

**As Passed by the House**

**130th General Assembly**

**Regular Session**

**2013-2014**

**Am. Sub. S. B. No. 96**

**Senator LaRose**

**Cosponsors: Senators Cafaro, Hite, Lehner, Eklund, Hughes, Obhof,**

**Peterson, Sawyer, Schiavoni, Smith, Tavares, Turner, Uecker**

**Representatives Fedor, Anielski, Antonio, Blessing, Carney, Driehaus,**

**Grossman, Kunze, Letson, Phillips, Pillich, Rogers, Sheehy, Smith**

**Speaker Batchelder**

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**A B I L L**

To amend sections 3301.0711, 3301.0712, 3302.02, 1  
3302.03, 3302.035, 3313.534, 3313.603, 3313.612, 2  
3313.672, 3313.814, 3314.06, 3317.034, 3319.227, 3  
3319.261, 3365.04, 3365.05, and 3365.07 of the 4  
Revised Code, and to amend Sections 263.20 and 5  
263.320 of Am. Sub. H.B. 59 of the 130th General 6  
Assembly, as subsequently amended, and Section 9 7  
of Am. Sub. H.B. 487 of the 130th General Assembly 8  
to require one-half unit of world history in the 9  
high school social studies curriculum, to revise 10  
the law on state assessments and academic 11  
performance reporting, and to make other changes 12  
regarding primary and secondary education 13  
programs. 14

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

**Section 1.** That sections 3301.0711, 3301.0712, 3302.02, 15  
3302.03, 3302.035, 3313.534, 3313.603, 3313.612, 3313.672, 16

3313.814, 3314.06, 3317.034, 3319.227, 3319.261, 3365.04, 3365.05, 17  
and 3365.07 of the Revised Code be amended to read as follows: 18

**Sec. 3301.0711.** (A) The department of education shall: 19

(1) Annually furnish to, grade, and score all assessments 20  
required by divisions (A)(1) and (B)(1) of section 3301.0710 of 21  
the Revised Code to be administered by city, local, exempted 22  
village, and joint vocational school districts, except that each 23  
district shall score any assessment administered pursuant to 24  
division (B)(10) of this section. Each assessment so furnished 25  
shall include the data verification code of the student to whom 26  
the assessment will be administered, as assigned pursuant to 27  
division (D)(2) of section 3301.0714 of the Revised Code. In 28  
furnishing the practice versions of Ohio graduation tests 29  
prescribed by division (D) of section 3301.0710 of the Revised 30  
Code, the department shall make the tests available on its web 31  
site for reproduction by districts. In awarding contracts for 32  
grading assessments, the department shall give preference to 33  
Ohio-based entities employing Ohio residents. 34

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

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

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

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| division (A)(2)(c) of section 3301.0710 of the Revised Code.  | 47                   |
| (2) Administer the mathematics assessment prescribed under<br>division (A)(1)(a) of section 3301.0710 of the Revised Code at<br>least once annually to all students in the third grade.   | 48<br>49<br>50       |
| (3) Administer the assessments prescribed under division<br>(A)(1)(b) of section 3301.0710 of the Revised Code at least once<br>annually to all students in the fourth grade.   | 51<br>52<br>53       |
| (4) Administer the assessments prescribed under division<br>(A)(1)(c) of section 3301.0710 of the Revised Code at least once<br>annually to all students in the fifth grade.  | 54<br>55<br>56       |
| (5) Administer the assessments prescribed under division<br>(A)(1)(d) of section 3301.0710 of the Revised Code at least once<br>annually to all students in the sixth grade.  | 57<br>58<br>59       |
| (6) Administer the assessments prescribed under division<br>(A)(1)(e) of section 3301.0710 of the Revised Code at least once<br>annually to all students in the seventh grade.  | 60<br>61<br>62       |
| (7) Administer the assessments prescribed under division<br>(A)(1)(f) of section 3301.0710 of the Revised Code at least once<br>annually to all students in the eighth grade.   | 63<br>64<br>65       |
| (8) Except as provided in division (B)(9) of this section,<br>administer any assessment prescribed under division (B)(1) of<br>section 3301.0710 of the Revised Code as follows:  | 66<br>67<br>68       |
| (a) At least once annually to all tenth grade students and at<br>least twice annually to all students in eleventh or twelfth grade<br>who have not yet attained the score on that assessment designated<br>under that division;                             | 69<br>70<br>71<br>72 |
| (b) To any person who has successfully completed the<br>curriculum in any high school or the individualized education<br>program developed for the person by any high school pursuant to<br>section 3323.08 of the Revised Code but has not received a high | 73<br>74<br>75<br>76 |

school diploma and who requests to take such assessment, at any 77  
time such assessment is administered in the district. 78

(9) In lieu of the board of education of any city, local, or 79  
exempted village school district in which the student is also 80  
enrolled, the board of a joint vocational school district shall 81  
administer any assessment prescribed under division (B)(1) of 82  
section 3301.0710 of the Revised Code at least twice annually to 83  
any student enrolled in the joint vocational school district who 84  
has not yet attained the score on that assessment designated under 85  
that division. A board of a joint vocational school district may 86  
also administer such an assessment to any student described in 87  
division (B)(8)(b) of this section. 88

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

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

(11) Administer the assessments prescribed by division (B)(2) 106  
of section 3301.0710 and section 3301.0712 of the Revised Code in 107  
accordance with the timeline and plan for implementation of those 108

assessments prescribed by rule of the state board adopted under 109  
division (D)(1) of section 3301.0712 of the Revised Code. 110

(C)(1)(a) In the case of a student receiving special 111  
education services under Chapter 3323. of the Revised Code, the 112  
individualized education program developed for the student under 113  
that chapter shall specify the manner in which the student will 114  
participate in the assessments administered under this section. 115  
The individualized education program may excuse the student from 116  
taking any particular assessment required to be administered under 117  
this section if it instead specifies an alternate assessment 118  
method approved by the department of education as conforming to 119  
requirements of federal law for receipt of federal funds for 120  
disadvantaged pupils. To the extent possible, the individualized 121  
education program shall not excuse the student from taking an 122  
assessment unless no reasonable accommodation can be made to 123  
enable the student to take the assessment. 124

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

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

the student from taking the assessment. 141

(2) A district board may, for medical reasons or other good 142  
cause, excuse a student from taking an assessment administered 143  
under this section on the date scheduled, but that assessment 144  
shall be administered to the excused student not later than nine 145  
days following the scheduled date. The district board shall 146  
annually report the number of students who have not taken one or 147  
more of the assessments required by this section to the state 148  
board of ~~education~~ not later than the thirtieth day of June. 149

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

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

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

(D)(1) In the school year next succeeding the school year in 172  
which the assessments prescribed by division (A)(1) or (B)(1) of 173  
section 3301.0710 of the Revised Code or former division (A)(1), 174  
(A)(2), or (B) of section 3301.0710 of the Revised Code as it 175  
existed prior to September 11, 2001, are administered to any 176  
student, the board of education of any school district in which 177  
the student is enrolled in that year shall provide to the student 178  
intervention services commensurate with the student's performance, 179  
including any intensive intervention required under section 180  
3313.608 of the Revised Code, in any skill in which the student 181  
failed to demonstrate at least a score at the proficient level on 182  
the assessment. 183

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

Each high school selected to provide intervention services 199  
under this division shall provide intervention services to any 200  
student whose results indicate that the student is failing to make 201  
satisfactory progress toward being able to attain scores at the 202  
proficient level on the Ohio graduation tests. Intervention 203

services shall be provided in any skill in which a student 204  
demonstrates unsatisfactory progress and shall be commensurate 205  
with the student's performance. Schools shall provide the 206  
intervention services prior to the end of the school year, during 207  
the summer following the ninth grade, in the next succeeding 208  
school year, or at any combination of those times. 209

(E) Except as provided in section 3313.608 of the Revised 210  
Code and division (M) of this section, no school district board of 211  
education shall utilize any student's failure to attain a 212  
specified score on an assessment administered under this section 213  
as a factor in any decision to deny the student promotion to a 214  
higher grade level. However, a district board may choose not to 215  
promote to the next grade level any student who does not take an 216  
assessment administered under this section or make up an 217  
assessment as provided by division (C)(2) of this section and who 218  
is not exempt from the requirement to take the assessment under 219  
division (C)(3) of this section. 220

(F) No person shall be charged a fee for taking any 221  
assessment administered under this section. 222

(G)(1) Each school district board shall designate one 223  
location for the collection of assessments administered in the 224  
spring under division (B)(1) of this section and those 225  
administered under divisions (B)(2) to (7) of this section. Each 226  
district board shall submit the assessments to the entity with 227  
which the department contracts for the scoring of the assessments 228  
as follows: 229

(a) If the district's total enrollment in grades kindergarten 230  
through twelve during the first full school week of October was 231  
less than two thousand five hundred, not later than the Friday 232  
after all of the assessments have been administered; 233

(b) If the district's total enrollment in grades kindergarten 234



through twelve during the first full school week of October was 235  
two thousand five hundred or more, but less than seven thousand, 236  
not later than the Monday after all of the assessments have been 237  
administered; 238

(c) If the district's total enrollment in grades kindergarten 239  
through twelve during the first full school week of October was 240  
seven thousand or more, not later than the Tuesday after all of 241  
the assessments have been administered. 242

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

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

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

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

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

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

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

(a) Students who are attending school in the cooperative

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

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

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

(K)(1)(a) Except as otherwise provided in division (K)(1)(a) 307  
or (K)(1)(c) of this section, each chartered nonpublic school for 308  
which at least sixty-five per cent of its total enrollment is made 309  
up of students who are participating in state scholarship programs 310  
shall administer the ~~elementary~~ assessments prescribed by division 311  
(A) of section 3301.0710 and division (B)(2) of section 3301.0712 312  
of the Revised Code. In accordance with procedures and deadlines 313  
prescribed by the department, the parent or guardian of a student 314  
enrolled in the school who is not participating in a state 315  
scholarship program may submit notice to the chief administrative 316  
officer of the school that the parent or guardian does not wish to 317  
have the student take the ~~elementary~~ assessments prescribed for 318  
the student's grade level under division (A) of section 3301.0710 319  
or division (B)(2) of section 3301.0712 of the Revised Code. If a 320  
parent or guardian submits an opt-out notice, the school shall not 321  
administer the assessments to that student. ~~This option does not~~ 322  
~~apply to any assessment required for a high school diploma under~~ 323  
~~section 3313.612 of the Revised Code.~~ 324

(b) ~~¶(i)~~ Except as provided in division (K)(1)(b)(ii) of 325  
this section, if a chartered nonpublic school is educating 326  
students in grades nine through twelve, it shall administer the 327  
assessments prescribed by ~~divisions~~ division (B)(1) and (2) of 328  
section 3301.0710 and division (B) of section 3301.0712 of the 329  
Revised Code ~~as a condition of compliance with section 3313.612 of~~ 330

the Revised Code. 331

(ii) A chartered nonpublic school that exercises the 332  
exemption authorized by division (D) of section 3313.612 of the 333  
Revised Code and that is not subject to division (K)(1)(a) of this 334  
section shall not be required to administer the end-of-course 335  
examinations prescribed by division (B)(2) of section 3301.0712 of 336  
the Revised Code, but that school shall administer the college and 337  
career readiness assessment prescribed by division (B)(1) of that 338  
section. The exemption is not available to a school that is 339  
subject to division (K)(1)(a) of this section and does not apply 340  
to any student attending a chartered nonpublic school under a 341  
state scholarship program. 342

(c) A chartered nonpublic school may submit to the 343  
superintendent of public instruction a request for a waiver from 344  
administering the ~~elementary~~ assessments prescribed by division 345  
(A) of section 3301.0710 and division (B)(2) of section 3301.0712 346  
of the Revised Code. The state superintendent shall approve or 347  
disapprove a request for a waiver submitted under division 348  
(K)(1)(c) of this section. No waiver shall be approved for any 349  
school year prior to the 2015-2016 school year. 350

To be eligible to submit a request for a waiver, a chartered 351  
nonpublic school shall meet the following conditions: 352

(i) At least ninety-five per cent of the students enrolled in 353  
the school are children with disabilities, as defined under 354  
section 3323.01 of the Revised Code, or have received a diagnosis 355  
by a school district or from a physician, including a 356  
neuropsychiatrist or psychiatrist, or a psychologist who is 357  
authorized to practice in this or another state as having a 358  
condition that impairs academic performance, such as dyslexia, 359  
dyscalculia, attention deficit hyperactivity disorder, or 360  
Asperger's syndrome. 361

(ii) The school has solely served a student population 362  
described in division (K)(1)(c)(i) of this section for at least 363  
ten years. 364

(iii) The school provides to the department at least five 365  
years of records of internal testing conducted by the school that 366  
affords the department data required for accountability purposes, 367  
including diagnostic assessments and nationally standardized 368  
norm-referenced achievement assessments that measure reading and 369  
math skills. 370

(d) Any chartered nonpublic school that is not subject to 371  
division (K)(1)(a) of this section may participate in the 372  
assessment program by administering any of the assessments 373  
prescribed by division (A) of section 3301.0710 of the Revised 374  
Code. The chief administrator of the school shall specify which 375  
assessments the school will administer. Such specification shall 376  
be made in writing to the superintendent of public instruction 377  
prior to the first day of August of any school year in which 378  
assessments are administered and shall include a pledge that the 379  
nonpublic school will administer the specified assessments in the 380  
same manner as public schools are required to do under this 381  
section and rules adopted by the department. 382

(2) The department of education shall furnish the assessments 383  
prescribed by section 3301.0710 or 3301.0712 of the Revised Code 384  
to each chartered nonpublic school ~~that is subject to in~~ 385  
accordance with division (K)(1)(a) ~~of this section or participates~~ 386  
~~under division (K)(1), (b), or (d)~~ of this section. 387

(L)(1) The superintendent of the state school for the blind 388  
and the superintendent of the state school for the deaf shall 389  
administer the assessments described by sections 3301.0710 and 390  
3301.0712 of the Revised Code. Each superintendent shall 391  
administer the assessments in the same manner as district boards 392  
are required to do under this section and rules adopted by the 393

department of education and in conformity with division (C)(1)(a) 394  
of this section. 395

(2) The department of education shall furnish the assessments 396  
described by sections 3301.0710 and 3301.0712 of the Revised Code 397  
to each superintendent. 398

(M) Notwithstanding division (E) of this section, a school 399  
district may use a student's failure to attain a score in at least 400  
the proficient range on the mathematics assessment described by 401  
division (A)(1)(a) of section 3301.0710 of the Revised Code or on 402  
an assessment described by division (A)(1)(b), (c), (d), (e), or 403  
(f) of section 3301.0710 of the Revised Code as a factor in 404  
retaining that student in the current grade level. 405

(N)(1) In the manner specified in divisions (N)(3), (4), and 406  
(6) of this section, the assessments required by division (A)(1) 407  
of section 3301.0710 of the Revised Code shall become public 408  
records pursuant to section 149.43 of the Revised Code on the 409  
thirty-first day of July following the school year that the 410  
assessments were administered. 411

(2) The department may field test proposed questions with 412  
samples of students to determine the validity, reliability, or 413  
appropriateness of questions for possible inclusion in a future 414  
year's assessment. The department also may use anchor questions on 415  
assessments to ensure that different versions of the same 416  
assessment are of comparable difficulty. 417

Field test questions and anchor questions shall not be 418  
considered in computing scores for individual students. Field test 419  
questions and anchor questions may be included as part of the 420  
administration of any assessment required by division (A)(1) or 421  
(B) of section 3301.0710 and division (B) of section 3301.0712 of 422  
the Revised Code. 423

(3) Any field test question or anchor question administered 424

under division (N)(2) of this section shall not be a public 425  
record. Such field test questions and anchor questions shall be 426  
redacted from any assessments which are released as a public 427  
record pursuant to division (N)(1) of this section. 428

(4) This division applies to the assessments prescribed by 429  
division (A) of section 3301.0710 of the Revised Code. 430

(a) The first administration of each assessment, as specified 431  
in former section 3301.0712 of the Revised Code, shall be a public 432  
record. 433

(b) For subsequent administrations of each assessment prior 434  
to the 2011-2012 school year, not less than forty per cent of the 435  
questions on the assessment that are used to compute a student's 436  
score shall be a public record. The department shall determine 437  
which questions will be needed for reuse on a future assessment 438  
and those questions shall not be public records and shall be 439  
redacted from the assessment prior to its release as a public 440  
record. However, for each redacted question, the department shall 441  
inform each city, local, and exempted village school district of 442  
the statewide academic standard adopted by the state board of 443  
~~education~~ under section 3301.079 of the Revised Code and the 444  
corresponding benchmark to which the question relates. The 445  
preceding sentence does not apply to field test questions that are 446  
redacted under division (N)(3) of this section. 447

(c) The administrations of each assessment in the 2011-2012, 448  
2012-2013, and 2013-2014 school years shall not be a public 449  
record. 450

(5) Each assessment prescribed by division (B)(1) of section 451  
3301.0710 of the Revised Code shall not be a public record. 452

(6) Beginning with the spring administration for the 453  
2014-2015 school year, questions on the assessments prescribed 454  
under division (A) of section 3301.0710 and division (B)(2) of 455

section 3301.0712 of the Revised Code and the corresponding 456  
preferred answers that are used to compute a student's score shall 457  
become a public record as follows: 458

(a) Forty per cent of the questions and preferred answers on 459  
the assessments on the thirty-first day of July following the 460  
administration of the assessment; 461

(b) Twenty per cent of the questions and preferred answers on 462  
the assessment on the thirty-first day of July one year after the 463  
administration of the assessment; 464

(c) The remaining forty per cent of the questions and 465  
preferred answers on the assessment on the thirty-first day of 466  
July two years after the administration of the assessment. 467

The entire content of an assessment shall become a public 468  
record within three years of its administration. 469

The department shall make the questions that become a public 470  
record under this division readily accessible to the public on the 471  
department's web site. Questions on the spring administration of 472  
each assessment shall be released on an annual basis, in 473  
accordance with this division. 474

(0) As used in this section: 475

(1) "Three-year average" means the average of the most recent 476  
consecutive three school years of data. 477

(2) "Dropout" means a student who withdraws from school 478  
before completing course requirements for graduation and who is 479  
not enrolled in an education program approved by the state board 480  
of education or an education program outside the state. "Dropout" 481  
does not include a student who has departed the country. 482

