may select. 7379

(B) No participant shall be required to enroll only in the 7380  
courses included in a model pathway developed under division (A) 7381  
of this section. Instead, the pathways shall serve as samples of 7382  
the courses that a participant may take, if desired, to earn 7383  
multiple credits toward a specified degree or certification. 7384

Sec. 3365.15. The chancellor of the Ohio board of regents and 7385  
the superintendent of public instruction jointly shall do all of 7386  
the following: 7387

(A) Adopt data reporting guidelines specifying the types of 7388  
data that public and participating nonpublic secondary schools and 7389  
public and participating private colleges, including eligible 7390

out-of-state colleges participating in the program, must annually 7391  
collect, report, and track under division (G) of section 3365.04 7392  
and division (H) of section 3365.05 of the Revised Code. The types 7393  
of data shall include all of the following: 7394

(1) For each secondary school and college: 7395

(a) The number of participants disaggregated by grade level, 7396  
socioeconomic status, race, gender, and disability; 7397

(b) The number of completed courses and credit hours, 7398  
disaggregated by the college in which participants were enrolled; 7399

(c) The number of courses in which participants enrolled, 7400  
disaggregated by subject area and level of difficulty. 7401

(2) For each secondary school, the number of students who 7402  
were denied participation in the program under division (A)(1)(a) 7403  
or (C) of section 3365.03 or section 3365.031 or 3365.032 of the 7404  
Revised Code. Each participating nonpublic secondary school shall 7405  
also include the number of students who were denied participation 7406  
due to the student not being awarded funding by the department of 7407  
education pursuant to section 3365.071 of the Revised Code. 7408

(3) For each college: 7409

(a) The number of students who applied to enroll in the 7410  
college under the program but were not granted admission; 7411

(b) The average number of completed courses per participant; 7412

(c) The average grade point average for participants in 7413  
college courses under the program. 7414

The guidelines adopted under this division shall also include 7415  
policies and procedures for the collection, reporting, and 7416  
tracking of such data. 7417

(B) Annually compile the data required under division (A) of 7418  
this section. Not later than the thirty-first day of December of 7419  
each year, the data from the previous school year shall be posted 7420

in a prominent location on both the board of regents' and the 7421  
department of education's web sites. 7422

(C) Submit a biennial report detailing the status of the 7423  
college credit plus program to the governor, the president of the 7424  
senate, the speaker of the house of representatives, and the 7425  
chairpersons of the education committees of the senate and house 7426  
of representatives. The first report shall be submitted not later 7427  
than December 31, 2017, and each subsequent report shall be 7428  
submitted not later than the thirty-first day of December every 7429  
two years thereafter. 7430

(D) Establish a college credit plus advisory committee to 7431  
assist in the development of performance metrics and the 7432  
monitoring of the program's progress. At least one member of the 7433  
advisory committee shall be a school guidance counselor. 7434

The chancellor shall also, in consultation with the 7435  
superintendent, create a standard packet of information for the 7436  
college credit plus program directed toward students and parents 7437  
that are interested in the program. 7438

**Sec. 5747.08.** An annual return with respect to the tax 7439  
imposed by section 5747.02 of the Revised Code and each tax 7440  
imposed under Chapter 5748. of the Revised Code shall be made by 7441  
every taxpayer for any taxable year for which the taxpayer is 7442  
liable for the tax imposed by that section or under that chapter, 7443  
unless the total credits allowed under divisions (E), (F), and (G) 7444  
of section 5747.05 of the Revised Code for the year are equal to 7445  
or exceed the tax imposed by section 5747.02 of the Revised Code, 7446  
in which case no return shall be required unless the taxpayer is 7447  
liable for a tax imposed pursuant to Chapter 5748. of the Revised 7448  
Code. 7449

(A) If an individual is deceased, any return or notice 7450  
required of that individual under this chapter shall be made and 7451

filed by that decedent's executor, administrator, or other person 7452  
charged with the property of that decedent. 7453

(B) If an individual is unable to make a return or notice 7454  
required by this chapter, the return or notice required of that 7455  
individual shall be made and filed by the individual's duly 7456  
authorized agent, guardian, conservator, fiduciary, or other 7457  
person charged with the care of the person or property of that 7458  
individual. 7459

(C) Returns or notices required of an estate or a trust shall 7460  
be made and filed by the fiduciary of the estate or trust. 7461

(D)(1)(a) Except as otherwise provided in division (D)(1)(b) 7462  
of this section, any pass-through entity may file a single return 7463  
on behalf of one or more of the entity's investors other than an 7464  
investor that is a person subject to the tax imposed under section 7465  
5733.06 of the Revised Code. The single return shall set forth the 7466  
name, address, and social security number or other identifying 7467  
number of each of those pass-through entity investors and shall 7468  
indicate the distributive share of each of those pass-through 7469  
entity investor's income taxable in this state in accordance with 7470  
sections 5747.20 to 5747.231 of the Revised Code. Such 7471  
pass-through entity investors for whom the pass-through entity 7472  
elects to file a single return are not entitled to the exemption 7473  
or credit provided for by sections 5747.02 and 5747.022 of the 7474  
Revised Code; shall calculate the tax before business credits at 7475  
the highest rate of tax set forth in section 5747.02 of the 7476  
Revised Code for the taxable year for which the return is filed; 7477  
and are entitled to only their distributive share of the business 7478  
credits as defined in division (D)(2) of this section. A single 7479  
check drawn by the pass-through entity shall accompany the return 7480  
in full payment of the tax due, as shown on the single return, for 7481  
such investors, other than investors who are persons subject to 7482  
the tax imposed under section 5733.06 of the Revised Code. 7483