(3) "Graduation rate" means the ratio of students receiving a 483  
diploma to the number of students who entered ninth grade four 484  
years earlier. Students who transfer into the district are added 485



to the calculation. Students who transfer out of the district for 486  
reasons other than dropout are subtracted from the calculation. If 487  
a student who was a dropout in any previous year returns to the 488  
same school district, that student shall be entered into the 489  
calculation as if the student had entered ninth grade four years 490  
before the graduation year of the graduating class that the 491  
student joins. 492

(4) "State scholarship programs" means the educational choice 493  
scholarship pilot program established under sections 3310.01 to 494  
3310.17 of the Revised Code, the autism scholarship program 495  
established under section 3310.41 of the Revised Code, the Jon 496  
Peterson special needs scholarship program established under 497  
sections 3310.51 to 3310.64 of the Revised Code, and the pilot 498  
project scholarship program established under sections 3313.974 to 499  
3313.979 of the Revised Code. 500

**Sec. 3301.0712.** (A) The state board of education, the 501  
superintendent of public instruction, and the chancellor of the 502  
Ohio board of regents shall develop a system of college and work 503  
ready assessments as described in division (B) of this section to 504  
assess whether each student upon graduating from high school is 505  
ready to enter college or the workforce. Beginning with students 506  
who enter the ninth grade for the first time on or after July 1, 507  
2014, the system shall replace the Ohio graduation tests 508  
prescribed in division (B)(1) of section 3301.0710 of the Revised 509  
Code as a measure of student academic performance and one 510  
determinant of eligibility for a high school diploma in the manner 511  
prescribed by rule of the state board adopted under division (D) 512  
of this section. 513

(B) The college and work ready assessment system shall 514  
consist of the following: 515

(1) A nationally standardized assessment that measures 516

college and career readiness, and is used for college admission, 517  
~~and includes components in English, mathematics, science, and~~ 518  
~~social studies.~~ The assessment shall be selected jointly by the 519  
state superintendent and the chancellor. The assessment prescribed 520  
under division (B)(1) of this section shall be administered to all 521  
eleventh-grade students. 522

(2) Seven end-of-course examinations, one in each of the 523  
areas of English language arts I, English language arts II, 524  
physical science or biology, Algebra I, geometry, American 525  
history, and American government. The end-of-course examinations 526  
shall be selected jointly by the state superintendent and the 527  
chancellor in consultation with faculty in the appropriate subject 528  
areas at institutions of higher education of the university system 529  
of Ohio. Advanced placement examinations, and international 530  
baccalaureate examinations, ~~and dual enrollment or advanced~~ 531  
~~standing program examinations,~~ as prescribed under section 532  
3313.6013 of the Revised Code, in the areas of physical science or 533  
biology, American history, and American government may be used as 534  
end-of-course examinations in accordance with division 535  
(B)(4)(a)(i) of this section. Final course grades for courses 536  
taken under any other advanced standing program, as prescribed 537  
under section 3313.6013 of the Revised Code, in the areas of 538  
physical science or biology, American history, and American 539  
government may be used in lieu of end-of-course examinations in 540  
accordance with division (B)(4)(a)(ii) of this section. 541

(3)(a) Not later than July 1, 2013, each school district 542  
board of education shall adopt interim end-of-course examinations 543  
that comply with the requirements of divisions (B)(3)(b)(i) and 544  
(ii) of this section to assess mastery of American history and 545  
American government standards adopted under division (A)(1)(b) of 546  
section 3301.079 of the Revised Code and the topics required under 547  
division (M) of section 3313.603 of the Revised Code. Each high 548

school of the district shall use the interim examinations until 549  
the state superintendent and chancellor select end-of-course 550  
examinations in American history and American government under 551  
division (B)(2) of this section. 552

(b) Not later than July 1, 2014, the state superintendent and 553  
the chancellor shall select the end-of-course examinations in 554  
American history and American government. 555

(i) The end-of-course examinations in American history and 556  
American government shall require demonstration of mastery of the 557  
American history and American government content for social 558  
studies standards adopted under division (A)(1)(b) of section 559  
3301.079 of the Revised Code and the topics required under 560  
division (M) of section 3313.603 of the Revised Code. 561

(ii) At least twenty per cent of the end-of-course 562  
examination in American government shall address the topics on 563  
American history and American government described in division (M) 564  
of section 3313.603 of the Revised Code. 565

(c) Beginning with the 2014-2015 school year, the state board 566  
shall report by the thirty-first day of December of each year to 567  
the governor and the general assembly, in accordance with section 568  
101.68 of the Revised Code, the status of student achievement in 569  
American history and American government based on the results of 570  
the end-of-course examinations prescribed by this section. 571

(4)(a) Notwithstanding anything to the contrary in this 572  
section, beginning with the 2014-2015 school year, if both of the 573  
following shall apply: 574

(i) If a student is enrolled in an appropriate advanced 575  
placement or international baccalaureate course ~~or is enrolled~~ 576  
~~under any other dual enrollment or advanced standing program,~~ that 577  
student shall take the advanced placement or international 578  
baccalaureate examination ~~or applicable examination under dual~~ 579

~~enrollment or advanced standing~~ in lieu of the physical science or 580  
biology, American history, or American government end-of-course 581  
examinations prescribed under division (B)(2) of this section. The 582  
state board shall specify the score levels for each advanced 583  
placement examination, and international baccalaureate 584  
~~examination, and examination required under other dual enrollment~~ 585  
~~or advanced standing programs~~ for purposes of calculating the 586  
minimum cumulative performance score that demonstrates the level 587  
of academic achievement necessary to earn a high school diploma. 588

(ii) If a student is enrolled in an appropriate course under 589  
any other advanced standing program, as described in section 590  
3313.6013 of the Revised Code, that student shall not be required 591  
to take the physical science or biology, American history, or 592  
American government end-of-course examination, whichever is 593  
applicable, prescribed under division (B)(2) of this section. 594  
Instead, that student's final course grade shall be used in lieu 595  
of the applicable end-of-course examination prescribed under that 596  
section. The state superintendent and the chancellor jointly shall 597  
adopt guidelines for purposes of calculating the minimum final 598  
course grade that demonstrates the level of academic achievement 599  
necessary to earn a high school diploma. 600

Division (B)(4)(a)(ii) of this section shall apply only to 601  
courses for which students receive transcribed credit, as defined 602  
in division (U) of section 3365.01 of the Revised Code. It shall 603  
not apply to remedial or developmental courses. 604

(b) No student shall take a substitute examination or 605  
examination prescribed under division (B)(4)(a) of this section in 606  
place of the end-of-course examinations in English language arts 607  
I, English language arts II, Algebra I, or geometry prescribed 608  
under division (B)(2) of this section. 609

(c) The state board shall consider additional assessments 610  
that may be used, beginning with the 2016-2017 school year, as 611

substitute examinations in lieu of the end-of-course examinations 612  
prescribed under division (B)(2) of this section. 613

(5)~~(a)~~ The state board shall ~~determine~~ do all of the 614  
following: 615

(a) Determine and designate at least five ranges of scores on 616  
each of the end-of-course examinations prescribed under division 617  
(B)(2) of this section, and substitute examinations prescribed 618  
under division (B)(4) of this section. Each range of scores shall 619  
be considered to demonstrate a level of achievement so that any 620  
student attaining a score within such range has achieved one of 621  
the following: 622

(i) An advanced level of skill; 623

(ii) An accelerated level of skill; 624

(iii) A proficient level of skill; 625

(iv) A basic level of skill; 626

(v) A limited level of skill. 627

(b) Determine a method by which to calculate a cumulative 628  
performance score based on the results of a student's 629  
end-of-course examinations or substitute examinations; 630

(c) Determine the minimum cumulative performance score that 631  
demonstrates the level of academic achievement necessary to earn a 632  
high school diploma; 633

(d) Develop a table of corresponding score equivalents for 634  
the end-of-course examinations and substitute examinations in 635  
order to calculate student performance consistently across the 636  
different examinations. A score of two on an advanced placement 637  
examination shall be considered equivalent to a proficient level 638  
of skill as specified under division (B)(5)(a)(iii) of this 639  
section. A score of three on an advanced placement examinations 640  
shall be considered equivalent to an accelerated level of skill as 641

specified under division (B)(5)(a)(ii) of this section. 642

(6) Any student who received high school credit prior to July 643  
1, 2014, for a course for which an end-of-course examination is 644  
prescribed by division (B)(2) of this section shall not be 645  
required to take that end-of-course examination. Receipt of credit 646  
for that course shall satisfy the requirement to take the 647  
end-of-course examination. 648

(7)(a) Notwithstanding anything to the contrary in this 649  
section, the state board may replace the algebra I end-of-course 650  
examination prescribed under division (B)(2) of this section with 651  
an algebra II end-of-course examination, beginning with the 652  
2016-2017 school year for students who enter ninth grade on or 653  
after July 1, 2016. 654

(b) If the state board replaces the algebra I end-of-course 655  
examination with an algebra II end-of-course examination as 656  
authorized under division (B)(7)(a) of this section, a both of the 657  
following shall apply: 658

(i) A student who is enrolled in an advanced placement or 659  
international baccalaureate course in algebra II ~~or is enrolled~~ 660  
~~under any other dual enrollment or advanced standing program in~~ 661  
~~algebra II~~ shall take the advanced placement or international 662  
baccalaureate examination ~~or applicable examination under dual~~ 663  
~~enrollment or advanced standing~~ in lieu of the algebra II 664  
end-of-course examination. 665

(ii) A student who is enrolled in an algebra II course under 666  
any other advanced standing program, as described in section 667  
3313.6013 of the Revised Code, shall not be required to take the 668  
algebra II end-of-course examination, so long as the course is not 669  
remedial or developmental and the student receives transcribed 670  
credit, as defined in division (U) of section 3365.01 of the 671  
Revised Code, for the course. Instead, that student's final course 672

grade shall be used in lieu of the examination. 673

(c) If a school district or school utilizes an integrated approach to mathematics instruction, the district or school may do either or both of the following: 674  
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676

(i) Administer an integrated mathematics I end-of-course examination in lieu of the prescribed algebra I end-of-course examination; 677  
678  
679

(ii) Administer an integrated mathematics II end-of-course examination in lieu of the prescribed geometry end-of-course examination. 680  
681  
682

(8)(a) Until July 1, 2016, the department of education shall make available end-of-course examinations in both physical science and biology. 683  
684  
685

(b) For any school year that begins on or after July 1, 2016, the state board may choose to provide one or both of the end-of-course examinations in physical science and biology. 686  
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(9) Neither the state board nor the department of education shall develop or administer an end-of-course examination in the area of world history. 689  
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(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. 692  
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(D) Upon completion of the development of the assessment system, the state board shall adopt rules prescribing all of the following: 697  
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(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; 700  
701  
702

(2) The date after which a person shall meet the requirements 703  
of the entire assessment system as a prerequisite for a diploma of 704  
adult education under section 3313.611 of the Revised Code; 705

(3) Whether and the extent to which a person may be excused 706  
from an American history end-of-course examination and an American 707  
government end-of-course examination under division (H) of section 708  
3313.61 and division (B)(3) of section 3313.612 of the Revised 709  
Code; 710

(4) The date after which a person who has fulfilled the 711  
curriculum requirement for a diploma but has not passed one or 712  
more of the required assessments at the time the person fulfilled 713  
the curriculum requirement shall meet the requirements of the 714  
entire assessment system as a prerequisite for a high school 715  
diploma under division (B) of section 3313.614 of the Revised 716  
Code; 717

(5) The extent to which the assessment system applies to 718  
students enrolled in a dropout recovery and prevention program for 719  
purposes of division (F) of section 3313.603 and section 3314.36 720  
of the Revised Code. 721

(E) Not later than forty-five days prior to the state board's 722  
adoption of a resolution directing the department of education to 723  
file the rules prescribed by division (D) of this section in final 724  
form under section 119.04 of the Revised Code, the superintendent 725  
of public instruction shall present the assessment system 726  
developed under this section to the respective committees of the 727  
house of representatives and senate that consider education 728  
legislation. 729

(F)(1) Any person enrolled in a nonchartered nonpublic school 730  
or any person who has been excused from attendance at school for 731  
the purpose of home instruction under section 3321.04 of the 732  
Revised Code may choose to participate in the system of 733



assessments administered under divisions (B)(1) and (2) of this 734  
section. However, no such person shall be required to participate 735  
in the system of assessments. 736

(2) The department shall adopt rules for the administration 737  
and scoring of any assessments under division (F)(1) of this 738  
section. 739

(G) Not later than December 31, 2014, the state board shall 740  
select at least one nationally recognized job skills assessment. 741  
Each school district shall administer that assessment to those 742  
students who opt to take it. The state shall reimburse a school 743  
district for the costs of administering that assessment. The state 744  
board shall establish the minimum score a student must attain on 745  
the job skills assessment in order to demonstrate a student's 746  
workforce readiness and employability. The administration of the 747  
job skills assessment to a student under this division shall not 748  
exempt a school district from administering the assessments 749  
prescribed in division (B) of this section to that student. 750

**Sec. 3302.02.** Not later than one year after the adoption of 751  
rules under division (D) of section 3301.0712 of the Revised Code 752  
and at least every sixth year thereafter, upon recommendations of 753  
the superintendent of public instruction, the state board of 754  
education shall establish a set of performance indicators that 755  
considered as a unit will be used as one of the performance 756  
categories for the report cards required by section 3302.03 of the 757  
Revised Code. In establishing these indicators, the superintendent 758  
shall consider inclusion of student performance on assessments 759  
prescribed under section 3301.0710 or 3301.0712 of the Revised 760  
Code, rates of student improvement on such assessments, the 761  
breadth of coursework available within the district, and other 762  
indicators of student success. 763

Beginning with the report card for the 2014-2015 school year, 764

the performance indicators shall include an indicator that 765  
reflects the level of services provided to, and the performance 766  
of, students identified as gifted under Chapter 3324. of the 767  
Revised Code. The indicator shall include the performance of 768  
students identified as gifted on state assessments and value-added 769  
growth measure disaggregated for students identified as gifted. 770

For the 2013-2014 school year, except as otherwise provided 771  
in this section, for any indicator based on the percentage of 772  
students attaining a proficient score on the assessments 773  
prescribed by divisions (A) and (B)(1) of section 3301.0710 of the 774  
Revised Code, a school district or building shall be considered to 775  
have met the indicator if at least eighty per cent of the tested 776  
students attain a score of proficient or higher on the assessment. 777  
A school district or building shall be considered to have met the 778  
indicator for the assessments prescribed by division (B)(1) of 779  
section 3301.0710 of the Revised Code and only as administered to 780  
eleventh grade students, if at least eighty-five per cent of the 781  
tested students attain a score of proficient or higher on the 782  
assessment. ~~Not later than July 1, 2014, the~~ 783

The state board may shall adopt rules, under Chapter 119. of 784  
the Revised Code, to establish ~~different~~ proficiency percentages 785  
to meet each indicator that is based on a state assessment, 786  
prescribed under section 3301.0710 or 3301.0712 of the Revised 787  
Code, for the 2014-2015 school year and thereafter by the 788  
following dates: 789

(A) Not later than December 1, 2015, for the 2014-2015 school 790  
year; 791

(B) Not later than July 1, 2016, for the 2015-2016 school 792  
year; 793

(C) Not later than July 1, 2017, for the 2016-2017 school 794  
year, and for each school year thereafter. 795

The proficiency percentage shall not be less than sixty per cent for the 2014-2015, 2015-2016, and 2016-2017 school years. The proficiency percentage shall not be less than seventy-five per cent for the 2017-2018 school year and each school year thereafter.

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

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

(A)(1) For the 2012-2013 school year, the department shall 828  
issue grades as described in division (E) of this section for each 829  
of the following performance measures: 830

(a) Annual measurable objectives; 831

(b) Performance index score for a school district or 832  
building. Grades shall be awarded as a percentage of the total 833  
possible points on the performance index system as adopted by the 834  
state board. In adopting benchmarks for assigning letter grades 835  
under division (A)(1)(b) of this section, the state board of 836  
education shall designate ninety per cent or higher for an "A," at 837  
least seventy per cent but not more than eighty per cent for a 838  
"C," and less than fifty per cent for an "F." 839

(c) The extent to which the school district or building meets 840  
each of the applicable performance indicators established by the 841  
state board under section 3302.02 of the Revised Code and the 842  
percentage of applicable performance indicators that have been 843  
achieved. In adopting benchmarks for assigning letter grades under 844  
division (A)(1)(c) of this section, the state board shall 845  
designate ninety per cent or higher for an "A." 846

(d) The four- and five-year adjusted cohort graduation rates. 847

In adopting benchmarks for assigning letter grades under 848  
division (A)(1)(d), (B)(1)(d), or (C)(1)(d) of this section, the 849  
department shall designate a four-year adjusted cohort graduation 850  
rate of ninety-three per cent or higher for an "A" and a five-year 851  
cohort graduation rate of ninety-five per cent or higher for an 852  
"A." 853

(e) The overall score under the value-added progress 854  
dimension of a school district or building, for which the 855  
department shall use up to three years of value-added data as 856  
available. The letter grade assigned for this growth measure shall 857  
be as follows: 858

(i) A score that is at least two standard errors of measure 859  
above the mean score shall be designated as an "A." 860

(ii) A score that is at least one standard error of measure 861  
but less than two standard errors of measure above the mean score 862  
shall be designated as a "B." 863

(iii) A score that is less than one standard error of measure 864  
above the mean score but greater than or equal to one standard 865  
error of measure below the mean score shall be designated as a 866  
"C." 867

(iv) A score that is not greater than one standard error of 868  
measure below the mean score but is greater than or equal to two 869  
standard errors of measure below the mean score shall be 870  
designated as a "D." 871

(v) A score that is not greater than two standard errors of 872  
measure below the mean score shall be designated as an "F." 873

Whenever the value-added progress dimension is used as a 874  
graded performance measure, whether as an overall measure or as a 875  
measure of separate subgroups, the grades for the measure shall be 876  
calculated in the same manner as prescribed in division (A)(1)(e) 877  
of this section. 878

(f) The value-added progress dimension score for a school 879  
district or building disaggregated for each of the following 880  
subgroups: students identified as gifted, students with 881  
disabilities, and students whose performance places them in the 882  
lowest quintile for achievement on a statewide basis. Each 883  
subgroup shall be a separate graded measure. 884

(2) Not later than April 30, 2013, the state board of 885  
education shall adopt a resolution describing the performance 886  
measures, benchmarks, and grading system for the 2012-2013 school 887  
year and, not later than June 30, 2013, shall adopt rules in 888  
accordance with Chapter 119. of the Revised Code that prescribe 889

the methods by which the performance measures under division 890  
(A)(1) of this section shall be assessed and assigned a letter 891  
grade, including performance benchmarks for each letter grade. 892

At least forty-five days prior to the state board's adoption 893  
of rules to prescribe the methods by which the performance 894  
measures under division (A)(1) of this section shall be assessed 895  
and assigned a letter grade, the department shall conduct a public 896  
presentation before the standing committees of the house of 897  
representatives and the senate that consider education legislation 898  
describing such methods, including performance benchmarks. 899

(3) There shall not be an overall letter grade for a school 900  
district or building for the 2012-2013 school year. 901

(B)(1) For the 2013-2014 school year, the department shall 902  
issue grades as described in division (E) of this section for each 903  
of the following performance measures: 904

(a) Annual measurable objectives; 905

(b) Performance index score for a school district or 906  
building. Grades shall be awarded as a percentage of the total 907  
possible points on the performance index system as created by the 908  
department. In adopting benchmarks for assigning letter grades 909  
under division (B)(1)(b) of this section, the state board shall 910  
designate ninety per cent or higher for an "A," at least seventy 911  
per cent but not more than eighty per cent for a "C," and less 912  
than fifty per cent for an "F." 913

(c) The extent to which the school district or building meets 914  
each of the applicable performance indicators established by the 915  
state board under section 3302.03 of the Revised Code and the 916  
percentage of applicable performance indicators that have been 917  
achieved. In adopting benchmarks for assigning letter grades under 918  
division (B)(1)(c) of this section, the state board shall 919  
designate ninety per cent or higher for an "A." 920

|  |     |
|--|-----|
| (d) The four- and five-year adjusted cohort graduation rates;      | 921 |
| (e) The overall score under the value-added progress               | 922 |
| dimension of a school district or building, for which the          | 923 |
| department shall use up to three years of value-added data as      | 924 |
| available.   | 925 |
| (f) The value-added progress dimension score for a school          | 926 |
| district or building disaggregated for each of the following       | 927 |
| subgroups: students identified as gifted in superior cognitive     | 928 |
| ability and specific academic ability fields under Chapter 3324.   | 929 |
| of the Revised Code, students with disabilities, and students      | 930 |
| whose performance places them in the lowest quintile for           | 931 |
| achievement on a statewide basis. Each subgroup shall be a         | 932 |
| separate graded measure.   | 933 |
| (g) Whether a school district or building is making progress       | 934 |
| in improving literacy in grades kindergarten through three, as     | 935 |
| determined using a method prescribed by the state board. The state | 936 |
| board shall adopt rules to prescribe benchmarks and standards for  | 937 |
| assigning grades to districts and buildings for purposes of        | 938 |
| division (B)(1)(g) of this section. In adopting benchmarks for     | 939 |
| assigning letter grades under divisions (B)(1)(g) and (C)(1)(g) of | 940 |
| this section, the state board shall determine progress made based  | 941 |
| on the reduction in the total percentage of students scoring below | 942 |
| grade level, or below proficient, compared from year to year on    | 943 |
| the reading and writing diagnostic assessments administered under  | 944 |
| section 3301.0715 of the Revised Code and the third grade English  | 945 |
| language arts assessment under section 3301.0710 of the Revised    | 946 |
| Code, as applicable. The state board shall designate for a "C"     | 947 |
| grade a value that is not lower than the statewide average value   | 948 |
| for this measure. No grade shall be issued under divisions         | 949 |
| (B)(1)(g) and (C)(1)(g) of this section for a district or building | 950 |
| in which less than five per cent of students have scored below     | 951 |
| grade level on the diagnostic assessment administered to students  | 952 |

in kindergarten under division (B)(1) of section 3313.608 of the Revised Code.

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

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

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

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

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



under divisions (B)(2)(b) and (C)(2)(c) of this section shall not 984  
include any that are remedial or developmental and shall include 985  
those that count toward the curriculum requirements established 986  
for completion of a degree. 987

(c) The percentage of students enrolled in a district or 988  
building who have taken a national standardized test used for 989  
college admission determinations and the percentage of those 990  
students who are determined to be remediation-free in accordance 991  
with standards adopted under division (F) of section 3345.061 of 992  
the Revised Code; 993

(d) The percentage of the district's or the building's 994  
students who receive industry-recognized credentials. The state 995  
board shall adopt criteria for acceptable industry-recognized 996  
credentials. 997

(e) The percentage of students enrolled in a district or 998  
building who are participating in an international baccalaureate 999  
program and the percentage of those students who receive a score 1000  
of four or better on the international baccalaureate examinations. 1001

(f) The percentage of the district's or building's students 1002  
who receive an honors diploma under division (B) of section 1003  
3313.61 of the Revised Code. 1004

(3) Not later than December 31, 2013, the state board shall 1005  
adopt rules in accordance with Chapter 119. of the Revised Code 1006  
that prescribe the methods by which the performance measures under 1007  
divisions (B)(1)(f) and (B)(1)(g) of this section will be assessed 1008  
and assigned a letter grade, including performance benchmarks for 1009  
each grade. 1010

At least forty-five days prior to the state board's adoption 1011  
of rules to prescribe the methods by which the performance 1012  
measures under division (B)(1) of this section shall be assessed 1013  
and assigned a letter grade, the department shall conduct a public 1014

presentation before the standing committees of the house of 1015  
representatives and the senate that consider education legislation 1016  
describing such methods, including performance benchmarks. 1017

(4) There shall not be an overall letter grade for a school 1018  
district or building for the 2013-2014 school year. 1019

(C)(1) For the 2014-2015 school year and each school year 1020  
thereafter, the department shall issue grades as described in 1021  
division (E) of this section for each of the performance measures 1022  
prescribed in division (C)(1) of this section and an overall 1023  
letter grade based on an aggregate of those measures, except for 1024  
the performance measure set forth in division (C)(1)(h) of this 1025  
section. The graded measures are as follows: 1026

(a) Annual measurable objectives; 1027

(b) Performance index score for a school district or 1028  
building. Grades shall be awarded as a percentage of the total 1029  
possible points on the performance index system as created by the 1030  
department. In adopting benchmarks for assigning letter grades 1031  
under division (C)(1)(b) of this section, the state board shall 1032  
designate ninety per cent or higher for an "A," at least seventy 1033  
per cent but not more than eighty per cent for a "C," and less 1034  
than fifty per cent for an "F." 1035

(c) The extent to which the school district or building meets 1036  
each of the applicable performance indicators established by the 1037  
state board under section 3302.03 of the Revised Code and the 1038  
percentage of applicable performance indicators that have been 1039  
achieved. In adopting benchmarks for assigning letter grades under 1040  
division (C)(1)(c) of this section, the state board shall 1041  
designate ninety per cent or higher for an "A." 1042

(d) The four- and five-year adjusted cohort graduation rates; 1043

(e) The overall score under the value-added progress 1044  
dimension, or another measure of student academic progress if 1045

adopted by the state board, of a school district or building, for 1046  
which the department shall use up to three years of value-added 1047  
data as available. 1048

In adopting benchmarks for assigning letter grades for 1049  
overall score on value-added progress dimension under division 1050  
(C)(1)(e) of this section, the state board shall prohibit the 1051  
assigning of a grade of "A" for that measure unless the district's 1052  
or building's grade assigned for value-added progress dimension 1053  
for all subgroups under division (C)(1)(f) of this section is a 1054  
"B" or higher. 1055

For the metric prescribed by division (C)(1)(e) of this 1056  
section, the state board may adopt a student academic progress 1057  
measure to be used instead of the value-added progress dimension. 1058  
If the state board adopts such a measure, it also shall prescribe 1059  
a method for assigning letter grades for the new measure that is 1060  
comparable to the method prescribed in division (A)(1)(e) of this 1061  
section. 1062

(f) The value-added progress dimension score of a school 1063  
district or building disaggregated for each of the following 1064  
subgroups: students identified as gifted in superior cognitive 1065  
ability and specific academic ability fields under Chapter 3324. 1066  
of the Revised Code, students with disabilities, and students 1067  
whose performance places them in the lowest quintile for 1068  
achievement on a statewide basis, as determined by a method 1069  
prescribed by the state board. Each subgroup shall be a separate 1070  
graded measure. 1071

The state board may adopt student academic progress measures 1072  
to be used instead of the value-added progress dimension. If the 1073  
state board adopts such measures, it also shall prescribe a method 1074  
for assigning letter grades for the new measures that is 1075  
comparable to the method prescribed in division (A)(1)(e) of this 1076  
section. 1077

(g) Whether a school district or building is making progress 1078  
in improving literacy in grades kindergarten through three, as 1079  
determined using a method prescribed by the state board. The state 1080  
board shall adopt rules to prescribe benchmarks and standards for 1081  
assigning grades to a district or building for purposes of 1082  
division (C)(1)(g) of this section. The state board shall 1083  
designate for a "C" grade a value that is not lower than the 1084  
previous year's statewide average value for this measure. No grade 1085  
shall be issued under division (C)(1)(g) of this section for a 1086  
district or building in which less than five per cent of students 1087  
have scored below grade level on the kindergarten diagnostic 1088  
assessment under division (B)(1) of section 3313.608 of the 1089  
Revised Code, unless five per cent or more of students fail to 1090  
score proficient or above on the English language arts assessment 1091  
prescribed under division (A)(1)(a) of section 3301.0710 of the 1092  
Revised Code. 1093

(h) For a high mobility school district or building, an 1094  
additional value-added progress dimension score. For this measure, 1095  
the department shall use value-added data from the most recent 1096  
school year available and shall use assessment scores for only 1097  
those students to whom the district or building has administered 1098  
the assessments prescribed by section 3301.0710 of the Revised 1099  
Code for each of the two most recent consecutive school years. 1100

As used in this division, "high mobility school district or 1101  
building" means a school district or building where at least 1102  
twenty-five per cent of its total enrollment is made up of 1103  
students who have attended that school district or building for 1104  
less than one year. 1105

(2) In addition to the graded measures in division (C)(1) of 1106  
this section, the department shall include on a school district's 1107  
or building's report card all of the following without an assigned 1108  
letter grade: 1109

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

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

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

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

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

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

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

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

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

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

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

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

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

(f) Prepared for success, which shall include the performance measures in divisions (C)(2)(a), (b), (c), (d), (e), and (f) of this section. The state board shall develop a method to determine a grade for the component in division (C)(3)(f) of this section using the performance measures in divisions (C)(2)(a), (b), (c), (d), (e), and (f) of this section. When available, the state board may incorporate the performance measure under division (C)(2)(g) of this section into the component under division (C)(3)(f) of this section. When determining the overall grade for the prepared for success component prescribed by division (C)(3)(f) of this section, no individual student shall be counted in more than one

performance measure. However, if a student qualifies for more than 1172  
one performance measure in the component, the state board may, in 1173  
its method to determine a grade for the component, specify an 1174  
additional weight for such a student that is not greater than or 1175  
equal to 1.0. In determining the overall score under division 1176  
(C)(3)(f) of this section, the state board shall ensure that the 1177  
pool of students included in the performance measures aggregated 1178  
under that division are all of the students included in the four- 1179  
and five-year adjusted graduation cohort. 1180

In the rules adopted under division (C)(3) of this section, 1181  
the state board shall adopt a method for determining a grade for 1182  
each component in divisions (C)(3)(a) to (f) of this section. The 1183  
state board also shall establish a method to assign an overall 1184  
grade of "A," "B," "C," "D," or "F" using the grades assigned for 1185  
each component. The method the state board adopts for assigning an 1186  
overall grade shall give equal weight to the components in 1187  
divisions (C)(3)(b) and (c) of this section. 1188

At least forty-five days prior to the state board's adoption 1189  
of rules to prescribe the methods for calculating the overall 1190  
grade for the report card, as required by this division, the 1191  
department shall conduct a public presentation before the standing 1192  
committees of the house of representatives and the senate that 1193  
consider education legislation describing the format for the 1194  
report card, weights that will be assigned to the components of 1195  
the overall grade, and the method for calculating the overall 1196  
grade. 1197

(D) Not later than July 1, 2015, the state board shall 1198  
develop a measure of student academic progress for high school 1199  
students using only data from assessments in English language arts 1200  
and mathematics. For the 2014-2015 school year, the department 1201  
shall include this measure on a school district or building's 1202  
report card, as applicable, without an assigned letter grade. 1203

Beginning with the report card for the 2015-2016 school year, each school district and applicable school building shall be assigned a separate letter grade for this measure and the district's or building's grade for that measure shall be included in determining the district's or building's overall letter grade. This measure shall be included within the measure prescribed in division (C)(3)(c) of this section in the calculation for the overall letter grade.

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

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

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

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

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

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

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

(1) Performance of students by grade-level;

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

(3) Performance of students by gender;

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

(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;



|  |  |
|--|--|
| (6) Performance of students grouped by those who have been enrolled in a district or school for one year or less;  | 1233<br>1234   |
| (7) Performance of students grouped by those who are economically disadvantaged;   | 1235<br>1236   |
| (8) Performance of students grouped by those who are enrolled in a conversion community school established under Chapter 3314. of the Revised Code;  | 1237<br>1238<br>1239   |
| (9) Performance of students grouped by those who are classified as limited English proficient;   | 1240<br>1241   |
| (10) Performance of students grouped by those who have disabilities;   | 1242<br>1243   |
| (11) Performance of students grouped by those who are classified as migrants;  | 1244<br>1245   |
| (12) Performance of students grouped by those who are identified as gifted in superior cognitive ability and the specific academic ability fields of reading and math pursuant to Chapter 3324. of the Revised Code. In disaggregating specific academic ability fields for gifted students, the department shall use data for those students with specific academic ability in math and reading. If any other academic field is assessed, the department shall also include data for students with specific academic ability in that field as well. | 1246<br>1247<br>1248<br>1249<br>1250<br>1251<br>1252<br>1253<br>1254 |
| (13) Performance of students grouped by those who perform in the lowest quintile for achievement on a statewide basis, as determined by a method prescribed by the state board.  | 1255<br>1256<br>1257   |
| The department may disaggregate data on student performance according to other categories that the department determines are appropriate. To the extent possible, the department shall disaggregate data on student performance according to any combinations of two or more of the categories listed in divisions   | 1258<br>1259<br>1260<br>1261<br>1262                                 |

(F)(1) to (13) of this section that it deems relevant. 1263

In reporting data pursuant to division (F) of this section, 1264  
the department shall not include in the report cards any data 1265  
statistical in nature that is statistically unreliable or that 1266  
could result in the identification of individual students. For 1267  
this purpose, the department shall not report student performance 1268  
data for any group identified in division (F) of this section that 1269  
contains less than ten students. If the department does not report 1270  
student performance data for a group because it contains less than 1271  
ten students, the department shall indicate on the report card 1272  
that is why data was not reported. 1273

(G) The department may include with the report cards any 1274  
additional education and fiscal performance data it deems 1275  
valuable. 1276

(H) The department shall include on each report card a list 1277  
of additional information collected by the department that is 1278  
available regarding the district or building for which the report 1279  
card is issued. When available, such additional information shall 1280  
include student mobility data disaggregated by race and 1281  
socioeconomic status, college enrollment data, and the reports 1282  
prepared under section 3302.031 of the Revised Code. 1283

The department shall maintain a site on the world wide web. 1284  
The report card shall include the address of the site and shall 1285  
specify that such additional information is available to the 1286  
public at that site. The department shall also provide a copy of 1287  
each item on the list to the superintendent of each school 1288  
district. The district superintendent shall provide a copy of any 1289  
item on the list to anyone who requests it. 1290

(I) Division (I) of this section does not apply to conversion 1291  
community schools that primarily enroll students between sixteen 1292  
and twenty-two years of age who dropped out of high school or are 1293

at risk of dropping out of high school due to poor attendance, 1294  
disciplinary problems, or suspensions. 1295

(1) For any district that sponsors a conversion community 1296  
school under Chapter 3314. of the Revised Code, the department 1297  
shall combine data regarding the academic performance of students 1298  
enrolled in the community school with comparable data from the 1299  
schools of the district for the purpose of determining the 1300  
performance of the district as a whole on the report card issued 1301  
for the district under this section or section 3302.033 of the 1302  
Revised Code. 1303

(2) Any district that leases a building to a community school 1304  
located in the district or that enters into an agreement with a 1305  
community school located in the district whereby the district and 1306  
the school endorse each other's programs may elect to have data 1307  
regarding the academic performance of students enrolled in the 1308  
community school combined with comparable data from the schools of 1309  
the district for the purpose of determining the performance of the 1310  
district as a whole on the district report card. Any district that 1311  
so elects shall annually file a copy of the lease or agreement 1312  
with the department. 1313

(3) Any municipal school district, as defined in section 1314  
3311.71 of the Revised Code, that sponsors a community school 1315  
located within the district's territory, or that enters into an 1316  
agreement with a community school located within the district's 1317  
territory whereby the district and the community school endorse 1318  
each other's programs, may exercise either or both of the 1319  
following elections: 1320

(a) To have data regarding the academic performance of 1321  
students enrolled in that community school combined with 1322  
comparable data from the schools of the district for the purpose 1323  
of determining the performance of the district as a whole on the 1324  
district's report card; 1325

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

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

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

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

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

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

(a) Include for each district or building only those students who are included in the ADM certified for the first full school week of October and are continuously enrolled in the district or

building through the time of the spring administration of any 1357  
assessment prescribed by division (A)(1) or (B)(1) of section 1358  
3301.0710 or division (B) of section 3301.0712 of the Revised Code 1359  
that is administered to the student's grade level; 1360

(b) Include cumulative totals from both the fall and spring 1361  
administrations of the third grade English language arts 1362  
achievement assessment; 1363

(c) Except as required by the No Child Left Behind Act of 1364  
2001, exclude for each district or building any limited English 1365  
proficient student who has been enrolled in United States schools 1366  
for less than one full school year. 1367

(L) Beginning with the 2015-2016 school year and at least 1368  
once every three years thereafter, the state board of education 1369  
shall review and may adjust the benchmarks for assigning letter 1370  
grades to the performance measures and components prescribed under 1371  
divisions (C)(3) and (D) of this section. 1372

**Sec. 3302.035.** (A) Not later than October 1, 2015, and not 1373  
later than the first day of October each year thereafter, the 1374  
department of education shall report for each school district, 1375  
each community school established under Chapter 3314., each STEM 1376  
school established under Chapter 3326., and each 1377  
college-preparatory boarding school established under Chapter 1378  
3328. of the Revised Code, the following measures for students 1379  
with disabilities enrolled in that school district or community, 1380  
STEM, or college-preparatory boarding school: 1381