(b)(i) A pass-through entity shall not include in such a 7484  
single return any investor that is a trust to the extent that any 7485  
direct or indirect current, future, or contingent beneficiary of 7486  
the trust is a person subject to the tax imposed under section 7487  
5733.06 of the Revised Code. 7488

(ii) A pass-through entity shall not include in such a single 7489  
return any investor that is itself a pass-through entity to the 7490  
extent that any direct or indirect investor in the second 7491  
pass-through entity is a person subject to the tax imposed under 7492  
section 5733.06 of the Revised Code. 7493

(c) Nothing in division (D) of this section precludes the tax 7494  
commissioner from requiring such investors to file the return and 7495  
make the payment of taxes and related interest, penalty, and 7496  
interest penalty required by this section or section 5747.02, 7497  
5747.09, or 5747.15 of the Revised Code. Nothing in division (D) 7498  
of this section precludes such an investor from filing the annual 7499  
return under this section, utilizing the refundable credit equal 7500  
to the investor's proportionate share of the tax paid by the 7501  
pass-through entity on behalf of the investor under division (J) 7502  
of this section, and making the payment of taxes imposed under 7503  
section 5747.02 of the Revised Code. Nothing in division (D) of 7504  
this section shall be construed to provide to such an investor or 7505  
pass-through entity any additional deduction or credit, other than 7506  
the credit provided by division (J) of this section, solely on 7507  
account of the entity's filing a return in accordance with this 7508  
section. Such a pass-through entity also shall make the filing and 7509  
payment of estimated taxes on behalf of the pass-through entity 7510  
investors other than an investor that is a person subject to the 7511  
tax imposed under section 5733.06 of the Revised Code. 7512

(2) For the purposes of this section, "business credits" 7513  
means the credits listed in section 5747.98 of the Revised Code 7514  
excluding the following credits: 7515

(a) The retirement credit under division (B) of section 5747.055 of the Revised Code;	7516 7517
(b) The senior citizen credit under division (C) of section 5747.05 of the Revised Code;	7518 7519
(c) The lump sum distribution credit under division (D) of section 5747.05 of the Revised Code;	7520 7521
(d) The dependent care credit under section 5747.054 of the Revised Code;	7522 7523
(e) The lump sum retirement income credit under division (C) of section 5747.055 of the Revised Code;	7524 7525
(f) The lump sum retirement income credit under division (D) of section 5747.055 of the Revised Code;	7526 7527
(g) The lump sum retirement income credit under division (E) of section 5747.055 of the Revised Code;	7528 7529
(h) The credit for displaced workers who pay for job training under section 5747.27 of the Revised Code;	7530 7531
(i) The twenty-dollar personal exemption credit under section 5747.022 of the Revised Code;	7532 7533
(j) The joint filing credit under division (G) of section 5747.05 of the Revised Code;	7534 7535
(k) The nonresident credit under division (A) of section 5747.05 of the Revised Code;	7536 7537
(l) The credit for a resident's out-of-state income under division (B) of section 5747.05 of the Revised Code;	7538 7539
(m) The low-income credit under section 5747.056 of the Revised Code;	7540 7541
(n) The earned income tax credit under section 5747.71 of the Revised Code;	7542 7543
<u>(o) The credit for law enforcement officer school volunteers</u>	7544

or retired law enforcement officer school volunteers under section 7545  
5747.64 of the Revised Code. 7546

(3) The election provided for under division (D) of this 7547  
section applies only to the taxable year for which the election is 7548  
made by the pass-through entity. Unless the tax commissioner 7549  
provides otherwise, this election, once made, is binding and 7550  
irrevocable for the taxable year for which the election is made. 7551  
Nothing in this division shall be construed to provide for any 7552  
deduction or credit that would not be allowable if a nonresident 7553  
pass-through entity investor were to file an annual return. 7554

(4) If a pass-through entity makes the election provided for 7555  
under division (D) of this section, the pass-through entity shall 7556  
be liable for any additional taxes, interest, interest penalty, or 7557  
penalties imposed by this chapter if the tax commissioner finds 7558  
that the single return does not reflect the correct tax due by the 7559  
pass-through entity investors covered by that return. Nothing in 7560  
this division shall be construed to limit or alter the liability, 7561  
if any, imposed on pass-through entity investors for unpaid or 7562  
underpaid taxes, interest, interest penalty, or penalties as a 7563  
result of the pass-through entity's making the election provided 7564  
for under division (D) of this section. For the purposes of 7565  
division (D) of this section, "correct tax due" means the tax that 7566  
would have been paid by the pass-through entity had the single 7567  
return been filed in a manner reflecting the commissioner's 7568  
findings. Nothing in division (D) of this section shall be 7569  
construed to make or hold a pass-through entity liable for tax 7570  
attributable to a pass-through entity investor's income from a 7571  
source other than the pass-through entity electing to file the 7572  
single return. 7573

(E) If a husband and wife file a joint federal income tax 7574  
return for a taxable year, they shall file a joint return under 7575  
this section for that taxable year, and their liabilities are 7576

joint and several, but, if the federal income tax liability of 7577  
either spouse is determined on a separate federal income tax 7578  
return, they shall file separate returns under this section. 7579

If either spouse is not required to file a federal income tax 7580  
return and either or both are required to file a return pursuant 7581  
to this chapter, they may elect to file separate or joint returns, 7582  
and, pursuant to that election, their liabilities are separate or 7583  
joint and several. If a husband and wife file separate returns 7584  
pursuant to this chapter, each must claim the taxpayer's own 7585  
exemption, but not both, as authorized under section 5747.02 of 7586  
the Revised Code on the taxpayer's own return. 7587

(F) Each return or notice required to be filed under this 7588  
section shall contain the signature of the taxpayer or the 7589  
taxpayer's duly authorized agent and of the person who prepared 7590  
the return for the taxpayer, and shall include the taxpayer's 7591  
social security number. Each return shall be verified by a 7592  
declaration under the penalties of perjury. The tax commissioner 7593  
shall prescribe the form that the signature and declaration shall 7594  
take. 7595

(G) Each return or notice required to be filed under this 7596  
section shall be made and filed as required by section 5747.04 of 7597  
the Revised Code, on or before the fifteenth day of April of each 7598  
year, on forms that the tax commissioner shall prescribe, together 7599  
with remittance made payable to the treasurer of state in the 7600  
combined amount of the state and all school district income taxes 7601  
shown to be due on the form. 7602

Upon good cause shown, the commissioner may extend the period 7603  
for filing any notice or return required to be filed under this 7604  
section and may adopt rules relating to extensions. If the 7605  
extension results in an extension of time for the payment of any 7606  
state or school district income tax liability with respect to 7607  
which the return is filed, the taxpayer shall pay at the time the 7608

tax liability is paid an amount of interest computed at the rate 7609  
per annum prescribed by section 5703.47 of the Revised Code on 7610  
that liability from the time that payment is due without extension 7611  
to the time of actual payment. Except as provided in section 7612  
5747.132 of the Revised Code, in addition to all other interest 7613  
charges and penalties, all taxes imposed under this chapter or 7614  
Chapter 5748. of the Revised Code and remaining unpaid after they 7615  
become due, except combined amounts due of one dollar or less, 7616  
bear interest at the rate per annum prescribed by section 5703.47 7617  
of the Revised Code until paid or until the day an assessment is 7618  
issued under section 5747.13 of the Revised Code, whichever occurs 7619  
first. 7620

If the commissioner considers it necessary in order to ensure 7621  
the payment of the tax imposed by section 5747.02 of the Revised 7622  
Code or any tax imposed under Chapter 5748. of the Revised Code, 7623  
the commissioner may require returns and payments to be made 7624  
otherwise than as provided in this section. 7625

To the extent that any provision in this division conflicts 7626  
with any provision in section 5747.026 of the Revised Code, the 7627  
provision in that section prevails. 7628

(H) If any report, claim, statement, or other document 7629  
required to be filed, or any payment required to be made, within a 7630  
prescribed period or on or before a prescribed date under this 7631  
chapter is delivered after that period or that date by United 7632  
States mail to the agency, officer, or office with which the 7633  
report, claim, statement, or other document is required to be 7634  
filed, or to which the payment is required to be made, the date of 7635  
the postmark stamped on the cover in which the report, claim, 7636  
statement, or other document, or payment is mailed shall be deemed 7637  
to be the date of delivery or the date of payment. 7638

If a payment is required to be made by electronic funds 7639  
transfer pursuant to section 5747.072 of the Revised Code, the 7640

payment is considered to be made when the payment is received by 7641  
the treasurer of state or credited to an account designated by the 7642  
treasurer of state for the receipt of tax payments. 7643

"The date of the postmark" means, in the event there is more 7644  
than one date on the cover, the earliest date imprinted on the 7645  
cover by the United States postal service. 7646

(I) The amounts withheld by an employer pursuant to section 7647  
5747.06 of the Revised Code, a casino operator pursuant to section 7648  
5747.063 of the Revised Code, or a lottery sales agent pursuant to 7649  
section 5747.064 of the Revised Code shall be allowed to the 7650  
recipient of the compensation casino winnings, or lottery prize 7651  
award as credits against payment of the appropriate taxes imposed 7652  
on the recipient by section 5747.02 and under Chapter 5748. of the 7653  
Revised Code. 7654

(J) If a pass-through entity elects to file a single return 7655  
under division (D) of this section and if any investor is required 7656  
to file the annual return and make the payment of taxes required 7657  
by this chapter on account of the investor's other income that is 7658  
not included in a single return filed by a pass-through entity or 7659  
any other investor elects to file the annual return, the investor 7660  
is entitled to a refundable credit equal to the investor's 7661  
proportionate share of the tax paid by the pass-through entity on 7662  
behalf of the investor. The investor shall claim the credit for 7663  
the investor's taxable year in which or with which ends the 7664  
taxable year of the pass-through entity. Nothing in this chapter 7665  
shall be construed to allow any credit provided in this chapter to 7666  
be claimed more than once. For the purpose of computing any 7667  
interest, penalty, or interest penalty, the investor shall be 7668  
deemed to have paid the refundable credit provided by this 7669  
division on the day that the pass-through entity paid the 7670  
estimated tax or the tax giving rise to the credit. 7671

(K) The tax commissioner shall ensure that each return 7672

required to be filed under this section includes a box that the taxpayer may check to authorize a paid tax preparer who prepared the return to communicate with the department of taxation about matters pertaining to the return. The return or instructions accompanying the return shall indicate that by checking the box the taxpayer authorizes the department of taxation to contact the preparer concerning questions that arise during the processing of the return and authorizes the preparer only to provide the department with information that is missing from the return, to contact the department for information about the processing of the return or the status of the taxpayer's refund or payments, and to respond to notices about mathematical errors, offsets, or return preparation that the taxpayer has received from the department and has shown to the preparer.