(1) The value-added progress dimension score, as 1382  
disaggregated for that subgroup under division (C)(1)(f) of 1383  
section 3302.03 of the Revised Code; 1384

(2) The performance index score for that subgroup, as defined 1385  
under division (A) of section 3302.01 of the Revised Code; 1386

|   |      |
|---|------|
| (3) <del>The four- and five-year, five-, six-, seven-, and</del>                            | 1387 |
| <del>eight-year</del> adjusted cohort graduation rates, <del>as defined under</del>         | 1388 |
| <del>divisions (C)(1) and (2) of section 3302.01 of the Revised Code,</del>                 | 1389 |
| for that subgroup;  | 1390 |
| <u>(4) Annual measurable objectives for that subgroup;</u>                                  | 1391 |
| <u>(5) Data regarding disciplinary actions taken by the district</u>                        | 1392 |
| <u>or school against students with disabilities compared with such</u>                      | 1393 |
| <u>actions taken against students without disabilities.</u>                                 | 1394 |
| (B) <u>The department shall also calculate and report all of the</u>                        | 1395 |
| <u>following:</u>   | 1396 |
| <u>(1) The state average for each of the measures specified in</u>                          | 1397 |
| <u>division (A) of this section;</u>  | 1398 |
| <u>(2) The state average for the value-added progress dimension</u>                         | 1399 |
| <u>score for students with disabilities, disaggregated by grade level</u>                   | 1400 |
| <u>and subject area;</u>  | 1401 |
| <u>(3) The state average for the performance index score for</u>                            | 1402 |
| <u>students with disabilities, disaggregated for each category of</u>                       | 1403 |
| <u>disability described in divisions (A) to (F) of section 3317.013</u>                     | 1404 |
| <u>of the Revised Code.</u>   | 1405 |
| (C) <u>The department shall make each report completed pursuant</u>                         | 1406 |
| <u>to <del>division</del> <u>divisions (A) and (B) of this section available on its</u></u> | 1407 |
| <u>web site for comparison purposes.</u>  | 1408 |
| (D) <u>As used in this section:</u>   | 1409 |
| <u>(1) "Four-year adjusted cohort graduation rate" and</u>                                  | 1410 |
| <u>"five-year adjusted cohort graduation rate" have the same meanings</u>                   | 1411 |
| <u>as in divisions (G)(1) and (2) of section 3302.01 of the Revised</u>                     | 1412 |
| <u>Code.</u>  | 1413 |
| <u>(2) "Six-year adjusted cohort graduation rate" means the</u>                             | 1414 |
| <u>number of students who graduate in six years with a regular high</u>                     | 1415 |
| <u>school diploma divided by the number of students who form the</u>                        | 1416 |

adjusted cohort for the four-year graduation rate. 1417

(3) "Seven-year adjusted cohort graduation rate" means the 1418  
number of students who graduate in seven years with a regular high 1419  
school diploma divided by the number of students who form the 1420  
adjusted cohort for the four-year graduation rate. 1421

(4) "Eight-year adjusted cohort graduation rate" means the 1422  
number of students who graduate in eight years with a regular high 1423  
school diploma divided by the number of students who form the 1424  
adjusted cohort for the four-year graduation rate. 1425

**Sec. 3313.534.** ~~Not~~ (A) Not later than July 1, 1998, the board 1426  
of education of each city, exempted village, and local school 1427  
district shall adopt a policy of zero tolerance for violent, 1428  
disruptive, or inappropriate behavior, including excessive 1429  
truancy, and establish strategies to address such behavior that 1430  
range from prevention to intervention. 1431

~~Not~~ (B) Not later than July 1, 1999, each of the big eight 1432  
school districts, as defined in section 3314.02 of the Revised 1433  
Code, shall establish under section 3313.533 of the Revised Code 1434  
at least one alternative school to meet the educational needs of 1435  
students with severe discipline problems, including, but not 1436  
limited to, excessive truancy, excessive disruption in the 1437  
classroom, and multiple suspensions or expulsions. Any other 1438  
school district that attains after that date a significantly 1439  
substandard graduation rate, as defined by the department of 1440  
education, shall also establish such an alternative school under 1441  
that section. 1442

(C)(1) Not later than June 30, 2015, the state board of 1443  
education shall develop a model disciplinary policy for violent, 1444  
disruptive, or inappropriate behavior, including excessive 1445  
truancy, that stresses preventive strategies and alternatives to 1446  
suspension and expulsion. 1447

(2) Not later than December 31, 2015, the department of 1448  
education shall do both of the following: 1449

(a) Provide to each school district a copy of the policy 1450  
adopted by the state board pursuant to division (C)(1) of this 1451  
section; 1452

(b) Develop materials to assist school districts in providing 1453  
teacher and staff training on the implementation of the strategies 1454  
included in that policy. 1455

**Sec. 3313.603.** (A) As used in this section: 1456

(1) "One unit" means a minimum of one hundred twenty hours of 1457  
course instruction, except that for a laboratory course, "one 1458  
unit" means a minimum of one hundred fifty hours of course 1459  
instruction. 1460

(2) "One-half unit" means a minimum of sixty hours of course 1461  
instruction, except that for physical education courses, "one-half 1462  
unit" means a minimum of one hundred twenty hours of course 1463  
instruction. 1464

(B) Beginning September 15, 2001, except as required in 1465  
division (C) of this section and division (C) of section 3313.614 1466  
of the Revised Code, the requirements for graduation from every 1467  
high school shall include twenty units earned in grades nine 1468  
through twelve and shall be distributed as follows: 1469

(1) English language arts, four units; 1470

(2) Health, one-half unit; 1471

(3) Mathematics, three units; 1472

(4) Physical education, one-half unit; 1473

(5) Science, two units until September 15, 2003, and three 1474  
units thereafter, which at all times shall include both of the 1475  
following: 1476



|   |  |
|---|--|
| (a) Biological sciences, one unit;  | 1477   |
| (b) Physical sciences, one unit.  | 1478   |
| (6) History and government, one unit, which shall comply with<br>division (M) of this section and shall include both of the<br>following:   | 1479<br>1480<br>1481                                 |
| (a) American history, one-half unit;  | 1482   |
| (b) American government, one-half unit.   | 1483   |
| (7) Social studies, two units.  | 1484   |
| <u>Beginning with students who enter ninth grade for the first<br/>time on or after July 1, 2017, the two units of instruction<br/>prescribed by division (B)(7) of this section shall include at<br/>least one-half unit of instruction in the study of world history<br/>and civilizations.</u>   | 1485<br>1486<br>1487<br>1488<br>1489                 |
| (8) Elective units, seven units until September 15, 2003, and<br>six units thereafter.  | 1490<br>1491   |
| Each student's electives shall include at least one unit, or<br>two half units, chosen from among the areas of<br>business/technology, fine arts, and/or foreign language.  | 1492<br>1493<br>1494                                 |
| (C) Beginning with students who enter ninth grade for the<br>first time on or after July 1, 2010, except as provided in<br>divisions (D) to (F) of this section, the requirements for<br>graduation from every public and chartered nonpublic high school<br>shall include twenty units that are designed to prepare students<br>for the workforce and college. The units shall be distributed as<br>follows: | 1495<br>1496<br>1497<br>1498<br>1499<br>1500<br>1501 |
| (1) English language arts, four units;  | 1502   |
| (2) Health, one-half unit, which shall include instruction in<br>nutrition and the benefits of nutritious foods and physical<br>activity for overall health;  | 1503<br>1504<br>1505                                 |

|  |  |
|--|--|
| (3) Mathematics, four units, which shall include one unit of algebra II or the equivalent of algebra II;   | 1506<br>1507   |
| (4) Physical education, one-half unit;   | 1508   |
| (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:  | 1509<br>1510<br>1511<br>1512                                 |
| (a) Physical sciences, one unit;   | 1513   |
| (b) Life sciences, one unit;   | 1514   |
| (c) Advanced study in one or more of the following sciences, one unit:   | 1515<br>1516   |
| (i) Chemistry, physics, or other physical science;   | 1517   |
| (ii) Advanced biology or other life science;   | 1518   |
| (iii) Astronomy, physical geology, or other earth or space science.  | 1519<br>1520   |
| (6) History and government, one unit, which shall comply with division (M) of this section and shall include both of the following:  | 1521<br>1522<br>1523   |
| (a) American history, one-half unit;   | 1524   |
| (b) American government, one-half unit.  | 1525   |
| (7) Social studies, two units.   | 1526   |
| 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 | 1527<br>1528<br>1529<br>1530<br>1531<br>1532<br>1533<br>1534 |

class, so that every high school student receives instruction in 1535  
those concepts. In developing the curriculum required by this 1536  
paragraph, schools shall use available public-private partnerships 1537  
and resources and materials that exist in business, industry, and 1538  
through the centers for economics education at institutions of 1539  
higher education in the state. 1540

Beginning with students who enter ninth grade for the first 1541  
time on or after July 1, 2017, the two units of instruction 1542  
prescribed by division (C)(7) of this section shall include at 1543  
least one-half unit of instruction in the study of world history 1544  
and civilizations. 1545

(8) Five units consisting of one or any combination of 1546  
foreign language, fine arts, business, career-technical education, 1547  
family and consumer sciences, technology, agricultural education, 1548  
a junior reserve officer training corps (JROTC) program approved 1549  
by the congress of the United States under title 10 of the United 1550  
States Code, or English language arts, mathematics, science, or 1551  
social studies courses not otherwise required under division (C) 1552  
of this section. 1553

Ohioans must be prepared to apply increased knowledge and 1554  
skills in the workplace and to adapt their knowledge and skills 1555  
quickly to meet the rapidly changing conditions of the 1556  
twenty-first century. National studies indicate that all high 1557  
school graduates need the same academic foundation, regardless of 1558  
the opportunities they pursue after graduation. The goal of Ohio's 1559  
system of elementary and secondary education is to prepare all 1560  
students for and seamlessly connect all students to success in 1561  
life beyond high school graduation, regardless of whether the next 1562  
step is entering the workforce, beginning an apprenticeship, 1563  
engaging in post-secondary training, serving in the military, or 1564  
pursuing a college degree. 1565

The requirements for graduation prescribed in division (C) of 1566

this section are the standard expectation for all students 1567  
entering ninth grade for the first time at a public or chartered 1568  
nonpublic high school on or after July 1, 2010. A student may 1569  
satisfy this expectation through a variety of methods, including, 1570  
but not limited to, integrated, applied, career-technical, and 1571  
traditional coursework. 1572

Whereas teacher quality is essential for student success when 1573  
completing the requirements for graduation, the general assembly 1574  
shall appropriate funds for strategic initiatives designed to 1575  
strengthen schools' capacities to hire and retain highly qualified 1576  
teachers in the subject areas required by the curriculum. Such 1577  
initiatives are expected to require an investment of \$120,000,000 1578  
over five years. 1579

Stronger coordination between high schools and institutions 1580  
of higher education is necessary to prepare students for more 1581  
challenging academic endeavors and to lessen the need for academic 1582  
remediation in college, thereby reducing the costs of higher 1583  
education for Ohio's students, families, and the state. The state 1584  
board and the chancellor of the Ohio board of regents shall 1585  
develop policies to ensure that only in rare instances will 1586  
students who complete the requirements for graduation prescribed 1587  
in division (C) of this section require academic remediation after 1588  
high school. 1589

School districts, community schools, and chartered nonpublic 1590  
schools shall integrate technology into learning experiences 1591  
across the curriculum in order to maximize efficiency, enhance 1592  
learning, and prepare students for success in the 1593  
technology-driven twenty-first century. Districts and schools 1594  
shall use distance and web-based course delivery as a method of 1595  
providing or augmenting all instruction required under this 1596  
division, including laboratory experience in science. Districts 1597  
and schools shall utilize technology access and electronic 1598

learning opportunities provided by the broadcast educational media 1599  
commission, chancellor, the Ohio learning network, education 1600  
technology centers, public television stations, and other public 1601  
and private providers. 1602

(D) Except as provided in division (E) of this section, a 1603  
student who enters ninth grade on or after July 1, 2010, and 1604  
before July 1, 2016, may qualify for graduation from a public or 1605  
chartered nonpublic high school even though the student has not 1606  
completed the requirements for graduation prescribed in division 1607  
(C) of this section if all of the following conditions are 1608  
satisfied: 1609

(1) During the student's third year of attending high school, 1610  
as determined by the school, the student and the student's parent, 1611  
guardian, or custodian sign and file with the school a written 1612  
statement asserting the parent's, guardian's, or custodian's 1613  
consent to the student's graduating without completing the 1614  
requirements for graduation prescribed in division (C) of this 1615  
section and acknowledging that one consequence of not completing 1616  
those requirements is ineligibility to enroll in most state 1617  
universities in Ohio without further coursework. 1618

(2) The student and parent, guardian, or custodian fulfill 1619  
any procedural requirements the school stipulates to ensure the 1620  
student's and parent's, guardian's, or custodian's informed 1621  
consent and to facilitate orderly filing of statements under 1622  
division (D)(1) of this section. Annually, each district or school 1623  
shall notify the department of education of the number of students 1624  
who choose to qualify for graduation under division (D) of this 1625  
section and the number of students who complete the student's 1626  
success plan and graduate from high school. 1627

(3) The student and the student's parent, guardian, or 1628  
custodian and a representative of the student's high school 1629  
jointly develop a student success plan for the student in the 1630

manner described in division (C)(1) of section 3313.6020 of the Revised Code that specifies the student matriculating to a two-year degree program, acquiring a business and industry-recognized credential, or entering an apprenticeship.

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

(5)(a) Except as provided in division (D)(5)(b) of this section, the student successfully completes, at a minimum, the curriculum prescribed in division (B) of this section.

(b) Beginning with students who enter ninth grade for the first time on or after July 1, 2014, a student shall be required to complete successfully, at the minimum, the curriculum prescribed in division (B) of this section, except as follows:

(i) Mathematics, four units, one unit which shall be one of the following:

(I) Probability and statistics;

(II) Computer programming;

(III) Applied mathematics or quantitative reasoning;

(IV) Any other course approved by the department using standards established by the superintendent not later than October 1, 2014.

(ii) Elective units, five units;

(iii) Science, three units as prescribed by division (B) of this section which shall include inquiry-based laboratory experience that engages students in asking valid scientific questions and gathering and analyzing information.

The department, in collaboration with the chancellor, shall analyze student performance data to determine if there are

mitigating factors that warrant extending the exception permitted 1661  
by division (D) of this section to high school classes beyond 1662  
those entering ninth grade before July 1, 2016. The department 1663  
shall submit its findings and any recommendations not later than 1664  
December 1, 2015, to the speaker and minority leader of the house 1665  
of representatives, the president and minority leader of the 1666  
senate, the chairpersons and ranking minority members of the 1667  
standing committees of the house of representatives and the senate 1668  
that consider education legislation, the state board of education, 1669  
and the superintendent of public instruction. 1670

(E) Each school district and chartered nonpublic school 1671  
retains the authority to require an even more challenging minimum 1672  
curriculum for high school graduation than specified in division 1673  
(B) or (C) of this section. A school district board of education, 1674  
through the adoption of a resolution, or the governing authority 1675  
of a chartered nonpublic school may stipulate any of the 1676  
following: 1677

(1) A minimum high school curriculum that requires more than 1678  
twenty units of academic credit to graduate; 1679

(2) An exception to the district's or school's minimum high 1680  
school curriculum that is comparable to the exception provided in 1681  
division (D) of this section but with additional requirements, 1682  
which may include a requirement that the student successfully 1683  
complete more than the minimum curriculum prescribed in division 1684  
(B) of this section; 1685

(3) That no exception comparable to that provided in division 1686  
(D) of this section is available. 1687

(F) A student enrolled in a dropout prevention and recovery 1688  
program, which program has received a waiver from the department, 1689  
may qualify for graduation from high school by successfully 1690  
completing a competency-based instructional program administered 1691

by the dropout prevention and recovery program in lieu of 1692  
completing the requirements for graduation prescribed in division 1693  
(C) of this section. The department shall grant a waiver to a 1694  
dropout prevention and recovery program, within sixty days after 1695  
the program applies for the waiver, if the program meets all of 1696  
the following conditions: 1697

(1) The program serves only students not younger than sixteen 1698  
years of age and not older than twenty-one years of age. 1699

(2) The program enrolls students who, at the time of their 1700  
initial enrollment, either, or both, are at least one grade level 1701  
behind their cohort age groups or experience crises that 1702  
significantly interfere with their academic progress such that 1703  
they are prevented from continuing their traditional programs. 1704

(3) The program requires students to attain at least the 1705  
applicable score designated for each of the assessments prescribed 1706  
under division (B)(1) of section 3301.0710 of the Revised Code or, 1707  
to the extent prescribed by rule of the state board under division 1708  
(D)(5) of section 3301.0712 of the Revised Code, division (B)(2) 1709  
of that section. 1710

(4) The program develops a student success plan for the 1711  
student in the manner described in division (C)(1) of section 1712  
3313.6020 of the Revised Code that specifies the student's 1713  
matriculating to a two-year degree program, acquiring a business 1714  
and industry-recognized credential, or entering an apprenticeship. 1715

(5) The program provides counseling and support for the 1716  
student related to the plan developed under division (F)(4) of 1717  
this section during the remainder of the student's high school 1718  
experience. 1719

(6) The program requires the student and the student's 1720  
parent, guardian, or custodian to sign and file, in accordance 1721  
with procedural requirements stipulated by the program, a written 1722



statement asserting the parent's, guardian's, or custodian's 1723  
consent to the student's graduating without completing the 1724  
requirements for graduation prescribed in division (C) of this 1725  
section and acknowledging that one consequence of not completing 1726  
those requirements is ineligibility to enroll in most state 1727  
universities in Ohio without further coursework. 1728

(7) Prior to receiving the waiver, the program has submitted 1729  
to the department an instructional plan that demonstrates how the 1730  
academic content standards adopted by the state board under 1731  
section 3301.079 of the Revised Code will be taught and assessed. 1732

(8) Prior to receiving the waiver, the program has submitted 1733  
to the department a policy on career advising that satisfies the 1734  
requirements of section 3313.6020 of the Revised Code, with an 1735  
emphasis on how every student will receive career advising. 1736

(9) Prior to receiving the waiver, the program has submitted 1737  
to the department a written agreement outlining the future 1738  
cooperation between the program and any combination of local job 1739  
training, postsecondary education, nonprofit, and health and 1740  
social service organizations to provide services for students in 1741  
the program and their families. 1742

Divisions (F)(8) and (9) of this section apply only to 1743  
waivers granted on or after July 1, 2015. 1744