(L) The tax commissioner shall permit individual taxpayers to instruct the department of taxation to cause any refund of overpaid taxes to be deposited directly into a checking account, savings account, or an individual retirement account or individual retirement annuity, or preexisting college savings plan or program account offered by the Ohio tuition trust authority under Chapter 3334. of the Revised Code, as designated by the taxpayer, when the taxpayer files the annual return required by this section electronically.

(M) The tax commissioner may adopt rules to administer this section.

**Sec. 5747.64.** (A) As used in this section:

(1) "Law enforcement officer" means a sheriff, deputy sheriff, constable, police officer of a township or joint police district, marshal, deputy marshal, municipal police officer, or state highway patrol trooper.

(2) "School" means a public or nonpublic school. "School"

excludes home instruction as authorized under section 3321.04 of 7704  
the Revised Code. 7705

(3) "Public school" includes schools of a school district, 7706  
STEM schools established under Chapter 3326. of the Revised Code, 7707  
and community schools established under Chapter 3314. of the 7708  
Revised Code. 7709

(4) "Nonpublic school" means a nonpublic school for which the 7710  
state board of education has issued a charter pursuant to section 7711  
3301.16 of the Revised Code and prescribes minimum standards under 7712  
division (D)(2) of section 3301.07 of the Revised Code. 7713

(B) There is hereby allowed a nonrefundable credit against 7714  
the tax imposed by section 5747.02 of the Revised Code for a 7715  
taxpayer who is a law enforcement officer or retired law 7716  
enforcement officer and who provides safety and security services 7717  
in a school under section 3313.94 of the Revised Code without 7718  
receiving compensation. The amount of the credit equals two 7719  
dollars for each hour or part of an hour that the law enforcement 7720  
officer or retired law enforcement officer provides such services, 7721  
but the credit amount claimed by the officer shall not exceed five 7722  
hundred dollars for any taxable year, not including any amount of 7723  
credit carried forward from a prior year. 7724

The law enforcement officer or retired law enforcement 7725  
officer shall claim the credit in the order required by section 7726  
5747.98 of the Revised Code for the taxable year in which the 7727  
officer provides such services. Any credit amount in excess of the 7728  
tax due under section 5747.02 of the Revised Code, after allowing 7729  
for any other credits preceding the credit in that order, may be 7730  
carried forward for three taxable years, but the amount of the 7731  
excess credit allowed in any such year shall be deducted from the 7732  
balance carried forward to the next year. 7733

The tax commissioner may request that a law enforcement 7734

officer or retired law enforcement officer claiming a credit under 7735  
this section furnish information as is necessary to support the 7736  
claim for the credit under this section, and no credit shall be 7737  
allowed unless the requested information is provided. 7738

**Sec. 5747.98.** (A) To provide a uniform procedure for 7739  
calculating the amount of tax due under section 5747.02 of the 7740  
Revised Code, a taxpayer shall claim any credits to which the 7741  
taxpayer is entitled in the following order: 7742

(1) The retirement income credit under division (B) of 7743  
section 5747.055 of the Revised Code; 7744

(2) The senior citizen credit under division (C) of section 7745  
5747.05 of the Revised Code; 7746

(3) The lump sum distribution credit under division (D) of 7747  
section 5747.05 of the Revised Code; 7748

(4) The dependent care credit under section 5747.054 of the 7749  
Revised Code; 7750

(5) The lump sum retirement income credit under division (C) 7751  
of section 5747.055 of the Revised Code; 7752

(6) The lump sum retirement income credit under division (D) 7753  
of section 5747.055 of the Revised Code; 7754

(7) The lump sum retirement income credit under division (E) 7755  
of section 5747.055 of the Revised Code; 7756

(8) The low-income credit under section 5747.056 of the 7757  
Revised Code; 7758

(9) The credit for displaced workers who pay for job training 7759  
under section 5747.27 of the Revised Code; 7760

(10) The campaign contribution credit under section 5747.29 7761  
of the Revised Code; 7762