If the department does not act either to grant the waiver or 1745  
to reject the program application for the waiver within sixty days 1746  
as required under this section, the waiver shall be considered to 1747  
be granted. 1748

(G) Every high school may permit students below the ninth 1749  
grade to take advanced work. If a high school so permits, it shall 1750  
award high school credit for successful completion of the advanced 1751  
work and shall count such advanced work toward the graduation 1752  
requirements of division (B) or (C) of this section if the 1753

advanced work was both: 1754

(1) Taught by a person who possesses a license or certificate 1755  
issued under section 3301.071, 3319.22, or 3319.222 of the Revised 1756  
Code that is valid for teaching high school; 1757

(2) Designated by the board of education of the city, local, 1758  
or exempted village school district, the board of the cooperative 1759  
education school district, or the governing authority of the 1760  
chartered nonpublic school as meeting the high school curriculum 1761  
requirements. 1762

Each high school shall record on the student's high school 1763  
transcript all high school credit awarded under division (G) of 1764  
this section. In addition, if the student completed a seventh- or 1765  
eighth-grade fine arts course described in division (K) of this 1766  
section and the course qualified for high school credit under that 1767  
division, the high school shall record that course on the 1768  
student's high school transcript. 1769

(H) The department shall make its individual academic career 1770  
plan available through its Ohio career information system web site 1771  
for districts and schools to use as a tool for communicating with 1772  
and providing guidance to students and families in selecting high 1773  
school courses. 1774

(I) Units earned in English language arts, mathematics, 1775  
science, and social studies that are delivered through integrated 1776  
academic and career-technical instruction are eligible to meet the 1777  
graduation requirements of division (B) or (C) of this section. 1778

(J) The state board, in consultation with the chancellor, 1779  
shall adopt a statewide plan implementing methods for students to 1780  
earn units of high school credit based on a demonstration of 1781  
subject area competency, instead of or in combination with 1782  
completing hours of classroom instruction. The state board shall 1783  
adopt the plan not later than March 31, 2009, and commence phasing 1784

in the plan during the 2009-2010 school year. The plan shall 1785  
include a standard method for recording demonstrated proficiency 1786  
on high school transcripts. Each school district and community 1787  
school shall comply with the state board's plan adopted under this 1788  
division and award units of high school credit in accordance with 1789  
the plan. The state board may adopt existing methods for earning 1790  
high school credit based on a demonstration of subject area 1791  
competency as necessary prior to the 2009-2010 school year. 1792

(K) This division does not apply to students who qualify for 1793  
graduation from high school under division (D) or (F) of this 1794  
section, or to students pursuing a career-technical instructional 1795  
track as determined by the school district board of education or 1796  
the chartered nonpublic school's governing authority. 1797  
Nevertheless, the general assembly encourages such students to 1798  
consider enrolling in a fine arts course as an elective. 1799

Beginning with students who enter ninth grade for the first 1800  
time on or after July 1, 2010, each student enrolled in a public 1801  
or chartered nonpublic high school shall complete two semesters or 1802  
the equivalent of fine arts to graduate from high school. The 1803  
coursework may be completed in any of grades seven to twelve. Each 1804  
student who completes a fine arts course in grade seven or eight 1805  
may elect to count that course toward the five units of electives 1806  
required for graduation under division (C)(8) of this section, if 1807  
the course satisfied the requirements of division (G) of this 1808  
section. In that case, the high school shall award the student 1809  
high school credit for the course and count the course toward the 1810  
five units required under division (C)(8) of this section. If the 1811  
course in grade seven or eight did not satisfy the requirements of 1812  
division (G) of this section, the high school shall not award the 1813  
student high school credit for the course but shall count the 1814  
course toward the two semesters or the equivalent of fine arts 1815  
required by this division. 1816

(L) Notwithstanding anything to the contrary in this section, 1817  
the board of education of each school district and the governing 1818  
authority of each chartered nonpublic school may adopt a policy to 1819  
excuse from the high school physical education requirement each 1820  
student who, during high school, has participated in 1821  
interscholastic athletics, marching band, or cheerleading for at 1822  
least two full seasons or in the junior reserve officer training 1823  
corps for at least two full school years. If the board or 1824  
authority adopts such a policy, the board or authority shall not 1825  
require the student to complete any physical education course as a 1826  
condition to graduate. However, the student shall be required to 1827  
complete one-half unit, consisting of at least sixty hours of 1828  
instruction, in another course of study. In the case of a student 1829  
who has participated in the junior reserve officer training corps 1830  
for at least two full school years, credit received for that 1831  
participation may be used to satisfy the requirement to complete 1832  
one-half unit in another course of study. 1833

(M) It is important that high school students learn and 1834  
understand United States history and the governments of both the 1835  
United States and the state of Ohio. Therefore, beginning with 1836  
students who enter ninth grade for the first time on or after July 1837  
1, 2012, the study of American history and American government 1838  
required by divisions (B)(6) and (C)(6) of this section shall 1839  
include the study of all of the following documents: 1840

(1) The Declaration of Independence; 1841

(2) The Northwest Ordinance; 1842

(3) The Constitution of the United States with emphasis on 1843  
the Bill of Rights; 1844

(4) The Ohio Constitution. 1845

The study of each of the documents prescribed in divisions 1846  
(M)(1) to (4) of this section shall include study of that document 1847

in its original context. 1848

The study of American history and government required by 1849  
divisions (B)(6) and (C)(6) of this section shall include the 1850  
historical evidence of the role of documents such as the 1851  
Federalist Papers and the Anti-Federalist Papers to firmly 1852  
establish the historical background leading to the establishment 1853  
of the provisions of the Constitution and Bill of Rights. 1854

**Sec. 3313.612.** (A) No nonpublic school chartered by the state 1855  
board of education shall grant a high school diploma to any person 1856  
unless, subject to section 3313.614 of the Revised Code, the 1857  
person has met the assessment requirements of division (A)(1) or 1858  
(2) of this section, as applicable. 1859

(1) If the person entered the ninth grade prior to July 1, 1860  
2014, the person has attained at least the applicable scores 1861  
designated under division (B)(1) of section 3301.0710 of the 1862  
Revised Code on all the assessments required by that division, or 1863  
has satisfied the alternative conditions prescribed in section 1864  
3313.615 of the Revised Code. 1865

(2) If the person entered the ninth grade on or after July 1, 1866  
2014, the person has met the requirement prescribed by section 1867  
3313.618 of the Revised Code. 1868

(B) This section does not apply to any of the following: 1869

(1) Any person with regard to any assessment from which the 1870  
person was excused pursuant to division (C)(1)(c) of section 1871  
3301.0711 of the Revised Code; 1872

(2) Any person ~~that~~ who attends a nonpublic school acting in 1873  
accordance with division (D) of this section ~~with regard to any~~ 1874  
~~end-of-course examination required under divisions (B)(2) and (3)~~ 1875  
~~of section 3301.0712 of the Revised Code, unless that person is a~~ 1876  
student attending the school under a state scholarship program as 1877

defined in section 3301.0711 of the Revised Code; 1878

(3) Any person with regard to the social studies assessment 1879  
under division (B)(1) of section 3301.0710 of the Revised Code, 1880  
any American history end-of-course examination and any American 1881  
government end-of-course examination required under division (B) 1882  
of section 3301.0712 of the Revised Code if such an exemption is 1883  
prescribed by rule of the state board of education under division 1884  
(D)(3) of section 3301.0712 of the Revised Code, or the 1885  
citizenship test under former division (B) of section 3301.0710 of 1886  
the Revised Code as it existed prior to September 11, 2001, if all 1887  
of the following apply: 1888

(a) The person is not a citizen of the United States; 1889

(b) The person is not a permanent resident of the United 1890  
States; 1891

(c) The person indicates no intention to reside in the United 1892  
States after completion of high school. 1893

(C) As used in this division, "limited English proficient 1894  
student" has the same meaning as in division (C)(3) of section 1895  
3301.0711 of the Revised Code. 1896

Notwithstanding division (C)(3) of section 3301.0711 of the 1897  
Revised Code, no limited English proficient student who has not 1898  
either attained the applicable scores designated under division 1899  
(B)(1) of section 3301.0710 of the Revised Code on all the 1900  
assessments required by that division, or met the requirement 1901  
prescribed by section 3313.618 of the Revised Code, shall be 1902  
awarded a diploma under this section. 1903

(D) A chartered nonpublic school ~~chartered by the state board~~ 1904  
~~may forgo the end of course examinations required by divisions~~ 1905  
~~(B)(2) and (3) of section 3301.0712 of the Revised Code shall not~~ 1906  
be subject to division (A)(2) of this section, if that school 1907  
publishes the results of the standardized assessment prescribed 1908

under division (B)(1) of section 3301.0712 of the Revised Code for 1909  
each graduating class. The published results shall include the 1910  
overall composite scores, mean scores, twenty-fifth percentile 1911  
scores, and seventy-fifth percentile scores for each subject area 1912  
of the assessment. 1913

The exemption prescribed in division (D) of this section is 1914  
not available to a school that is subject to division (K)(1)(a) of 1915  
section 3301.0711 of the Revised Code nor does it apply to any 1916  
student attending a nonpublic school under a state scholarship 1917  
program as defined in that section. 1918

(E) The state board shall not impose additional requirements 1919  
or assessments for the granting of a high school diploma under 1920  
this section that are not prescribed by this section. 1921

(F) The department of education shall furnish the assessment 1922  
administered by a nonpublic school pursuant to division (B)(1) of 1923  
section 3301.0712 of the Revised Code. 1924

~~(G) The exemption provided for in divisions (B)(2) and (D) of 1925  
this section shall be effective on and after October 1, 2015, but 1926  
only if the general assembly does not enact different requirements 1927  
regarding end of course examinations for chartered nonpublic 1928  
schools that are effective by that date. 1929~~

**Sec. 3313.672.** (A)(1) At the time of initial entry to a 1930  
public or nonpublic school, a pupil shall present to the person in 1931  
charge of admission any records given the pupil by the public or 1932  
nonpublic elementary or secondary school the pupil most recently 1933  
attended; a certified copy of an order or decree, or modification 1934  
of such an order or decree allocating parental rights and 1935  
responsibilities for the care of a child and designating a 1936  
residential parent and legal custodian of the child, as provided 1937  
in division (B) of this section, if that type of order or decree 1938  
has been issued; a copy of a power of attorney or caretaker 1939

authorization affidavit, if either has been executed with respect 1940  
to the child pursuant to sections 3109.51 to 3109.80 of the 1941  
Revised Code; and a certification of birth issued pursuant to 1942  
Chapter 3705. of the Revised Code, a comparable certificate or 1943  
certification issued pursuant to the statutes of another state, 1944  
territory, possession, or nation, or a document in lieu of a 1945  
certificate or certification as described in divisions (A)(1)(a) 1946  
to (e) of this section. Any of the following shall be accepted in 1947  
lieu of a certificate or certification of birth by the person in 1948  
charge of admission: 1949

(a) A passport or attested transcript of a passport filed 1950  
with a registrar of passports at a point of entry of the United 1951  
States showing the date and place of birth of the child; 1952

(b) An attested transcript of the certificate of birth; 1953

(c) An attested transcript of the certificate of baptism or 1954  
other religious record showing the date and place of birth of the 1955  
child; 1956

(d) An attested transcript of a hospital record showing the 1957  
date and place of birth of the child; 1958

(e) A birth affidavit. 1959

(2) If a pupil requesting admission to a school of the school 1960  
district in which the pupil is entitled to attend school under 1961  
section 3313.64 or 3313.65 of the Revised Code has been discharged 1962  
or released from the custody of the department of youth services 1963  
under section 5139.51 of the Revised Code just prior to requesting 1964  
admission to the school, no school official shall admit that pupil 1965  
until the records described in divisions (D)(4)(a) to (d) of 1966  
section 2152.18 of the Revised Code have been received by the 1967  
superintendent of the school district. 1968

(3) No public or nonpublic school official shall deny a 1969  
protected child admission to the school solely because the child 1970



does not present a birth certificate described in division (A)(1) 1971  
of this section, a comparable certificate or certification from 1972  
another state, territory, possession, or nation, or another 1973  
document specified in divisions (A)(1)(a) to (e) of this section 1974  
upon registration for entry into the school. However, the 1975  
protected child, or the parent, custodian, or guardian of that 1976  
child, shall present a birth certificate or other document 1977  
specified in divisions (A)(1)(a) to (e) of this section to the 1978  
person in charge of admission of the school within ninety days 1979  
after the child's initial entry into the school. 1980

(4) Except as otherwise provided in division (A)(2) or (3) of 1981  
this section, within twenty-four hours of the entry into the 1982  
school of a pupil described in division (A)(1) of this section, a 1983  
school official shall request the pupil's official records from 1984  
the public or nonpublic elementary or secondary school the pupil 1985  
most recently attended. If the public or nonpublic school the 1986  
pupil claims to have most recently attended indicates that it has 1987  
no record of the pupil's attendance or the records are not 1988  
received within fourteen days of the date of request, or if the 1989  
pupil does not present a certification of birth described in 1990  
division (A)(1) of this section, a comparable certificate or 1991  
certification from another state, territory, possession, or 1992  
nation, or another document specified in divisions (A)(1)(a) to 1993  
(e) of this section, the principal or chief administrative officer 1994  
of the school shall notify the law enforcement agency having 1995  
jurisdiction in the area where the pupil resides of this fact and 1996  
of the possibility that the pupil may be a missing child, as 1997  
defined in section 2901.30 of the Revised Code. 1998

(B)(1) Whenever an order or decree allocating parental rights 1999  
and responsibilities for the care of a child and designating a 2000  
residential parent and legal custodian of the child, including a 2001  
temporary order, is issued resulting from an action of divorce, 2002

alimony, annulment, or dissolution of marriage, and the order or 2003  
decree pertains to a child who is a pupil in a public or nonpublic 2004  
school, the residential parent of the child shall notify the 2005  
school of those allocations and designations by providing the 2006  
person in charge of admission at the pupil's school with a 2007  
certified copy of the order or decree that made the allocation and 2008  
designation. Whenever there is a modification of any order or 2009  
decree allocating parental rights and responsibilities for the 2010  
care of a child and designating a residential parent and legal 2011  
custodian of the child that has been submitted to a school, the 2012  
residential parent shall provide the person in charge of admission 2013  
at the pupil's school with a certified copy of the order or decree 2014  
that makes the modification. 2015

(2) Whenever a power of attorney is executed under sections 2016  
3109.51 to 3109.62 of the Revised Code that pertains to a child 2017  
who is a pupil in a public or nonpublic school, the attorney in 2018  
fact shall notify the school of the power of attorney by providing 2019  
the person in charge of admission with a copy of the power of 2020  
attorney. Whenever a caretaker authorization affidavit is executed 2021  
under sections 3109.64 to 3109.73 of the Revised Code that 2022  
pertains to a child who is in a public or nonpublic school, the 2023  
grandparent who executed the affidavit shall notify the school of 2024  
the affidavit by providing the person in charge of admission with 2025  
a copy of the affidavit. 2026

(C) If, at the time of a pupil's initial entry to a public or 2027  
nonpublic school, the pupil is under the care of a shelter for 2028  
victims of domestic violence, as defined in section 3113.33 of the 2029  
Revised Code, the pupil or the pupil's parent shall notify the 2030  
school of that fact. Upon being so informed, the school shall 2031  
inform the elementary or secondary school from which it requests 2032  
the pupil's records of that fact. 2033

(D) Whenever a public or nonpublic school is notified by a 2034

law enforcement agency pursuant to division (D) of section 2901.30 2035  
of the Revised Code that a missing child report has been filed 2036  
regarding a pupil who is currently or was previously enrolled in 2037  
the school, the person in charge of admission at the school shall 2038  
mark that pupil's records in such a manner that whenever a copy of 2039  
or information regarding the records is requested, any school 2040  
official responding to the request is alerted to the fact that the 2041  
records are those of a missing child. Upon any request for a copy 2042  
of or information regarding a pupil's records that have been so 2043  
marked, the person in charge of admission immediately shall report 2044  
the request to the law enforcement agency that notified the school 2045  
that the pupil is a missing child. When forwarding a copy of or 2046  
information from the pupil's records in response to a request, the 2047  
person in charge of admission shall do so in such a way that the 2048  
receiving district or school would be unable to discern that the 2049  
pupil's records are marked pursuant to this division but shall 2050  
retain the mark in the pupil's records until notified that the 2051  
pupil is no longer a missing child. Upon notification by a law 2052  
enforcement agency that a pupil is no longer a missing child, the 2053  
person in charge of admission shall remove the mark from the 2054  
pupil's records in such a way that if the records were forwarded 2055  
to another district or school, the receiving district or school 2056  
would be unable to discern that the records were ever marked. 2057

(E) As used in this section: 2058

(1) "Protected child" means a child placed in a foster home, 2059  
as that term is defined in section 5103.02 of the Revised Code, or 2060  
in a residential facility. 2061

(2) "Residential facility" means a group home for children, 2062  
children's crisis care facility, children's residential center, 2063  
residential parenting facility that provides twenty-four-hour 2064  
child care, county children's home, or district children's home. 2065

Sec. 3313.814. (A) As used in this section and sections 2066  
3313.816 and 3313.817 of the Revised Code: 2067

(1) "A la carte item" means an individually priced food or 2068  
beverage item that is available for sale to students through any 2069  
of the following: 2070

(a) A school food service program; 2071

(b) A vending machine located on school property; 2072

(c) A store operated by the school, a student association, or 2073  
other school-sponsored organization. 2074

"A la carte item" does not include any food or beverage item 2075  
available for sale in connection with a school-sponsored 2076  
fundraiser held outside of the regular school day, any other 2077  
school-sponsored event held outside of the regular school day, or 2078  
an interscholastic athletic event. "A la carte item" also does not 2079  
include any food or beverage item that is part of a reimbursable 2080  
meal and that is available for sale as an individually priced item 2081  
in a serving portion of the same size as in the reimbursable meal, 2082  
regardless of whether the food or beverage item is included in the 2083  
reimbursable meal served on a particular school day. 2084

(2) "Added sweeteners" means any additives that enhance the 2085  
sweetness of a beverage, including processed sugar. "Added 2086  
sweeteners" do not include any natural sugars found in fruit 2087  
juices that are a component of the beverage. 2088

(3) "Extended school day" means the period before and after 2089  
the regular school day during which students participate in 2090  
school-sponsored extracurricular activities, latchkey programs as 2091  
defined in section 3313.207 of the Revised Code, or other academic 2092  
or enrichment programs. 2093

(4) "Regular school day" means the period each school day 2094  
between the designated arrival time for students and the end of 2095

the final instructional period. 2096

(5) "Reimbursable meal" means a meal that is provided to 2097  
students through a school breakfast or lunch program established 2098  
under the "National School Lunch Act," 60 Stat. 230 (1946), 42 2099  
U.S.C. 1751, as amended, and the "Child Nutrition Act of 1966," 80 2100  
Stat. 885, 42 U.S.C. 1771, as amended, and that meets the criteria 2101  
for reimbursement established by the United States department of 2102  
agriculture. 2103

(6) "School food service program" means a school food service 2104  
program operated under section 3313.81 or 3313.813 of the Revised 2105  
Code. 2106

(B) Each school district board of education and each 2107  
chartered nonpublic school governing authority shall adopt and 2108  
enforce nutrition standards governing the types of food and 2109  
beverages that may be sold on the premises of its schools, and 2110  
specifying the time and place each type of food or beverage may be 2111  
sold. 2112

(1) In adopting the standards, the board or governing 2113  
authority shall do all of the following: 2114

(a) Consider the nutritional value of each food or beverage; 2115

(b) Consult with a dietitian licensed under Chapter 4759. of 2116  
the Revised Code, a dietetic technician registered by the 2117  
commission on dietetic registration, or a school nutrition 2118  
specialist certified or credentialed by the school nutrition 2119  
association. The person with whom the board or governing authority 2120  
consults may be an employee of the board or governing authority, a 2121  
person contracted by the board or governing authority, or a 2122  
volunteer, provided the person meets the requirements of this 2123  
division. 2124

(c) Consult the dietary guidelines for Americans jointly 2125  
developed by the United States department of agriculture and the 2126

United States department of health and human services and, to the 2127  
maximum extent possible, incorporate the guidelines into the 2128  
standards. 2129

(2) No food or beverage may be sold on any school premises 2130  
except in accordance with the standards adopted by the board or 2131  
governing authority. 2132

(3) The standards shall comply with sections 3313.816 and 2133  
3313.817 of the Revised Code, but nothing in this section shall 2134  
prohibit the standards from being more restrictive than otherwise 2135  
required by those sections. 2136

(C) The nutrition standards adopted under this section shall 2137  
prohibit the placement of vending machines in any classroom where 2138  
students are provided instruction, unless the classroom also is 2139  
used to serve students meals. This division does not apply to 2140  
vending machines that sell only milk, reimbursable meals, or food 2141  
and beverage items that are part of a reimbursable meal and are 2142  
available for sale as individually priced items in serving 2143  
portions of the same size as in the reimbursable meal. 2144

(D) Each board or governing authority shall designate staff 2145  
to be responsible for ensuring that the school district or school 2146  
meets the nutrition standards adopted under this section. The 2147  
staff shall prepare an annual report regarding the district's or 2148  
school's compliance with the standards and submit it to the 2149  
department of education. The board or governing authority annually 2150  
shall schedule a presentation on the report at one of its regular 2151  
meetings. Each district or school shall make copies of the report 2152  
available to the public upon request. 2153

(E) The state board of education shall ~~formulate~~ do both of 2154  
the following: 2155

(1) Formulate and adopt guidelines, which boards of education 2156  
and chartered nonpublic schools may follow in enforcing and 2157

implementing this section. 2158

(2) Not later than ninety days after the effective date of 2159  
this amendment, adopt rules pursuant to Chapter 119. of the 2160  
Revised Code regarding the sale of beverages and food during the 2161  
regular school day in connection with a school-sponsored 2162  
fundraiser. The rules shall specify that, if a fundraiser takes 2163  
place during the regular school day for not more than the 2164  
equivalent of thirty school days during a school year, the sale of 2165  
beverages and food in connection with that fundraiser, shall be 2166  
exempt from sections 3313.816 and 3313.817 of the Revised Code, so 2167  
long as no beverages or food are sold in connection with the 2168  
fundraiser during the time of a meal service in the food service 2169  
area. Each school district board of education or chartered 2170  
nonpublic school governing authority may incorporate the rules 2171  
adopted by the state board pursuant to this division into the 2172  
guidelines adopted by the district board or school governing 2173  
authority under division (B) of this section. 2174

**Sec. 3314.06.** The governing authority of each community 2175  
school established under this chapter shall adopt admission 2176  
procedures that specify the following: 2177

(A) That, except as otherwise provided in this section, 2178  
admission to the school shall be open to any individual age five 2179  
to twenty-two entitled to attend school pursuant to section 2180  
3313.64 or 3313.65 of the Revised Code in a school district in the 2181  
state. 2182

Additionally, except as otherwise provided in this section, 2183  
admission to the school may be open on a tuition basis to any 2184  
individual age five to twenty-two who is not a resident of this 2185  
state. The school shall not receive state funds under section 2186  
3314.08 of the Revised Code for any student who is not a resident 2187  
of this state. 2188

An individual younger than five years of age may be admitted 2189  
to the school in accordance with division (A)(2) of section 2190  
3321.01 of the Revised Code. The school shall receive funds for an 2191  
individual admitted under that division in the manner provided 2192  
under section 3314.08 of the Revised Code. 2193

If the school operates a program that uses the Montessori 2194  
method endorsed by the American Montessori society, the Montessori 2195  
accreditation council for teacher education, or the association 2196  
Montessori internationale as its primary method of instruction, 2197  
admission to the school may be open to individuals younger than 2198  
five years of age, but the school shall not receive funds under 2199  
this chapter for those individuals. Notwithstanding anything to 2200  
the contrary in this chapter, individuals younger than five years 2201  
of age who are enrolled in a Montessori program shall be offered 2202  
at least four hundred fifty-five hours of learning opportunities 2203  
per school year. 2204

(B)(1) That admission to the school may be limited to 2205  
students who have attained a specific grade level or are within a 2206  
specific age group; to students that meet a definition of 2207  
"at-risk," as defined in the contract; to residents of a specific 2208  
geographic area within the district, as defined in the contract; 2209  
or to separate groups of autistic students and nondisabled 2210  
students, as authorized in section 3314.061 of the Revised Code 2211  
and as defined in the contract. 2212

(2) For purposes of division (B)(1) of this section, 2213  
"at-risk" students may include those students identified as gifted 2214  
students under section 3324.03 of the Revised Code. 2215

(C) Whether enrollment is limited to students who reside in 2216  
the district in which the school is located or is open to 2217  
residents of other districts, as provided in the policy adopted 2218  
pursuant to the contract. 2219



|  |      |
|--|------|
| (D)(1) That there will be no discrimination in the admission       | 2220 |
| of students to the school on the basis of race, creed, color,      | 2221 |
| disability, or sex except that:                                    | 2222 |
| (a) The governing authority may do either of the following         | 2223 |
| for the purpose described in division (G) of this section:         | 2224 |
| (i) Establish a single-gender school for either sex;               | 2225 |
| (ii) Establish single-gender schools for each sex under the        | 2226 |
| same contract, provided substantially equal facilities and         | 2227 |
| learning opportunities are offered for both boys and girls. Such   | 2228 |
| facilities and opportunities may be offered for each sex at        | 2229 |
| separate locations.  | 2230 |
| (b) The governing authority may establish a school that            | 2231 |
| simultaneously serves a group of students identified as autistic   | 2232 |
| and a group of students who are not disabled, as authorized in     | 2233 |
| section 3314.061 of the Revised Code. However, unless the total    | 2234 |
| capacity established for the school has been filled, no student    | 2235 |
| with any disability shall be denied admission on the basis of that | 2236 |
| disability.  | 2237 |
| (2) That upon admission of any student with a disability, the      | 2238 |
| community school will comply with all federal and state laws       | 2239 |
| regarding the education of students with disabilities.             | 2240 |
| (E) That the school may not limit admission to students on         | 2241 |
| the basis of intellectual ability, measures of achievement or      | 2242 |
| aptitude, or athletic ability, except that a school may limit its  | 2243 |
| enrollment to students as described in division (B) of this        | 2244 |
| section.   | 2245 |
| (F) That the community school will admit the number of             | 2246 |
| students that does not exceed the capacity of the school's         | 2247 |
| programs, classes, grade levels, or facilities.                    | 2248 |
| (G) That the purpose of single-gender schools that are             | 2249 |

established shall be to take advantage of the academic benefits 2250  
some students realize from single-gender instruction and 2251  
facilities and to offer students and parents residing in the 2252  
district the option of a single-gender education. 2253

(H) That, except as otherwise provided under division (B) of 2254  
this section or section 3314.061 of the Revised Code, if the 2255  
number of applicants exceeds the capacity restrictions of division 2256  
(F) of this section, students shall be admitted by lot from all 2257  
those submitting applications, except preference shall be given to 2258  
students attending the school the previous year and to students 2259  
who reside in the district in which the school is located. 2260  
Preference may be given to siblings of students attending the 2261  
school the previous year. 2262

Notwithstanding divisions (A) to (H) of this section, in the 2263  
event the racial composition of the enrollment of the community 2264  
school is violative of a federal desegregation order, the 2265  
community school shall take any and all corrective measures to 2266  
comply with the desegregation order. 2267

**Sec. 3317.034.** For purposes of section 3317.03 of the Revised 2268  
Code: 2269

(A) A student shall be considered to be enrolled in the 2270  
district for any portion of the school year the student is 2271  
participating at a college under Chapter 3365. of the Revised 2272  
Code. 2273

(B) A student shall be considered to be enrolled in the 2274  
district for the period of time beginning on the date on which the 2275  
school has both received the documentation of the student's 2276  
enrollment from a parent and the student has commenced 2277  
participation in learning opportunities offered by the district. 2278  
For purposes of applying divisions (B) and (C) of this section, 2279  
"learning opportunities" means both classroom-based and 2280

nonclassroom-based learning opportunities overseen by licensed 2281  
educational employees of the district that is in compliance with 2282  
criteria and documentation requirements for student participation, 2283  
which shall be established by the department. Any student's 2284  
instruction time in nonclassroom-based learning opportunities 2285  
shall be certified by an employee of the district. 2286

(C) A student's enrollment shall be considered to cease on 2287  
the date on which any of the following occur: 2288

(1) The district receives documentation from a parent 2289  
terminating enrollment of the student. 2290

(2) The district is provided documentation of a student's 2291  
enrollment in another public or nonpublic school. 2292

~~(3) The student fails to participate in learning 2293  
opportunities and has not received an excused absence for one 2294  
hundred and five continuous hours. If a student is withdrawn from 2295  
the district for failure to participate in learning opportunities 2296  
under division (C)(1)(a)(v) of this section and the district board 2297  
determines that the student is truant, the district shall take the 2298  
appropriate action required under sections 3321.19 and 3321.191 of 2299  
the Revised Code. 2300~~

~~(4) The student ceases to participate in learning 2301  
opportunities provided by the school. 2302~~

(D) No public school may enroll or withdraw a student from 2303  
the education management information system established under 2304  
section 3310.0714 of the Revised Code later than thirty days after 2305  
the student's actual enrollment or withdrawal from the school. 2306

(E) A student in any of grades nine through twelve shall be 2307  
considered a full-time equivalent student if the student is 2308  
enrolled in at least five units of instruction, as defined in 2309  
section 3313.603 of the Revised Code, per school year. 2310

Sec. 3319.227. (A) Notwithstanding any other provision of the 2311  
Revised Code or any rule adopted by the state board of education 2312  
to the contrary, the state board shall issue a resident educator 2313  
license under section 3319.22 of the Revised Code to each person 2314  
who is assigned to teach in this state as a participant in the 2315  
teach for America program and who meets the following conditions: 2316

(1) Holds a bachelor's degree from an accredited institution 2318  
of higher education; 2319

(2) Maintained a cumulative undergraduate grade point average 2320  
of at least 2.5 out of 4.0, or its equivalent; 2321

(3) Has passed an examination prescribed by the state board 2322  
in the subject area to be taught; 2323

(4) Has successfully completed the summer training institute 2324  
operated by teach for America. 2325

(B) The state board shall issue a resident educator license 2326  
under this section for teaching in any grade level or subject area 2327  
for which a person may obtain a resident educator license under 2328  
section 3319.22 of the Revised Code. The state board shall not 2329  
adopt rules establishing any additional qualifications for the 2330  
license beyond those specified in this section. 2331

(C) Notwithstanding any other provision of the Revised Code 2332  
or any rule adopted by the state board to the contrary, the state 2333  
board shall issue a resident educator license under section 2334  
3319.22 of the Revised Code to any applicant who has completed at 2335  
least two years of teaching in another state as a participant in 2336  
the teach for America program and meets all of the conditions of 2337  
divisions (A)(1) to (4) of this section. The state board shall 2338  
credit an applicant under this division as having completed two 2339  
years of the teacher residency program under section 3319.223 of 2340

the Revised Code. 2341

(D) In order to place teachers in this state, the teach for 2342  
America program shall enter into an agreement with one or more 2343  
accredited four-year public or private institutions of higher 2344  
education in the state to provide optional training of teach for 2345  
America participants for the purpose of enabling those 2346  
participants to complete an optional master's degree or an 2347  
equivalent amount of coursework. Nothing in this division shall 2348  
require any teach for America participant to complete a master's 2349  
degree as a condition of holding a license issued under this 2350  
section. 2351

(E)(1) Each participant in the teach for America program 2352  
shall successfully complete that program as a condition of 2353  
continuing to hold a license issued pursuant to divisions (A) and 2354  
(B) of this section. 2355

(2) If a participant in the teach for America program 2356  
assigned to teach in a school district in this state resigns or is 2357  
otherwise removed from the program prior to the program's 2358  
completion, the board of education of that school district shall 2359  
provide written notice of the participant's resignation to the 2360  
department of education. 2361

**Sec. 3319.261.** (A) Notwithstanding any other provision of the 2362  
Revised Code or any rule adopted by the state board of education 2363  
to the contrary, the state board shall issue an alternative 2364  
resident educator license under division (C) of section 3319.26 of 2365  
the Revised Code to each applicant who meets the following 2366  
conditions: 2367

(1) Holds a bachelor's degree from an accredited institution 2368  
of higher education; 2369

(2) Has successfully completed a teacher education program 2370

offered by one of the following entities: 2371

(a) ~~Graduation from an~~ The American Montessori 2372  
~~society affiliated teacher education program society;~~ 2373

(b) ~~Receipt of a certificate from the~~ The association 2374  
Montessori internationale; 2375

(c) An institution accredited by the Montessori accreditation 2376  
council for teacher education. 2377

(3) Is employed in a school that operates a program that uses 2378  
the Montessori method endorsed by the American Montessori society, 2379  
the Montessori accreditation council for teacher education, or the 2380  
association Montessori internationale as its primary method of 2381  
instruction. 2382

(B) The holder of an alternative resident educator license 2383  
issued under this section shall be subject to divisions (A), (B), 2384  
(D), and (E) of section 3319.26 of the Revised Code and shall be 2385  
granted a professional educator license upon successful completion 2386  
of the requirements described in division (F) of section 3319.26 2387  
of the Revised Code. 2388

**Sec. 3365.04.** Each public and participating nonpublic 2389  
secondary school shall do all of the following with respect to the 2390  
college credit plus program: 2391

(A) Provide information about the program prior to the first 2392  
day of March of each year to all students enrolled in grades six 2393  
through eleven; 2394

(B) Provide counseling services to students in grades six 2395  
through eleven and to their parents before the students 2396  
participate in the program under this chapter to ensure that 2397  
students and parents are fully aware of the possible consequences 2398  
and benefits of participation. Counseling information shall 2399  
include: 2400

|  |                              |
|--|------------------------------|
| (1) Program eligibility;   | 2401                         |
| (2) The process for granting academic credits;   | 2402                         |
| (3) Any necessary financial arrangements for tuition,<br>textbooks, and fees;  | 2403<br>2404                 |
| (4) Criteria for any transportation aid;   | 2405                         |
| (5) Available support services;  | 2406                         |
| (6) Scheduling;  | 2407                         |
| (7) Communicating the possible consequences and benefits of<br>participation, including all of the following:  | 2408<br>2409                 |
| (a) The consequences of failing or not completing a course<br>under the program, including the effect on the student's ability<br>to complete the secondary school's graduation requirements;                    | 2410<br>2411<br>2412         |
| (b) The effect of the grade attained in a course under the<br>program being included in the student's grade point average, as<br>applicable;   | 2413<br>2414<br>2415         |
| (c) The benefits to the student for successfully completing a<br>course under the program, including the ability to reduce the<br>overall costs of, and the amount of time required for, a college<br>education. | 2416<br>2417<br>2418<br>2419 |
| (8) The academic and social responsibilities of students and<br>parents under the program;   | 2420<br>2421                 |
| (9) Information about and encouragement to use the counseling<br>services of the college in which the student intends to enroll;   | 2422<br>2423                 |
| (10) The standard packet of information for the program<br>developed by the chancellor of the Ohio board of regents pursuant<br>to section 3365.15 of the Revised Code;  | 2424<br>2425<br>2426         |
| For a participating nonpublic secondary school, counseling<br>information shall also include an explanation that funding may be<br>limited and that not all students who wish to participate may be              | 2427<br>2428<br>2429         |

able to do so. 2430

(C) Promote the program on the school's web site, including 2431  
the details of the school's current agreements with partnering 2432  
colleges; 2433

(D) Schedule at least one informational session per school 2434  
year to allow each partnering college that is located within 2435  
thirty miles of the school to meet with interested students and 2436  
parents. The session shall include the benefits and consequences 2437  
of participation and shall outline any changes or additions to the 2438  
requirements of the program. If there are no partnering colleges 2439  
located within thirty miles of the school, the school shall 2440  
coordinate with the closest partnering college to offer an 2441  
informational session. 2442

(E) Implement a policy for the awarding of grades and the 2443  
calculation of class standing for courses taken under division 2444  
(A)(2) or (B) of section 3365.06 of the Revised Code. The policy 2445  
adopted under this division shall be equivalent to the school's 2446  
policy for courses taken under the advanced standing programs 2447  
described in divisions (A)(2) and (3) of section 3313.6013 of the 2448  
Revised Code or for other courses designated as honors courses by 2449  
the school. If the policy includes awarding a weighted grade or 2450  
enhancing a student's class standing for these courses, the policy 2451  
adopted under this section shall ~~also provide for these~~ require 2452  
the same procedures to be applied to all courses taken in the 2453  
areas of mathematics, English language arts, science, and social 2454  
studies under the college credit plus program, regardless of 2455  
whether a similar course is offered at the school. 2456

(F) Develop model course pathways, pursuant to section 2457  
3365.13 of the Revised Code, and publish the course pathways among 2458  
the school's official list of course offerings for the program. 2459

(G) Annually collect, report, and track specified data 2460



related to the program according to data reporting guidelines 2461  
adopted by the chancellor and the superintendent of public 2462  
instruction pursuant to section 3365.15 of the Revised Code. 2463

**Sec. 3365.05.** Each public and participating private college 2464  
shall do all of the following with respect to the college credit 2465  
plus program: 2466

(A) Apply established standards and procedures for admission 2467  
to the college and for course placement for participants. When 2468  
determining admission and course placement, the college shall do 2469  
all of the following: 2470

(1) Consider all available student data that may be an 2471  
indicator of college readiness, including grade point average and 2472  
end-of-course examination scores, if applicable; 2473

(2) Give priority to its current students regarding 2474  
enrollment in courses. However, once a participant has been 2475  
accepted into a course, the college shall not displace the 2476  
participant for another student. 2477

(3) Adhere to any capacity limitations that the college has 2478  
established for specified courses. 2479

If a participant meets the applicable eligibility criteria 2480  
required for participation under the college credit plus program, 2481  
no public or participating private college shall prohibit the 2482  
admission of that participant based solely on the grade in which 2483  
the participant is currently enrolled. 2484

(B) Send written notice to a participant, the participant's 2485  
parent, the participant's secondary school, and the superintendent 2486  
of public instruction, not later than fourteen calendar days prior 2487  
to the first day of classes for that term, of the participant's 2488  
admission to the college and to specified courses under the 2489  
program. 2490

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

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

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

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

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

(E) Coordinate with each partnering secondary school that is located within thirty miles of the college to present at least one informational session per school year for interested students and parents. The session shall include the benefits and consequences of participation and shall outline any changes or additions to the requirements of the program. If there are no partnering schools located within thirty miles of the college, the college shall coordinate with the closest partnering school to offer an informational session.