(11) The twenty-dollar personal exemption credit under 7763

section 5747.022 of the Revised Code;	7764
(12) The joint filing credit under division (G) of section 5747.05 of the Revised Code;	7765 7766
(13) The nonresident credit under division (A) of section 5747.05 of the Revised Code;	7767 7768
(14) The credit for a resident's out-of-state income under division (B) of section 5747.05 of the Revised Code;	7769 7770
(15) The earned income credit under section 5747.71 of the Revised Code;	7771 7772
(16) The credit for employers that reimburse employee child care expenses under section 5747.36 of the Revised Code;	7773 7774
(17) The credit for adoption of a minor child under section 5747.37 of the Revised Code;	7775 7776
(18) The credit for purchases of lights and reflectors under section 5747.38 of the Revised Code;	7777 7778
(19) The nonrefundable job retention credit under division (B) of section 5747.058 of the Revised Code;	7779 7780
(20) The credit for selling alternative fuel under section 5747.77 of the Revised Code;	7781 7782
(21) The second credit for purchases of new manufacturing machinery and equipment and the credit for using Ohio coal under section 5747.31 of the Revised Code;	7783 7784 7785
(22) The job training credit under section 5747.39 of the Revised Code;	7786 7787
(23) The enterprise zone credit under section 5709.66 of the Revised Code;	7788 7789
(24) The credit for the eligible costs associated with a voluntary action under section 5747.32 of the Revised Code;	7790 7791
(25) The credit for employers that establish on-site child	7792

day-care centers under section 5747.35 of the Revised Code;	7793
(26) The ethanol plant investment credit under section 5747.75 of the Revised Code;	7794 7795
(27) <u>The nonrefundable credit for law enforcement officer school volunteers or retired law enforcement officer school volunteers under section 5747.64 of the Revised Code;</u>	7796 7797 7798
(28) The credit for purchases of qualifying grape production property under section 5747.28 of the Revised Code;	7799 7800
<del>(28)</del> (29) The small business investment credit under section 5747.81 of the Revised Code;	7801 7802
<del>(29)</del> (30) The enterprise zone credits under section 5709.65 of the Revised Code;	7803 7804
<del>(30)</del> (31) The research and development credit under section 5747.331 of the Revised Code;	7805 7806
<del>(31)</del> (32) The credit for rehabilitating a historic building under section 5747.76 of the Revised Code;	7807 7808
<del>(32)</del> (33) The refundable credit for rehabilitating a historic building under section 5747.76 of the Revised Code;	7809 7810
<del>(33)</del> (34) The refundable jobs creation credit or job retention credit under division (A) of section 5747.058 of the Revised Code;	7811 7812
<del>(34)</del> (35) The refundable credit for taxes paid by a qualifying entity granted under section 5747.059 of the Revised Code;	7813 7814
<del>(35)</del> (36) The refundable credits for taxes paid by a qualifying pass-through entity granted under division (J) of section 5747.08 of the Revised Code;	7815 7816 7817
<del>(36)</del> (37) The refundable credit under section 5747.80 of the Revised Code for losses on loans made to the Ohio venture capital program under sections 150.01 to 150.10 of the Revised Code;	7818 7819 7820
<del>(37)</del> (38) The refundable motion picture production credit	7821

under section 5747.66 of the Revised Code—~~i~~ 7822

~~(38)~~(39) The refundable credit for financial institution 7823  
taxes paid by a pass-through entity granted under section 5747.65 7824  
of the Revised Code. 7825

(B) For any credit, except the refundable credits enumerated 7826  
in this section and the credit granted under division (I) of 7827  
section 5747.08 of the Revised Code, the amount of the credit for 7828  
a taxable year shall not exceed the tax due after allowing for any 7829  
other credit that precedes it in the order required under this 7830  
section. Any excess amount of a particular credit may be carried 7831  
forward if authorized under the section creating that credit. 7832  
Nothing in this chapter shall be construed to allow a taxpayer to 7833  
claim, directly or indirectly, a credit more than once for a 7834  
taxable year. 7835

**Section 2.** That existing sections 133.06, 921.06, 3301.0712, 7836  
3301.0714, 3301.0715, 3302.03, 3302.10, 3310.03, 3310.031, 7837  
3310.032, 3311.24, 3311.38, 3311.86, 3313.372, 3313.537, 3313.603, 7838  
3313.6013, 3313.6016, 3313.612, 3313.843, 3313.90, 3313.975, 7839  
3314.015, 3314.016, 3314.02, 3314.03, 3314.08, 3317.03, 3319.22, 7840  
3319.26, 3324.07, 3326.11, 3326.36, 3328.24, 3331.04, 3333.041, 7841  
3333.35, 3333.43, 3333.86, 3345.06, 3365.04, 3365.041, 3365.05, 7842  
3365.06, 3365.08, 3365.11, 5747.08, and 5747.98 and sections 7843  
3310.05, 3345.062, 3365.01, 3365.02, 3365.021, 3365.022, 3365.03, 7844  
3365.07, 3365.09, 3365.10, 3365.12, and 3365.15 of the Revised 7845  
Code are hereby repealed. 7846

**Section 3.** That the version of section 3314.016 of the 7847  
Revised Code that is scheduled to take effect January 1, 2015, be 7848  
amended to read as follows: 7849

**Sec. 3314.016.** This section applies to any entity that 7850  
sponsors a community school, regardless of whether section 7851

3314.021 or 3314.027 of the Revised Code exempts the entity from 7852  
the requirement to be approved for sponsorship under divisions 7853  
(A)(2) and (B)(1) of section 3314.015 of the Revised Code. ~~The~~ 7854  
~~office of Ohio school sponsorship established under section~~ 7855  
~~3314.029 of the Revised Code shall be rated under division (B) of~~ 7856  
~~this section, but divisions (A) and (C) of this section do not~~ 7857  
~~apply to the office.~~ 7858

(A) An entity that sponsors a community school shall be 7859  
permitted to enter into contracts under section 3314.03 of the 7860  
Revised Code to sponsor additional community schools only if the 7861  
entity meets both of the following criteria: 7862

(1) The entity is in compliance with all provisions of this 7863  
chapter requiring sponsors of community schools to report data or 7864  
information to the department of education. 7865

(2) The entity is not rated as "ineffective" under division 7866  
(B)(6) of this section. 7867

(B)(1) For purposes of this section, the department shall 7868  
develop and implement an evaluation system, in conjunction with a 7869  
statewide nonprofit organization whose membership is comprised 7870  
solely of entities that sponsor community schools and whose 7871  
members sponsor the majority of start-up community schools in the 7872  
state, that rates each entity that sponsors a community school 7873  
based on the following components: 7874

(a) Academic performance of students enrolled in community 7875  
schools sponsored by the same entity~~†~~. This metric shall be 7876  
measured using assessments selected or approved by the department, 7877  
which shall be administered so as to measure student performance 7878  
at a particular point in time in a school year and rates of 7879  
student improvement on those same assessments while enrolled in 7880  
the school. The measure specified under division (B)(1)(a) of this 7881  
section shall be calculated on an annual basis. 7882

(b) Adherence by a sponsor to the quality practices 7883  
prescribed by the department under division (B)(3) of this 7884  
section. The department shall not include this measure in the 7885  
sponsor evaluation rating system until the department prescribes 7886  
quality practices and develops an instrument to measure adherence 7887  
to those practices under division (B)(3) of this section. The 7888  
department shall determine a schedule for completing a review of 7889  
and calculating the measure specified under division (B)(1)(b) of 7890  
this section. For a sponsor rated as "effective" on the measure 7891  
specified under division (B)(1)(b) of this section, that rating 7892  
shall be valid for three years. For a sponsor rated as "exemplary" 7893  
on the measure specified under division (B)(1)(b) of this section, 7894  
that rating shall be valid for five years. 7895

(c) Compliance with applicable laws and administrative rules 7896  
by an entity that sponsors a community school. The department 7897  
shall determine a schedule for completing a review of and 7898  
calculating the measure specified under division (B)(1)(c) of this 7899  
section. The review shall be conducted on an annual basis through 7900  
electronic means, rather than by a site visit, unless 7901  
circumstances do not permit review by electronic means. 7902

(2) In calculating an academic performance component, the 7903  
department shall exclude all of the following: 7904

(a) All community schools that have been in operation for not 7905  
more than two full school years; 7906

(b) All community schools described in division (A)(4)(b) of 7907  
section 3314.35 of the Revised Code. 7908

(3) The department, in consultation with entities that 7909  
sponsor community schools, shall prescribe quality practices for 7910  
community school sponsors and develop an instrument to measure 7911  
adherence to those quality practices. The quality practices shall 7912  
be based on standards developed by the national association of 7913

charter school authorizers or any other nationally organized 7914  
community school organization. 7915

(4)(a) The department ~~may~~ shall permit peer review of a 7916  
sponsor's adherence to the quality practices prescribed under 7917  
division (B)(3) of this section. 7918

(b) The department shall require individuals participating in 7919  
peer review under division (B)(4)(a) of this section to complete 7920  
training approved or established by the department and to possess 7921  
significant experience working for an entity that sponsors 7922  
community schools in the state. 7923

(c) The department ~~may enter into an agreement with another~~ 7924  
~~entity to~~ shall provide training to individuals conducting peer 7925  
review of sponsors by entering into an agreement with a statewide 7926  
nonprofit organization whose membership is comprised solely of 7927  
entities that sponsor community schools and whose members sponsor 7928  
the majority of start-up community schools in the state for that 7929  
training. Prior to entering into an agreement ~~with an entity~~, the 7930  
department shall review and approve of the entity's training 7931  
program. 7932

(5) Not later than July 1, 2013, the state board of education 7933  
shall adopt rules in accordance with Chapter 119. of the Revised 7934  
Code prescribing standards for measuring compliance with 7935  
applicable laws and rules under division (B)(1)(c) of this 7936  
section. 7937

(6) The department annually shall rate all entities that 7938  
sponsor community schools as either "exemplary," "effective," or 7939  
"ineffective," based on the components prescribed by division (B) 7940  
of this section, where each component is weighted equally, except 7941  
that entities sponsoring community schools for the first time may 7942  
be assigned the rating of "emerging" for only the first two 7943  
consecutive years. 7944

The department shall publish the ratings between the first 7945  
day of October and the fifteenth day of October. 7946

(7)(a) Prior to the 2014-2015 school year, student academic 7947  
performance prescribed under division (B)(1)(a) of this section 7948  
shall not include student academic performance data from community 7949  
schools that primarily serve students enrolled in a dropout 7950  
prevention and recovery program as described in division (A)(4)(a) 7951  
of section 3314.35 of the Revised Code. 7952

(b) For the 2014-2015 school year and each school year 7953  
thereafter, student academic performance prescribed under division 7954  
(B)(1)(a) of this section shall include student academic 7955  
performance data from community schools that primarily serve 7956  
students enrolled in a dropout prevention and recovery program. 7957