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

(G) Do both of the following with regard to high school teachers that are teaching courses for the college at a secondary

|   |  |
|---|--|
| school under the program:   | 2522   |
| (1) Provide at least one professional development session per school year;  | 2523<br>2524   |
| (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.   | 2525<br>2526<br>2527<br>2528   |
| (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.  | 2529<br>2530<br>2531<br>2532   |
| (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.  | 2533<br>2534<br>2535<br>2536<br>2537   |
| <b>Sec. 3365.07.</b> The department of education shall calculate and pay state funds to colleges for participants in the college credit plus program under division (B) of section 3365.06 of the Revised Code pursuant to this section. For a nonpublic secondary school participant, a nonchartered nonpublic secondary school participant, or a home-instructed participant, the department shall pay state funds pursuant to this section only if that participant is awarded funding according to rules adopted by the chancellor of the Ohio board of regents, in consultation with the superintendent of public instruction, pursuant to section 3365.071 of the Revised Code. The program shall be the sole mechanism by which state funds are paid to colleges for students to earn college-level credit while enrolled in a secondary school, with the exception of the programs listed in division (A) of section 3365.02 of the Revised Code. | 2538<br>2539<br>2540<br>2541<br>2542<br>2543<br>2544<br>2545<br>2546<br>2547<br>2548<br>2549<br>2550<br>2551<br>2552 |

|  |  |
|--|--|
| (A) For each public or nonpublic secondary school participant enrolled in a public college:  | 2553<br>2554   |
| (1) If no agreement has been entered into under division (A)(2) of this section, both of the following shall apply:  | 2555<br>2556   |
| (a) The department shall pay to the college the applicable amount as follows:  | 2557<br>2558   |
| (i) For a participant enrolled in a college course delivered on the college campus, at another location operated by the college, or online, the default ceiling amount;  | 2559<br>2560<br>2561   |
| (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;   | 2562<br>2563<br>2564   |
| (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.  | 2565<br>2566<br>2567<br>2568<br>2569   |
| (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.   | 2570<br>2571<br>2572   |
| (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 shall be not less than the default floor amount, unless approved by the chancellor, and not more than the default ceiling amount. The chancellor shall approve an agreement that includes a payment below the default floor amount, as long as the provisions of the agreement comply with all other requirements of this chapter to ensure program quality. If no agreement is entered into under division (A)(2) of this section, both of the following shall | 2573<br>2574<br>2575<br>2576<br>2577<br>2578<br>2579<br>2580<br>2581<br>2582<br>2583 |

apply: 2584

(a) The department shall pay to the college the applicable 2585  
default amounts prescribed by division (A)(1)(a) of this section, 2586  
depending upon the method of delivery and instruction. 2587

(b) In accordance with division (A)(1)(b) of this section, 2588  
the participant's secondary school shall pay for textbooks, and 2589  
the college shall waive payment of all other fees related to 2590  
participation in the program. 2591

(3) No participant that is enrolled in a public college shall 2592  
be charged for any tuition, textbooks, or other fees related to 2593  
participation in the program. 2594

(B) For each public secondary school participant enrolled in 2595  
a private college: 2596

(1) If no agreement has been entered into under division 2597  
(B)(2) of this section, the department shall pay to the college 2598  
the applicable amount calculated in the same manner as in division 2599  
(A)(1)(a) of this section. 2600

(2) The governing entity of a participant's secondary school 2601  
and the college may enter into an agreement to establish an 2602  
alternative payment structure for tuition, textbooks, and fees. 2603  
Under such an agreement, payments shall be not less than the 2604  
default floor amount, unless approved by the chancellor, and not 2605  
more than the default ceiling amount. 2606

If an agreement is entered into under division (B)(2) of this 2607  
section, both of the following shall apply: 2608

(a) The department shall make a payment to the college for 2609  
each participant that is equal to the default floor amount, unless 2610  
approved by the chancellor to pay an amount below the default 2611  
floor amount. The chancellor shall approve an agreement that 2612  
includes a payment below the default floor amount, as long as the 2613

provisions of the agreement comply with all other requirements of 2614  
this chapter to ensure program quality. 2615

(b) Payment for costs for the participant that exceed the 2616  
amount paid by the department pursuant to division (B)(2)(a) of 2617  
this section shall be negotiated by the school and the college. 2618  
The agreement may include a stipulation permitting the charging of 2619  
a participant, so long as the school provides information to all 2620  
participants on the no-cost options available under this chapter. 2621

However, under no circumstances shall: 2622

(i) Payments for a participant made by the department under 2623  
~~this~~ division (B)(2) of this section exceed the default ceiling 2624  
amount; 2625

(ii) The amount charged to a participant under division 2626  
(B)(2) of this section exceed the difference between the maximum 2627  
per participant charge amount and the default floor amount; 2628

(iii) The sum of the payments made by the department for a 2629  
participant and the amount charged to that participant under 2630  
division (B)(2) of this section exceed the following amounts, as 2631  
applicable: 2632

(I) For a participant enrolled in a college course delivered 2633  
on the college campus, at another location operated by the 2634  
college, or online, the maximum per participant charge amount; 2635

(II) For a participant enrolled in a college course delivered 2636  
at the participant's secondary school but taught by college 2637  
faculty, one hundred twenty-five dollars; 2638

(III) For a participant enrolled in a college course 2639  
delivered at the participant's secondary school and taught by a 2640  
high school teacher who has met the credential requirements 2641  
established for purposes of the program in rules adopted by the 2642  
chancellor of the Ohio board of regents, one hundred dollars. 2643

(iv) A participant that is identified as economically 2644  
disadvantaged according to rules adopted by the department be 2645  
charged under division (B)(2) of this section for any tuition, 2646  
textbooks, or other fees related to participation in the program. 2647

(C) For each nonpublic secondary school participant enrolled 2648  
in a private or eligible out-of-state college, the department 2649  
shall pay to the college the applicable amount calculated in the 2650  
same manner as in division (A)(1)(a) of this section. Payment for 2651  
costs for the participant that exceed the amount paid by the 2652  
department shall be negotiated by the governing body of the 2653  
nonpublic secondary school and the college. 2654

However, under no circumstances shall: 2655

(1) The payments for a participant made by the department 2656  
under this division exceed the default ceiling amount. 2657

(2) Any nonpublic secondary school participant, who is 2658  
enrolled in that secondary school with a scholarship awarded under 2659  
either the educational choice scholarship pilot program, as 2660  
prescribed by sections 3310.01 to 3310.17, or the pilot project 2661  
scholarship program, as prescribed by sections 3313.974 to 2662  
3313.979 of the Revised Code, and who qualifies as a low-income 2663  
student under either of those programs, be charged for any 2664  
tuition, textbooks, or other fees related to participation in the 2665  
college credit plus program. 2666

(D) For each nonchartered nonpublic secondary school 2667  
participant and each home-instructed participant enrolled in a 2668  
public, private, or eligible out-of-state college, the department 2669  
shall pay to the college the default ceiling amount, if that 2670  
participant is enrolled in a college course delivered on the 2671  
college campus, at another location operated by the college, or 2672  
online. 2673

(E) Not later than thirty days after the end of each term, 2674

each college expecting to receive payment for the costs of a 2675  
participant under this section shall notify the department of the 2676  
number of enrolled credit hours for each participant. 2677

(F) Each January and July, or as soon as possible thereafter, 2678  
the department shall make the applicable payments under this 2679  
section to each college, which provided proper notification to the 2680  
department under division (E) of this section, for the number of 2681  
enrolled credit hours for participants enrolled in the college 2682  
under division (B) of section 3365.06 of the Revised Code. The 2683  
department shall not make any payments to a college under this 2684  
section if a participant withdrew from a course prior to the date 2685  
on which a withdrawal from the course would have negatively 2686  
affected the participant's transcribed grade, as prescribed by 2687  
the college's established withdrawal policy. 2688

(1) Payments made for public secondary school participants 2689  
under this section shall be deducted from the school foundation 2690  
payments made to the participant's school district or, if the 2691  
participant is enrolled in a community school, a STEM school, or a 2692  
college-preparatory boarding school, from the payments made to 2693  
that school under section 3314.08, 3326.33, or 3328.34 of the 2694  
Revised Code. If the participant is enrolled in a joint vocational 2695  
school district, a portion of the amount shall be deducted from 2696  
the payments to the joint vocational school district and a portion 2697  
shall be deducted from the payments to the participant's city, 2698  
local, or exempted village school district in accordance with the 2699  
full-time equivalency of the student's enrollment in each 2700  
district. Amounts deducted under division (F)(1) of this section 2701  
shall be calculated in accordance with rules adopted by the 2702  
chancellor, in consultation with the state superintendent, 2703  
pursuant to division (B) of section 3365.071 of the Revised Code. 2704

(2) Payments made for nonpublic secondary school 2705  
participants, nonchartered nonpublic secondary school 2706



participants, and home-instructed participants under this section 2707  
shall be deducted from moneys appropriated by the general assembly 2708  
for such purpose. Payments shall be allocated and distributed in 2709  
accordance with rules adopted by the chancellor, in consultation 2710  
with the state superintendent, pursuant to division (A) of section 2711  
3365.071 of the Revised Code. 2712

(G) Any public college that enrolls a student under division 2713  
(B) of section 3365.06 of the Revised Code may include that 2714  
student in the calculation used to determine its state share of 2715  
instruction funds appropriated to the Ohio board of regents by the 2716  
general assembly. 2717

**Section 2.** That existing sections 3301.0711, 3301.0712, 2718  
3302.02, 3302.03, 3302.035, 3313.534, 3313.603, 3313.612, 2719  
3313.672, 3313.814, 3314.06, 3317.034, 3319.227, 3319.261, 2720  
3365.04, 3365.05, and 3365.07 of the Revised Code are hereby 2721  
repealed. 2722

**Section 3.** That Section 263.20 of Am. Sub. H.B. 59 of the 2723  
130th General Assembly, as amended by Am. Sub. H.B. 487 of the 2724  
130th General Assembly, be amended to read as follows: 2725

**Sec. 263.20. OPERATING EXPENSES** 2726

A portion of the foregoing appropriation item 200321, 2727  
Operating Expenses, shall be used by the Department of Education 2728  
to provide matching funds under 20 U.S.C. 2321. 2729

**EARLY CHILDHOOD EDUCATION** 2730

Of the foregoing appropriation item 200408, Early Childhood 2731  
Education, up to \$50,000 in each fiscal year shall be used to 2732  
support the operations of the "Ready, Set, Go...to Kindergarten" 2733  
Program at the Horizon Education Center in Lorain County. The 2734  
effectiveness of the program shall be evaluated and reported to 2735

the Department of Education in a study that includes statistics on 2736  
program participants' scores for the "Get It, Got It, Go!" 2737  
assessment and the kindergarten readiness assessment. 2738

The Department of Education shall distribute the remainder of 2739  
the foregoing appropriation item 200408, Early Childhood 2740  
Education, to pay the costs of early childhood education programs. 2741  
The Department shall distribute such funds directly to qualifying 2742  
providers. 2743

(A) As used in this section: 2744

(1) "Provider" means a city, local, exempted village, or 2745  
joint vocational school district; an educational service center; a 2746  
community school; a chartered nonpublic school; an early childhood 2747  
education child care provider licensed under Chapter 5104. of the 2748  
Revised Code that participates in and meets at least the third 2749  
highest tier of the tiered quality rating and improvement system 2750  
described in section 5104.30 of the Revised Code; or a combination 2751  
of entities described in this paragraph. 2752

(2)(a) In the case of a city, local, or exempted village 2753  
school district or early childhood education child care provider 2754  
licensed under Chapter 5104. of the Revised Code, "new eligible 2755  
provider" means a provider that did not receive state funding for 2756  
Early Childhood Education in the previous fiscal year or 2757  
demonstrates a need for early childhood programs as defined in 2758  
division (D) of this section. 2759

(b) In the case of a community school, "new eligible 2760  
provider" means a community school that operates a program that 2761  
uses the Montessori method endorsed by the American Montessori 2762  
society, the Montessori accreditation council for teacher 2763  
education, or the association Montessori internationale as its 2764  
primary method of instruction, as authorized by division (A) of 2765  
section 3314.06 of the Revised Code, that did not receive state 2766

funding for Early Childhood Education in the previous fiscal year 2767  
or demonstrates a need for early childhood programs as defined in 2768  
division (D) of this section. 2769

(3) "Eligible child" means a child who is at least three 2770  
years of age as of the district entry date for kindergarten, is 2771  
not of the age to be eligible for kindergarten, and whose family 2772  
earns not more than two hundred per cent of the federal poverty 2773  
guidelines as defined in division (A)(3) of section 5101.46 of the 2774  
Revised Code. Children with an Individualized Education Program 2775  
and where the Early Childhood Education program is the least 2776  
restrictive environment may be enrolled on their third birthday. 2777

(4) "Early learning program standards" means early learning 2778  
program standards for school readiness developed by the Department 2779  
to assess the operation of early learning programs. 2780

(B) In each fiscal year, up to two per cent of the total 2781  
appropriation may be used by the Department for program support 2782  
and technical assistance. The Department shall distribute the 2783  
remainder of the appropriation in each fiscal year to serve 2784  
eligible children. 2785

(C) The Department shall provide an annual report to the 2786  
Governor, the Speaker of the House of Representatives, and the 2787  
President of the Senate and post the report to the Department's 2788  
web site, regarding early childhood education programs operated 2789  
under this section and the early learning program standards. 2790

(D) After setting aside the amounts to make payments due from 2791  
the previous fiscal year, in fiscal year 2014, the Department 2792  
shall distribute funds first to recipients of funds for early 2793  
childhood education programs under Section 267.10.10 of Am. Sub. 2794  
H.B. 153 of the 129th General Assembly, as amended by Am. Sub. 2795  
H.B. 487 of the 129th General Assembly, in the previous fiscal 2796  
year and the balance to new eligible providers of early childhood 2797

education programs under this section or to existing providers to 2798  
serve more eligible children or for purposes of program expansion, 2799  
improvement, or special projects to promote quality and 2800  
innovation. 2801

After setting aside the amounts to make payments due from the 2802  
previous fiscal year, in fiscal year 2015, the Department shall 2803  
distribute funds first to providers of early childhood education 2804  
programs under this section in the previous fiscal year and the 2805  
balance to new eligible providers or to existing providers to 2806  
serve more eligible children as outlined under division (E) of 2807  
this section or for purposes of program expansion, improvement, or 2808  
special projects to promote quality and innovation. 2809

(E) The Department shall distribute any new or remaining 2810  
funding to existing providers of early childhood education 2811  
programs or any new eligible providers in an effort to invest in 2812  
high quality early childhood programs where there is a need as 2813  
determined by the Department. The Department shall distribute the 2814  
new or remaining funds to existing providers of early childhood 2815  
education programs or any new eligible providers to serve 2816  
additional eligible children based on community economic 2817  
disadvantage, limited access to high quality preschool or 2818  
childcare services, and demonstration of high quality preschool 2819  
services as determined by the Department using new metrics 2820  
developed pursuant to Ohio's Race to the Top—Early Learning 2821  
Challenge Grant, awarded to the Department in December 2011. 2822

Awards under divisions (D) and (E) of this section shall be 2823  
distributed on a per-pupil basis, and in accordance with division 2824  
(I) of this section. The Department may adjust the per-pupil 2825  
amount so that the per-pupil amount multiplied by the number of 2826  
eligible children enrolled and receiving services on the first day 2827  
of December or the business day closest to that date equals the 2828  
amount allocated under this section. 2829

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

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

(G) The Department may examine a provider's financial and program records. If the financial practices of the program are not in accordance with standard accounting principles or do not meet financial standards outlined under division (F) of this section, or if the program fails to substantially meet the early learning program standards, meet a quality rating level in the tiered quality rating and improvement system developed under section 5104.30 of the Revised Code as prescribed by the Department, or exhibits below average performance as measured against the standards, the early childhood education program shall propose and implement a corrective action plan that has been approved by the Department. The approved corrective action plan shall be signed by the chief executive officer and the executive of the official governing body of the provider. The corrective action plan shall include a schedule for monitoring by the Department. Such monitoring may include monthly reports, inspections, a timeline for correction of deficiencies, and technical assistance to be provided by the Department or obtained by the early childhood

education program. The Department may withhold funding pending 2862  
corrective action. If an early childhood education program fails 2863  
to satisfactorily complete a corrective action plan, the 2864  
Department may deny expansion funding to the program or withdraw 2865  
all or part of the funding to the program and establish a new 2866  
eligible provider through a selection process established by the 2867  
Department. 2868

(H)(1) If the early childhood education program is licensed 2869  
by the Department of Education and is not highly rated, as 2870  
determined by the Director of Job and Family Services, under the 2871  
tiered quality rating and improvement system described in section 2872  
5104.30 of the Revised Code, the program shall do all of the 2873  
following: 2874