(C) If the governing authority of a community school enters 7958  
into a contract with a sponsor prior to the date on which the 7959  
sponsor is prohibited from sponsoring additional schools under 7960  
division (A) of this section and the school has not opened for 7961  
operation as of that date, that contract shall be void and the 7962  
school shall not open until the governing authority secures a new 7963  
sponsor by entering into a contract with the new sponsor under 7964  
section 3314.03 of the Revised Code. However, the department's 7965  
office of Ohio school sponsorship, established under section 7966  
3314.029 of the Revised Code, may assume the sponsorship of the 7967  
school until the earlier of the expiration of two school years or 7968  
until a new sponsor is secured by the school's governing 7969  
authority. A community school sponsored by the department under 7970  
this division shall not be included when calculating the maximum 7971  
number of directly authorized community schools permitted under 7972  
division (A)(3) of section 3314.029 of the Revised Code. 7973

(D)(1) The office of Ohio school sponsorship established 7974  
under section 3314.029 of the Revised Code shall be rated using 7975  
the evaluation system prescribed by division (B) of this section. 7976

but divisions (A) and (C) of this section do not apply to the 7977  
office. 7978

(2) Not later than July 1, 2016, and not later than the first 7979  
day of July every fifth year thereafter, the evaluation panel 7980  
created under division (D)(3) of this section shall rate the 7981  
office of Ohio school sponsorship using the evaluation system 7982  
under division (B) of this section. 7983

(3) The panel that rates the office of Ohio school 7984  
sponsorship shall consist of one representative each from the 7985  
following organizations: 7986

(a) A statewide nonprofit organization whose membership is 7987  
composed solely of entities that sponsor community schools and 7988  
whose members sponsor the majority of start-up community schools 7989  
in the state; 7990

(b) An educational service center approved to sponsor 7991  
community schools statewide; 7992

(c) A school district that sponsors one or more community 7993  
schools that is not a municipal school district; 7994

(d) A qualified tax-exempt entity under section 501(c)(3) of 7995  
the Internal Revenue Code approved to sponsor community schools; 7996

(e) Any municipal school district transformation alliance 7997  
established under section 3311.86 of the Revised Code. 7998

Vacancies shall be filled in the manner of the original 7999  
appointments. 8000

**Section 4.** That the existing version of section 3314.016 of 8001  
the Revised Code that is scheduled to take effect January 1, 2015, 8002  
is hereby repealed. 8003

**Section 5.** That Sections 3 and 4 of this act shall take 8004  
effect January 1, 2015. 8005

<b>Section 6.</b> (A) There is hereby created the School Based	8006
Health Care Advisory Workgroup. The Workgroup shall consist of the	8007
following members:	8008
(1) The Superintendent of Public Instruction or the	8009
Superintendent's designee;	8010
(2) The Director of Developmental Disabilities or the	8011
Director's designee;	8012
(3) The Director of Health or the Director's designee;	8013
(4) The Director of Job and Family Services or the Director's	8014
designee;	8015
(5) The Director of Medicaid or the Director's designee;	8016
(6) The Director of Mental Health and Addiction Services or	8017
the Director's designee;	8018
(7) The Director of the Office of Health Transformation or	8019
the Director's designee, who shall serve as chairperson;	8020
(8) One representative from each of the following	8021
organizations, appointed by the organization's chief executive	8022
officer or the individual serving in an equivalent capacity for	8023
the organization:	8024
(a) The Association of Ohio Health Commissioners;	8025
(b) The Buckeye Association of School Administrators;	8026
(c) The County Commissioners Association of Ohio;	8027
(d) The Greater Cincinnati Community Learning Institute;	8028
(e) The Ohio Association of Community Health Centers;	8029
(f) The Ohio Association of Health Plans;	8030
(g) The Ohio Association of School Nurses;	8031
(h) The Ohio Business Roundtable;	8032

(i) The Ohio Chamber of Commerce;	8033
(j) The Ohio Chapter of the American Academy of Pediatrics;	8034
(k) The Ohio Children's Hospital Association;	8035
(l) The Ohio Commission on Minority Health;	8036
(m) The Ohio Council of Behavioral Health and Family Services Providers;	8037 8038
(n) The Ohio Dental Association;	8039
(o) The Ohio Optometric Association;	8040
(p) The Ohio Parent Teacher Association;	8041
(q) The Ohio State Medical Association;	8042
(r) The Public Children Services Association of Ohio;	8043
(s) Voices for Ohio's Children;	8044
(t) The Ohio Federation of Teachers;	8045
(u) The Ohio Association of County Behavioral Health Authorities.	8046 8047
(9) Two members of the House of Representatives, one from the majority party and the other from the minority party, appointed by the Speaker of the House of Representatives;	8048 8049 8050
(10) Two members of the Senate, one from the majority party and the other from the minority party, appointed by the President of the Senate.	8051 8052 8053
(B) The Workgroup shall do all of the following:	8054
(1) Review evidence of the correlation between student health and academic achievement;	8055 8056
(2) Identify existing best practices to improve academic achievement through better student health;	8057 8058
(3) Based on existing best practices, recommend one or more	8059

models for communities that want to improve academic achievement 8060  
through better student health; 8061

(4) Recommend financial strategies to sustain the models over 8062  
time, with an emphasis on health coverage through commercial 8063  
insurance and Medicaid, not other governmental subsidies; 8064