(a) Meet teacher qualification requirements prescribed by 2875  
section 3301.311 of the Revised Code; 2876

(b) Align curriculum to the early learning content standards 2877  
developed by the Department; 2878

(c) Meet any child or program assessment requirements 2879  
prescribed by the Department; 2880

(d) Require teachers, except teachers enrolled and working to 2881  
obtain a degree pursuant to section 3301.311 of the Revised Code, 2882  
to attend a minimum of twenty hours every two years of 2883  
professional development as prescribed by the Department; 2884

(e) Document and report child progress as prescribed by the 2885  
Department; 2886

(f) Meet and report compliance with the early learning 2887  
program standards as prescribed by the Department; 2888

(g) Participate in the tiered quality rating and improvement 2889  
system developed under section 5104.30 of the Revised Code. 2890  
Effective July 1, 2016, all programs shall be rated through the 2891

system. 2892

(2) If the program is highly rated, as determined by the 2893  
Director of Job and Family Services, under the tiered quality 2894  
rating and improvement system developed under section 5104.30 of 2895  
the Revised Code, the program shall comply with the requirements 2896  
of that system. 2897

(I) Per-pupil funding for programs subject to this section 2898  
shall be sufficient to provide eligible children with services for 2899  
a standard early childhood schedule which shall be defined in this 2900  
section as a minimum of twelve and one-half hours per school week 2901  
as defined in section 3313.62 of the Revised Code for the minimum 2902  
school year as defined in sections 3313.48, 3313.481, and 3313.482 2903  
of the Revised Code. Nothing in this section shall be construed to 2904  
prohibit program providers from utilizing other funds to serve 2905  
eligible children in programs that exceed the twelve and one-half 2906  
hours per week or that exceed the minimum school year. For any 2907  
provider for which a standard early childhood education schedule 2908  
creates a hardship or for which the provider shows evidence that 2909  
the provider is working in collaboration with a preschool special 2910  
education program, the provider may submit a waiver to the 2911  
Department requesting an alternate schedule. If the Department 2912  
approves a waiver for an alternate schedule that provides services 2913  
for less time than the standard early childhood education 2914  
schedule, the Department may reduce the provider's annual 2915  
allocation proportionately. Under no circumstances shall an annual 2916  
allocation be increased because of the approval of an alternate 2917  
schedule. 2918

(J) Each provider shall develop a sliding fee scale based on 2919  
family incomes and shall charge families who earn more than two 2920  
hundred per cent of the federal poverty guidelines, as defined in 2921  
division (A)(3) of section 5101.46 of the Revised Code, for the 2922  
early childhood education program. 2923

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

(K) If an early childhood education program voluntarily waives its right for funding, or has its funding eliminated for not meeting financial standards or the early learning program standards, the provider shall transfer control of title to property, equipment, and remaining supplies obtained through the program to providers designated by the Department and return any unexpended funds to the Department along with any reports prescribed by the Department. The funding made available from a program that waives its right for funding or has its funding eliminated or reduced may be used by the Department for new grant awards or expansion grants. The Department may award new grants or expansion grants to eligible providers who apply. The eligible providers who apply must do so in accordance with the selection process established by the Department.

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

(M) The Early Childhood Advisory Council established under section 3301.90 of the Revised Code shall provide, by October 1, 2013, recommendations including, but not limited to, the administration, implementation, and distribution of funding for an early childhood voucher program, to the Superintendent of Public Instruction, the Governor's Office of 21st Century Education, the



Speaker of the House of Representatives, the President of the Senate, and the chairpersons of the standing committees of the House of Representatives and the Senate that deal primarily with issues of education. Decisions on the implementation of the voucher program shall be made by the Governor's Office of 21st Century Education with recommendations from the State Superintendent of Public Instruction and the Early Childhood Advisory Council.

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

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

**Sec. 263.320. LOTTERY PROFITS EDUCATION FUND**

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

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

**CAREER ADVISING AND MENTORING PROGRAM**

The foregoing appropriation item 200629, Career Advising and

Mentoring, shall be used by the State Superintendent of Public 2985  
Instruction to create the Career Advising and Mentoring Grant 2986  
Program. The Superintendent shall develop guidelines for the 2987  
grants. The program shall award competitive matching grants to 2988  
provide funding for local networks of volunteers and organizations 2989  
to sponsor career advising and mentoring for students in eligible 2990  
school districts. Each grant award shall match up to three times 2991  
the funds allocated to the project by the local network. Eligible 2992  
school districts are those with a high percentage of students in 2993  
poverty, a high number of students not graduating on time, and 2994  
other criteria as determined by the State Superintendent. Eligible 2995  
school districts shall partner with members of the business 2996  
community, civic organizations, or the faith-based community to 2997  
provide sustainable career advising and mentoring services. 2998

An amount equal to the unexpended, unencumbered portion of 2999  
the foregoing appropriation item 200629, Career Advising and 3000  
Mentoring Program, at the end of fiscal year 2015 is hereby 3001  
reappropriated to the Department of Education for the same purpose 3002  
for fiscal year 2016. 3003

STRAIGHT A FUND 3004

Of the foregoing appropriation item 200648, Straight A Fund, 3005  
up to \$70,000 in each fiscal year shall be used by Kids Unlimited 3006  
of Toledo for quality after-school tutoring and mentoring programs 3007  
in two elementary school buildings in Lucas County. The school 3008  
buildings may include any community school, chartered nonpublic 3009  
school, or building that is part of a city, local, or exempted 3010  
village school district. Kids Unlimited of Toledo shall provide 3011  
local matching funds equal to the set-aside. 3012

Of the foregoing appropriation item 200648, Straight A Fund, 3013  
up to \$250,000 in each fiscal year may be used to make competitive 3014  
grants in accordance with Section 263.324 of this act. 3015

Of the foregoing appropriation item 200648, Straight A Fund, 3016  
up to \$6,000,000 in fiscal year 2014 shall be distributed to the 3017  
Cleveland Municipal School District to be used, as determined by 3018  
the Department of Education, to implement provisions of Am. Sub. 3019  
H.B. 525 of the 129th General Assembly. 3020

Of the foregoing appropriation item 200648, Straight A Fund, 3021  
up to \$5,000,000 in each fiscal year shall be provided to school 3022  
districts that meet the conditions prescribed in division (G)(3) 3023  
of section 3317.0212 of the Revised Code to support innovations 3024  
that improve the efficiency of pupil transportation. This may 3025  
include, but is not limited to, the purchase of buses and other 3026  
equipment. The Department of Education shall distribute these 3027  
funds to districts based on each district's qualifying ridership 3028  
as reported under division (B) of section 3317.0212 of the Revised 3029  
Code. 3030

The remainder of appropriation item 200648, Straight A Fund, 3031  
shall be used to make competitive grants in accordance with 3032  
Section 263.325 of this act. 3033

EDCHOICE EXPANSION 3034

The foregoing appropriation item 200666, EdChoice Expansion, 3035  
shall be used as follows: 3036

(A) In fiscal year 2014, notwithstanding section 3310.032 of 3037  
the Revised Code, the Department of Education shall administer an 3038  
expansion of the Educational Choice Scholarship program as 3039  
follows: 3040

(1) A student is an "eligible student" for purposes of the 3041  
expansion of the Educational Choice Scholarship Pilot Program 3042  
under division (A) of this section if the student's resident 3043  
district is not a school district in which the pilot project 3044  
scholarship program is operating under sections 3313.974 to 3045  
3313.979 of the Revised Code and the student's family income is at 3046

or below two hundred per cent of the federal poverty guidelines, 3047  
as defined in section 5101.46 of the Revised Code. 3048

(2) The Department shall pay scholarships to attend chartered 3049  
nonpublic schools in accordance with section 3310.08 of the 3050  
Revised Code. The number of scholarships awarded under division 3051  
(A) of this section shall not exceed the number that can be funded 3052  
with appropriations made by the general assembly for this purpose. 3053

(3) Scholarships under division (A) of this section shall be 3054  
awarded for the 2013-2014 school year, to eligible students who 3055  
are entering kindergarten in that school year for the first time. 3056

(4) If the number of eligible students who apply for a 3057  
scholarship exceeds the scholarships available based on the 3058  
appropriation for division (A) of this section, the department 3059  
shall award scholarships in the following order of priority: 3060

(a) First, to eligible students with family incomes at or 3061  
below one hundred per cent of the federal poverty guidelines. 3062

(b) Second, to other eligible students who qualify under 3063  
division (A) of this section. If the number of students described 3064  
in division (A)(4)(b) of this section exceeds the number of 3065  
available scholarships after awards are made under division 3066  
(A)(4)(a) of this section, the department shall select students 3067  
described in division (A)(4)(b) of this section by lot to receive 3068  
any remaining scholarships. 3069

(5) A student who receives a scholarship under division (A) 3070  
of this section remains an eligible student and may continue to 3071  
receive scholarships under section 3310.032 of the Revised Code in 3072  
subsequent school years until the student completes grade twelve, 3073  
so long as the student satisfies the conditions specified in 3074  
divisions (E)(2) and (3) of section 3310.03 of the Revised Code. 3075

Once a scholarship is awarded under this section, the student 3076  
shall remain eligible for that scholarship for the current and 3077

subsequent school years, even if the student's family income rises 3078  
above the amount specified in division (A) of section 3310.032 of 3079  
the Revised Code, provided the student remains enrolled in a 3080  
chartered nonpublic school. 3081

(B) In fiscal year 2015, to provide for the scholarships 3082  
awarded under the expansion of the educational choice program 3083  
established under section 3310.032 of the Revised Code. The number 3084  
of scholarships awarded under the expansion of the educational 3085  
choice program shall not exceed the number that can be funded with 3086  
the appropriations made by the General Assembly for this purpose. 3087

COMMUNITY SCHOOL FACILITIES 3088

The foregoing appropriation item 200684, Community School 3089  
Facilities, shall be used to pay each community school established 3090  
under Chapter 3314. of the Revised Code that is not an internet- 3091  
or computer-based community school and each STEM school 3092  
established under Chapter 3326. of the Revised Code an amount 3093  
equal to \$100 for each full-time equivalent pupil for assistance 3094  
with the cost associated with facilities. If the amount 3095  
appropriated is not sufficient, the Department of Education shall 3096  
prorate the amounts so that the aggregate amount appropriated is 3097  
not exceeded. 3098

**Section 6.** That existing Section 263.320 of Am. Sub. H.B. 59 3099  
of the 130th General Assembly, as amended by Am. Sub. H.B. 483 of 3100  
the 130th General Assembly, is hereby repealed. 3101

**Section 7.** That Section 9 of Am. Sub. H.B. 487 of the 130th 3102  
General Assembly be amended to read as follows: 3103

**Sec. 9.** (A) For the 2014-2015 school year, each school 3104  
district, community school established under Chapter 3314., or 3105  
STEM school established under Chapter 3326. of the Revised Code 3106

shall administer to third grade students, for purposes of section 3107  
3313.608 of the Revised Code, the English language arts assessment 3108  
required under division (A)(1)(a) of section 3301.0710 of the 3109  
Revised Code ~~to third grade students for purposes of section~~ 3110  
~~3313.608 of the Revised Code as follows:~~ 3111

~~(1) For the fall administration of the assessment, each~~ 3112  
~~district or school shall administer the English language arts~~ 3113  
~~assessment for third graders that the school administered for the~~ 3114  
previous year under that section 3301.0710 of the Revised Code. 3115

~~(2) For the spring administration of the assessment to any~~ 3116  
~~student who fails to attain at least the score range prescribed by~~ 3117  
~~division (A)(3) of section 3301.0710 of the Revised Code, each~~ 3118  
~~district or school shall administer the English language arts~~ 3119  
~~assessment for third graders that the school administered for the~~ 3120  
previous year under section 3301.0710 of the Revised Code. 3121

~~(3) For the spring administration of the assessment to any~~ 3122  
~~student who has attained at least the score range prescribed by~~ 3123  
~~division (A)(3) of section 3301.0710 of the Revised Code, each~~ 3124  
~~district or school shall administer the English language arts~~ 3125  
~~assessment developed by the Partnership for Assessment of~~ 3126  
~~Readiness for College and Careers (PARCC).~~ 3127

(B) ~~The~~ For the 2014-2015 school year, the Department shall 3128  
use the assessments described in ~~divisions~~ division (A)(1) and (2) 3129  
of this section to calculate a district's or school's grades on 3130  
the state report card prescribed by section 3302.03 of the Revised 3131  
Code. 3132

A school district or building shall be considered to have met 3133  
the performance indicator for the third-grade English language 3134  
arts assessment described in division (A) of this section, if at 3135  
least eighty per cent of the tested students attain a score of 3136  
proficient or higher on the assessment. 3137

**Section 8.** That existing Section 9 of Am. Sub. H.B. 487 of 3138  
the 130th General Assembly is hereby repealed. 3139

**Section 9.** Notwithstanding division (G)(2) of section 3140  
3301.0711 of the Revised Code, for the 2014-2015 school year only, 3141  
the Department of Education or an entity with which the Department 3142  
contracts for the scoring of the assessments prescribed by 3143  
divisions (A)(1) and (B)(1) and (2) of section 3301.0710 of the 3144  
Revised Code shall send to each school district board a list of 3145  
the individual scores of all persons taking such an assessment for 3146  
that school year not later than December 31, 2015. 3147

**Section 10.** For the 2014-2015 school year, for the state 3148  
report card prescribed by section 3302.03 of the Revised Code, 3149  
notwithstanding anything to the contrary in the Revised Code, the 3150  
Department of Education shall calculate the performance index 3151  
score and the performance indicators met report card measures 3152  
based on the following assessments as follows: 3153

(A) For students enrolled in any of grades nine through 3154  
twelve, the scores from the assessments administered under 3155  
division (B)(1) of section 3301.0710 of the Revised Code. 3156

Any scores from assessments under division (B)(2) of section 3157  
3301.0712 of the Revised Code taken by students in any of grades 3158  
nine through twelve shall be reported only and shall not be 3159  
included in the calculation of a letter grade for a school 3160  
district or building's performance index or performance indicator 3161  
score. 3162

(B) For students enrolled in grade eight or below, the scores 3163  
from the assessments administered under division (B)(2) of section 3164  
3301.0712 of the Revised Code. 3165

**Section 11.** (A)(1) For the 2014-2015 school year, if a 3166

student is enrolled in an appropriate course under either of the 3167  
dual enrollment programs described in former divisions (A)(1) or 3168  
(4) of section 3313.6013 of the Revised Code, as it existed prior 3169  
to September 17, 2014, in the area of physical science or biology, 3170  
American history, or American government, that student shall not 3171  
be required to take the physical science or biology, American 3172  
history, or American government end-of-course examination, 3173  
whichever is applicable, prescribed under division (B)(2) of 3174  
section 3301.0712 of the Revised Code. Instead, that student's 3175  
final course grade shall be used in lieu of the applicable 3176  
end-of-course examination prescribed under that section. 3177

(2) For the 2014-2015 school year, if a student is enrolled 3178  
in an appropriate course under the dual enrollment program 3179  
described in former division (A)(3) of section 3313.6013 of the 3180  
Revised Code, as it existed prior to September 17, 2014, in the 3181  
area of physical science or biology, American history, or American 3182  
government, that student shall either: 3183

(a) Take the applicable examination under that dual 3184  
enrollment program in lieu of the physical science or biology, 3185  
American history, or American government end-of-course 3186  
examination, whichever is applicable, prescribed under division 3187  
(B)(2) of section 3301.0712 of the Revised Code; 3188

(b) Not be required to take the physical science or biology, 3189  
American history, or American government end-of-course 3190  
examination, whichever is applicable, prescribed under division 3191  
(B)(2) of section 3301.0712 of the Revised Code. Instead, that 3192  
student's final course grade shall be used in lieu of the 3193  
applicable end-of-course examination prescribed under that 3194  
section. 3195

Divisions (A)(1) and (A)(2)(b) of this section shall apply 3196  
only to courses for which students receive transcribed credit, as 3197



defined in division (U) of section 3365.01 of the Revised Code. 3198  
Neither division shall apply to remedial or developmental courses. 3199

(B) For purposes of this section: 3200

(1) The State Board of Education shall specify the score 3201  
levels for each examination required under this section for 3202  
purposes of calculating the minimum cumulative performance score 3203  
that demonstrates the level of academic achievement necessary to 3204  
earn a high school diploma. 3205

(2) The Superintendent of Public Instruction and the 3206  
Chancellor of the Ohio Board of Regents jointly shall adopt 3207  
guidelines for purposes of calculating the minimum final course 3208  
grade that demonstrates the level of academic achievement 3209  
necessary to earn a high school diploma. 3210

**Section 12.** Notwithstanding section 3302.03 of the Revised 3211  
Code, the Department of Education shall issue grades as described 3212  
in division (E) of section 3302.03 of the Revised Code for each of 3213  
the performance measures prescribed in division (C)(1) of that 3214  
section for the 2014-2015 school year not later than January 15, 3215  
2016. 3216

**Section 13.** Notwithstanding anything to the contrary in 3217  
section 3302.035 of the Revised Code, the Department of Education 3218  
shall issue the reports required under that section on the 3219  
performance measures for a school district's or school's students 3220  
with disabilities subgroup, using data from the 2014-2015 school 3221  
year, not later than January 15, 2016. 3222

For each school year thereafter, the Department shall issue 3223  
those reports on the first day of October as required under that 3224  
section. 3225

**Section 14.** Not later than November 1, 2015, the State Board 3226

of Education shall make a recommendation on whether or not to 3227  
extend by one year the safe harbor provisions prescribed by 3228  
section 3302.036 of the Revised Code and Section 13 of Am. Sub. 3229  
H.B. 487 of the 130th General Assembly. 3230

**Section 15.** Notwithstanding section 3302.21 of the Revised 3231  
Code, for the 2014-2015 school year only, the Department of 3232  
Education shall not rank school districts, community schools, and 3233  
STEM schools according to the performance measures prescribed in 3234  
divisions (A)(1), (2), and (5) of that section. However, the 3235  
Department shall rank districts and schools according to the 3236  
measures prescribed in divisions (A)(3) and (4) of that section 3237  
for the 2014-2015 school year not later than January 15, 2016." 3238

**Section 16.** Notwithstanding section 3302.22 of the Revised 3239  
Code, the State Board of Education may adopt a resolution excusing 3240  
the Department of Education from determining the top ten per cent 3241  
of schools for the Governor's Effective and Efficient Schools 3242  
Recognition Program under section 3302.22 of the Revised Code for 3243  
the 2014-2015 school year. 3244