(5) Recommend health care service delivery strategies that 8065  
are known to improve health outcomes, such as patient-centered 8066  
medical homes; 8067

(6) Explore the community learning center model delivery of 8068  
student health care services; 8069

(7) Ensure that all recommendations adhere to state and 8070  
federal law. 8071

(C)(1) Appointments to the Workgroup shall be made not later 8072  
than fifteen days after the effective date of this section. 8073  
Vacancies shall be filled in the same manner as the original 8074  
appointments. 8075

(2) Members of the Workgroup shall serve without compensation 8076  
or reimbursement for expenses incurred while serving on the 8077  
Workgroup, except to the extent that serving on the Workgroup is 8078  
considered to be among the member's employment duties. 8079

(D) The Workgroup shall prepare a report of its findings and 8080  
recommendations and, not later than December 31, 2014, submit the 8081  
report to the General Assembly. Upon submission of the report, the 8082  
Workgroup shall cease to exist. 8083

**Section 7.** (A) Notwithstanding anything to the contrary in 8084  
Chapter 3365. of the Revised Code, for the 2014-2015 school year, 8085  
the program established under that chapter shall continue to 8086  
operate as the Post-Secondary Enrollment Options Program, as it 8087  
existed under that chapter prior to the effective date of this 8088  
section. All rules for the Post-Secondary Enrollment Options 8089

Program in effect on the effective date of this section shall 8090  
continue to govern that program for the 2014-2015 school year. The 8091  
College Credit Plus Program, as codified in Chapter 3365. of the 8092  
Revised Code, as it is revised by this act, shall begin operation 8093  
for the 2015-2016 school year. Beginning on the effective date of 8094  
this section, the Department of Education, State Board of 8095  
Education, and Chancellor of the Ohio Board of Regents shall take 8096  
the necessary steps to adopt rules, guidelines, and procedures and 8097  
to create any necessary forms and documents so that the College 8098  
Credit Plus Program is fully operational for the 2015-2016 school 8099  
year in accordance with Chapter 3365. of the Revised Code, as it 8100  
is revised by this act. 8101

(B) In accordance with division (A) of this section, all 8102  
participants who enroll, or who have taken preliminary action to 8103  
enroll, in an institution of higher education for the 2014-2015 8104  
school year pursuant to Chapter 3365. of the Revised Code, as it 8105  
existed prior to the effective date of this section, or rules 8106  
adopted under that version of that chapter, shall participate in 8107  
the Post-Secondary Enrollment Options Program, as it existed prior 8108  
to the effective date of this section. Participants enrolled in an 8109  
institution of higher education under the Post-Secondary 8110  
Enrollment Options Program during the 2014-2015 school year shall 8111  
continue to be subject to the provisions of Chapter 3365. of the 8112  
Revised Code, as it existed prior to the effective date of this 8113  
section. 8114

(C) For the 2014-2015 school year, all participants who 8115  
enroll, or who have taken preliminary action to enroll, in a dual 8116  
enrollment program as defined in section 3313.6013 of the Revised 8117  
Code, as it existed prior to the effective date of this section, 8118  
to participate during that school year in the dual enrollment 8119  
program shall participate under the specified dual enrollment 8120  
program in which the student enrolled and shall continue to be 8121

subject to the provisions of section 3313.6013 of the Revised Code, as it existed prior to the effective date of this section.

(D) Any agreement entered into for the 2014-2015 school year regarding either the Post-Secondary Enrollment Options Program under Chapter 3365. of the Revised Code, as it existed prior to the effective date of this section, or any dual enrollment program, as defined in section 3313.6013 of the Revised Code as it existed prior to the effective date of this section, shall continue in force, pursuant to the terms of that agreement, for the 2014-2015 school year.

(E) For the 2013-2014 and 2014-2015 school years, the Department of Education shall make all payments that the Department is obligated to pay pursuant to section 3365.07 of the Revised Code, as it existed prior to the effective date of this section, for participants who enroll in an institution of higher education under Chapter 3365. of the Revised Code, as it existed prior to the effective date of this section.

(F) For the 2014-2015 school year only, whenever the term "College Credit Plus Program" is used, referred to, or designated in any provision of the Revised Code outside of Chapter 3365. of the Revised Code, the use, reference, or designation shall be construed to mean the "Post-Secondary Enrollment Options Program."

**Section 8.** (A) Not later than March 31, 2015, the Chancellor of the Ohio Board of Regents shall do both of the following with regard to remediation-free standards for students enrolled in state institutions of higher education, as defined in section 3345.011 of the Revised Code:

(1) Identify one or more nationally normed assessments that may be used to demonstrate remediation-free status;

(2) Establish score levels in the areas of mathematics,

reading, and writing for each assessment that represent 8152  
remediation-free status and are comparable to, or higher than, the 8153  
standards and score levels adopted pursuant to division (F) of 8154  
section 3345.061 of the Revised Code. 8155

(B) Any state institution may use the assessments and adopt 8156  
the remediation-free score levels identified under division (A) of 8157  
this section to determine if a student meets the standards for 8158  
remediation-free status. 8159

**Section 9.** The amendment or enactment by this act of sections 8160  
5747.08, 5747.64, and 5747.98 of the Revised Code applies to 8161  
taxable years ending on or after the effective date of this act. 8162